The Strong Asymmetrical Dependency Studies Reader

Ed. Stephan Conermann

Second Edition

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The Strong Asymmetrical Dependency Studies Reader – Second Edition

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General Introduction

Various forms of strong asymmetrical dependency have existed throughout human history all around the world. Despite this broad spectrum, academic debates in the modern West have primarily focused on only one of these forms of human bondage and coercion: slavery. In other words, research has often drawn upon the extremes of absolute slavery versus freedom, simultaneously all but ignoring the variety of other types of dependency. Particularly the transatlantic experience of slavery, which is entangled with the creation of the modern West and is historically specific, continues to inform current notions of what freedom (and a lack thereof) means. It shapes (and simultaneously narrows down) our understanding of past and current manifestations of strong asymmetrical dependencies all over the world. In the context of the heterogeneous social processes of globalization, various forms and notions of freedom and strong asymmetrical dependency are juxtaposed and need to be negotiated. In order to understand these complex global processes, thorough analyses of the historical dimension of strong asymmetrical dependencies, including pre-modern structures and dynamics of social, cultural, economic and political orders, are necessary. However, strong asymmetrical dependencies in various regions, such as the Arab world, Asia as well as pre-Columbian America, and even within Europe, have not been studied as extensively as their Atlantic counterpart. The Bonn Center for Dependency and Slavery Studies (BCDSS) fills this gap by being an internationally visible Center for Strong Asymmetrical Dependency Studies that provides impulses for widening the international academic debate and for going beyond the dichotomy slavery versus freedom. By being conceptually and methodologically broader than existing institutes focusing on slavery and labor history as well as empirically and thematically more specific than most centers for global history, the BCDSS is able to play a leading role at the crossroads of current debates.

1. General Approaches

1.1. Strong Asymmetrical Dependency

Introduction

The BCDSS does research on strong asymmetrical dependencies in different societies. Its research goes programmatically beyond the binary opposition of slavery versus freedom by suggesting strong asymmetrical dependency as a new key concept which encompasses debt bondage, convict labor, tributary labor, servitude, serfdom, and domestic work as well as forms of wage labor and various types of patronage. Forms of strong asymmetrical dependency have existed throughout human history in all parts of the globe. They are thus part of the "human experience". This is why the BCDSS started out from two basic hypotheses: (1) There are enduring institutions of strong asymmetrical dependency in all human societies; and (2) these strong asymmetrical dependencies are formative for these societies. Against this backdrop, neither the divide between modern and pre-modern nor modernity as a paradigm are the central concerns of the BCDSS. The BCDSS contributes to the academic debate an evaluation of the rich and diverse expressions of strong asymmetrical dependencies from a transregional and perspective, taking historical depth into account. It is interested in social processes in order to better understand why and how different forms of strong asymmetrical dependencies emerged in different places and in different periods. The BCDSS is interested in the factors behind their development over time. If one takes strong asymmetrical dependency as the *tertium comparationis* in comparisons a definition is needed. Interestingly enough, sociology and social theory do not, yet, have a well-articulated theory of the institutions of strong asymmetrical dependency. The BCDSS applies a flexible and rather broad understanding of strong asymmetrical dependency: Dependencies between actors are based on the ability of an actor to control the actions and the access to resources of another actor. This type of control over actions and access to resources is often reciprocal, and, in this case, it is compatible with the autonomy of both actors. Therefore, the establishment of strong asymmetries between actors is decisive for the loss of autonomy of one of them. Moreover, this asymmetrical dependency between actors has to be supported by an institutional background that guarantees that the dependent actor normally cannot change his/her situation by either going away ("exit") or by articulating protest ("voice"). To test and re-conceptualize this definition, the BCDSS significantly broadened the empirical basis of research through a temporal and spatial extension of the field. The BCDSS connects current debates on strong asymmetrical dependencies in the 'modern world' with new research on societies outside of this sphere of influence. Maybe, strong asymmetrical dependency can even serve as the funding principle of a new social history.

1. General Approaches

1.1. Strong Asymmetrical Dependency

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DISCUSSION PAPER 22 01

Christoph Antweiler

ON DEPENDENCE, DEPENDENCY, AND A DEPENDENCY TURN.

AN ESSAY WITH SYSTEMATIC INTENT

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Christoph Antweiler

On Dependence, Dependency, and a Dependency Turn. An Essay with Systematic Intent

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I. Introduction

Which phenomena are to be considered as forms of asymmetrical dependence and dependency among human beings? How can we distinguish between dependence and dependency? Do we need a "dependency turn" in cultural studies, social science and historical research? These are the key questions addressed in this paper. It is an explicitly conceptual paper that aims at a clarification of analytic issues of dependence and dependency in a systematic manner. This conceptual orientation entails an abstract approach. Accordingly, this piece does not analyze specific cases or case histories in detail, although I will give short examples throughout.

The first BCDSS concept paper[1] explored the intricacies of dependence and slavery and discussed many concepts rooted in different scientific approaches. This paper is focused on basic forms, processes, and types of asymmetrical relationality. The author is an anthropologist and has a keen comparative interest in relations of dependence but is not a specialist in this area. To concentrate on topical matters and in conformity with the essay format, I give no references here. It should be emphasized that I do not claim novelty for any of the ideas presented or discussed here. I have relied extensively on the literature cited in our first BCDSS concept paper, and I have learned a lot from the long, fruitful, and interdisciplinary discussions with my co-authors in preparing that piece.

In terms of trends in current academic literature, this paper goes deliberately against the grain in some respects. There is currently a tendency in some areas of the humanities to capture complex phenomena in broad, open-ended and deliberately vague or ambiguous terms. Accordingly, definitions are out of fashion. A second trend is to use central terms in pluralized form ("histories", "identities", "practices", "mobilities", "geographies", "temporalities"). A third path often followed is the use of metaphors (e.g. "social death") or neologisms (such as "actant", "capitalocene" and "more-than-human") to approach complex phenomena or to understand complicated contexts. Occasionally I fall into these habits myself. All the more reason why my guiding principle in this essay is that the more complex and complicated a phenomenon is to understand, the clearer, more precise and more differentiated the terms should be. I think that metaphors can play a productive role in the search for new questions and hypotheses. However, metaphors and neologisms are not a substitute for a theory in the sense of a generalizing statement. This discussion paper is explicitly intended as a working paper that makes some preliminary proposals on the systematics of dependency phenomena. It therefore forms an interim state of thinking and is anything but complete. I would be pleased if it became a "living paper" through its use for the examination of concrete cases and through intensive and detailed criticism.[2]

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[1] Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler & Stephan Conermann (2021): *On Asymmetrical Dependency*. Bonn: Bonn Center for Dependency and Slavery Studies (Concept Paper 1), https://www.dependency.uni-bonn.de/images/pdf-files/bcdss_cp_1-_on-asymmetrical-dependency.pdf

[2] My thanks go to Imogen Herrad and Janico Albrecht. All rights to remaining errors remain solely with the author.

II. Dependence vs. Dependency

In order to enable greater analytical precision, a distinction between dependence and dependency may be helpful. Such a distinction, moreover, will allow us to connect and compare different projects studying both short-term developments and long-term trajectories of asymmetrical dependence, and spatially confined cases as well as those that extend over wider regions or even globally. Social dependency (beyond mere dependence) can be used as an overarching notion to describe a range of dependences in different and linked topical realms and at all scales, including macro-, meso- and micro-forms of dependence: thus forming a systemic phenomenon.

Dependence here refers to the smallest unit conceivable, a relationship between at least two connected elements (A, B), where at least one has limited agency and autonomy or scope of action *due to the linkage* A–B. Dependency, on the other hand, is conceived of as a system or structural form of practice of several and/or time-continuous dependences as systemic unities. This may be contoured in three directions. First, dependency might refer to any *systemic* form of dependence whatsoever. Second, dependency could be interpreted as the *holistic* aspect of specified relations. Third, on the meso- and micro-level, dependency may refer to a general social, cultural or even civilizational *tendency* or *inclination* to engage oneself or others in socioeconomic or socio-political relations that are characterized by dependence. This may be formulated in terms of social formation or in terms of an assemblage that includes objects.

Thus dependency would be conceived as a durable and stable form of different processes to create and support relations of dependence involving different actors, practices, and material entities. This definition functions similarly to the distinction between migrancy and migration. Whereas migration is the concrete movement to another place migrancy can be understood as the *condition* of habitual movement from one place of residence to another, a condition that privileges movement. The distinction between action and agency is not the same as the distinction between dependence and dependency, as agency is more related to *potential*.

The task would then be to determine how practices that create and support relations of dependence accumulate or agglomerate (over time) into broader social entities (societies, social formations, social orders, and constellations) through dependency. According to this view, social formations are processes that change continuously by means of the practices of various and multi-sited individuals and groups. The pivotal question here is how this structural form is given material form in social or societal reality. How was it constituted, and how has it achieved stability or continuity over time? What mechanisms are involved in its reproduction trans-generationally over time? Identifying this would imply a theoretical focus as well as an investigation of empirical data to establish a relationship between different elements, instead of assuming an earlier systematic connection.

Characteristic, trait	**Relations of dependence (single relation, practice)**	**Relations of dependency (systemic relations, praxis)**
Systemicity (1): structural relation to social order	single relation or seen as not or less related to other elements or dynamics of social order	related to other elements or dynamics of social order
Systemicity (2): links between dependences, articulation	a-systemic, item-like, not related to other asymmetric dependences	systemic; a condition related to other asymmetric dependences
Systemicity (3): analytical perspective	particularistic	holistic
Function: effect for stability or durability of social unit or entity	not functional for durability of social formation, social system or social order	functional for durability of social formation, social system or social order
Pattern (1): regularity in time, durability, longevity	irregularly, intermittent, transient, only at specific historical points	regularly, permanent, true trajectory, durable, trans-generational
Pattern (2): regularity in space, expanse	spatially limited occurrence, confined, parochial	spatially extended coverage such as regional or cross-boundary
Pattern (3): Number of instances, cases	single instance or case	multiple instances or cases
Number of dependence relations	one social/economic relation	many social/economic relations, multiple relations
Normalcy, normalization	not habitual, not socially grounded	habitual, commonplace, typical everyday experience
Normativity within social setting studied	no evaluative stance (by actors X, Y, Z)	negative or positive stance (by actors X, Y, Z)
Singularity or plurality	yes, several or many dependences	no, only one dependency referring to case or period (due to systemicity)

Table 1. Differentiating dependence and dependency through specific but partially linked characteristics

III. Social Dependence, Societal Dependence and Systemic Dependence

As understood here, dependence is first and foremost a human social relationship, albeit often a less humane or even inhumane one. This does not include forms of purely causal or ontological dependence, such as human dependence on natural resources, e.g. for carrying out an economic activity, building a monument or creating another object of material culture, and they will not be considered in this essay. In addition, since history usually matters in understanding dependency, it should be noted that path dependence can be important in the historical-genetic explanation of a historical or current dependency relationship under

consideration, but should be conceptually distinguished from the relational dependency under investigation.

If I speak of something as social, I am referring to, at minimum, a dyad of two individuals as interacting humans. The ontological core of social dependence approaches is the fact that the respective units, areas, systems, collectives, or persons connected are (or were) linked by *unequal relations*. The epistemic implication of this causal nexus is that to understand this structure of inequality, a careful analysis of the asymmetrical relation is needed, wherein two or more entities, polities, or systems are *articulated* via an unequal or hierarchical relation between persons, where one can control the other.

Social dependence is here defined as a specific form of social, economic or political ritual, or other form of human relationship. Relationships of social dependence can be conceived as asymmetrical relations between two or more actors. These actors may be persons, human collectives, juridical persons, institutions or states. Non-human causal agents or actants are excluded here, as I consider them to be behaving but not acting. If the unequal relations pertain to the larger supra-personal units called societies, we may speak of *societal* dependence. To understand this and apply it in empirical studies regarding pre-modern or contemporary societies, a suitable methodological approach would employ techniques suited to the study of *concrete social* relations, e.g., network analysis, area studies, regional systems analysis, systems theories, and complexity theories.

At first sight, our topic is not immediately linked to a more macro-oriented dependency theory as conceived within development studies or world system approaches. Nevertheless, we can learn a lot from different versions of dependency theory (*dependencia*), as it is a main theoretical approach for conceptualizing asymmetrical relations between societal entities. Dependence theory usually deals with asymmetrical relations between two spatial *macro*-entities. These entities are linked to one another through unequal exchange of materials, information and human beings (*articulation*). In the prototypical case these are colonizing units, also called *centers* (*metropoles*), which are linked with colonies or other dependent areas, the *peripheries* (*satellites*). The articulation is established and maintained by the relation of unequal exchange.

This structure of dependence is typically repeated across lower spatial scales within the colony's respective periphery, such as relations between a colonial center with its colonies or a city with its rural hinterland. Currently, we see a renewed interest in relations of dependence following the decline of classical dependence theories that took place in the 1990s. Dependence theory, which arose in the 1960s and 1970s, was conceived out of a critique of classical theories of social evolution and development. These dominant socio-evolutionistic approaches conceived long-term societal change as a one-directional phenomenon, emphasizing internal and cultural factors as key movers, and they entailed an assumption of necessary steps of development (the *ladder model*).

In contrast to developmentalist thinkers, dependence theorists emphasized external factors and investigated the success of developing areas via the image of parasitism appearing in the peripheries (with a focus that bore more on Latin America than on Africa and Asia). Dependence theories came under attack in the 1990s because they could not explain the

many *different* development paths taken by areas that had formerly been dependent on distant metropoles, such as the post-war trajectories of Ghana and South Korea, which appeared to begin in similar conditions. Dependence theory was followed by world system theory and more recent approaches that focus on the *Global South,* necessarily including the *Global North*. The macro-orientation and economic bias of *dependencia* theories calls for a rethinking of theories that focus on social dependence, replacing them with a combination of other approaches along with a focus on local developmental trajectories and regional agency, which is one of the main aims of the BCDSS.

The theoretical and methodological toolkit of dependence theory and related approaches with regard to the study of macro-economic and macro-political relations may relate to the economic and political fields proper and beyond the macro-scale. In relation to work and labor, dependence may be suitable for analyzing explicitly *social relations* and the scale of the *meso- or micro-levels* of such relations. Within the disciplines of cultural or social anthropology and sociology, many empirical studies of patron-client relations (*patronage* or *clientelism*) have been conducted; that is, these works examine social micro-relations that are structurally similar to macro-patterns of dependence and inter-dependence. If we think in terms of dependency and combine theoretical ideas ranging from macro-analysis to the micro perspective, theoretically challenging questions arise that are also *empirically* comprehensible through the use of existing sources or data sets that can realistically be constructed. Here are some examples of mostly unresolved issues:

- What are the specifics of asymmetric *inter*-dependence: in which ways are *super-ordinated* actors also (partially) dependent on their own subordinate or subaltern actors?
- In what ways can *subordinate*d actors use the (partial) dependence of their masters against them as their own *social capital*, facilitating them a certain degree of agency, e.g., through knowledge, technical expertise, mastery in work, or social cognition (knowledge of the social network)?
- Which persons and institutions can be characterized as *gatekeepers or brokers* to establish or maintain unequal work or labor relations?
- Are there opportunities (and if so, what are they?) for developing an asymmetric dependence through stages of inter-dependence into a more *mutual* labor relation (co-operation, symbiosis, or synergy)?
- What emerges when we see asymmetrical labor relations not as dyadic but *polyadic*, involving three or more individual, collective, or institutional actors?
- Are the relations in question socially dense, multiplex, and/or full of cultural content, or are they restricted to the relational aspects or a monoplex relatedness?
- Are there cases in which asymmetry and inequality are valued in a *positive* way by the subordinate?
- What are the specifics of dependence relations, if the partners are not only socio-economically or politically unequal but also *culturally* different?
- What are the specifics of slavery in comparison to other forms of severe or enduring dependence?

IV. Asymmetrical Dependence and *WEIRD* Research Biases

Dependence is related to politics, society and culture, and specifically to social order. Thus I start from the BCDSS' stance that asymmetrical dependency should be studied as a phenomenon that is both embedded in and structured by social order. How can the basic theoretical assumptions that were laid out in Concept Paper 1 be extended and further differentiated in a senseful way? First of all, structure: by which I mean a general notion of structure and not a specific linguistic or social-scientific notion of structure. Structures are by definition characterized by a certain measure of durability, which distinguishes them from processes or dynamics. However, we can also conceptualize structures as formed through social and societal practice, and deliberately prevent ourselves from seeing structures as something ontologically distinct from practices. Even practices may take on more structured forms if they become durable or pervasive, e.g., in rituals or other traditions that are explicitly linked to habit.

Thus, structures can be seen as being made up of multiple (and potentially causally contradictory) practices of multi-situated agents, namely, individuals, groups, assemblages of groups, organizations, and so on. This understanding of the development of *structuration* can be seen as a praxeological one, as used in many recent approaches to material studies in social science and archaeology. In this view, durable patterns of social life are created by interlinked processes. This links to agency, as we can assume that even in situations or settings with very restricted freedom due to strong and/or enduring asymmetrical relations, there may be at least some space for action.

I am especially concerned with the social and cultural aspects and dimensions of asymmetrical dependence as it manifests in relations between persons. Social structures and social practices are linked to social and societal relations. The very core of sociality itself is *relatedness*. The focal point of attention here should thus be on the question of how asymmetrical dependences *emerge* from the structuring and/or long-term development, that is, the institutionalization or canalization (or "fossilization") of specific social relations. The very notion of a social relation implies a *linkage* between persons, collectives, and/or organizations or social institutions. Because social actors are always related to their partners and to the given social situation, there are always links that bind them spatially or constrain their freedom. However, not every social relation should be regarded as a dependence relation. To have analytical power, the notion of dependency must designate something more than simply an extremely unequal social or economic relation. Furthermore, as said above, to avoid fuzzy conceptualization, we should be clear that (1) not every *synchronic* causal link between phenomena A and B is dependence, and (2) not every *diachronic* causal link between phenomena should be regarded as dependence.

A study of *asymmetrical* dependency could start by developing a conception of it as a specific form of *power relation*. The dynamics of power are formative for the dynamics of dependency. Nevertheless, on a theoretical level but also in empirical studies, we should distinguish analytically between different phenomena. We need to disentangle the relation between dependency and the personal and social relations of power, dominance, hierarchy, and inequality. The assertion that they are causally linked is not grounds to confuse them. This differentiation is relevant for *revealing* (instead of simply assuming) the causal links between

these four elements (a causal nexus) and to identify what is really at the core of the respective topic studied.

The systematization of dependency attempted here is explicitly intended to enable comparisons. Any enterprise of comparison implies the problem of criteria of comparison, the *tertium comparationis* (literally "the third", i.e. the common element, in a comparison). If we intend to develop an approach that is not biased toward Eurocentric or Atlanto-centric assumptions, a descriptive terminology is of the utmost importance for dependency studies. Our basic assumptions thus should not be limited to evidence produced in *WEIRD* (Western, Educated, Industrial, Rich, Democratic) societies. That pertains especially to generalizing assumptions about the basic values as well as the motives and emotions of interacting humans. Our current textbook knowledge of the human psyche has been obtained from a very limited set of studies, almost all of which were performed by Western researchers on Western subjects in experimental settings. Where worldwide comparative data is available, *WEIRD* societies consistently occupy the extreme ends of the distribution. This makes these groups the worst subpopulations that can be used to generalize about the psyche and behavior of humans.

Thus, if we compare, e.g., Atlantic slavery and Greco-Roman slavery with Asian or African cases of asymmetrical dependency, we must ascertain that the *tertium comparationis* that we are developing does not already have a privileged relationship with Atlantic slavery or Greco-Roman slavery being the usual implicit prototypes. Unless we do this, there is a danger that non-Western cases, case histories and dependency systems will almost automatically be regarded as deviant forms. By implication, beyond preventing Eurocentric assumptions we should try to avoid *any* form of projecting our own experiences or norms onto other social and cultural settings in a universalizing way ungrounded in empirical research. We should avoid any nostro-centrism.

V. Ten Aspects of Asymmetrical Dependency for Empirical Analysis

I propose ten aspects to focus on when studying social forms and formations or any constellations of asymmetrical dependency. These perspectives might be useful to (a) describe and analyze cases or case histories, (b) compare instances of asymmetrical dependency and (c) situate individual research projects within the young landscape of dependence and dependency studies. However, this should not be understood to form a complete picture or a comprehensive catalog to be followed as a recipe.

V.1. Social and Societal Actors Involved

Who is involved in relations of dependence? Who is acting, and who is being acted upon? How much freedom is there to act as desired (agency)? In asymmetrical dependency relations, persons are involved, such as in the archetypical master and slave. The interlocutors or actors involved can also be different kinds of social entities, such as occupational groups, communities, families (or ethnic or occupational groups) or social categories (e.g. castes, classes, or social entities grouped by e.g. age or gender). Institutions (political or economic)

and institutional or collective entities like states, nations, and transnational entities (e.g. an abolition movement) may also operate as either actors or those acted upon.

We must decide whether to treat ideas, items of material culture, or environmental circumstances as actors according to the Latourian concept. In this question different practice approaches take different stances. In contrast to currently very common arguments, I only regard people as actors, if an action – in distinction from a mere *behavior* – contains intention. That does not mean that all of the *effects* of a given action are intended. Furthermore, this in no way excludes the possibility that material objects or non-human living beings can in part produce similar effects as actions by human actors. Many material circumstances or entities of material culture may constrain, enable, or even afford asymmetrical dependency to differing degrees. One example is buildings, walls, fences and other material boundaries that permanently restrict people's freedom of movement or their freedom to express themselves. So the general question is this: How do material structures or materialized relations enable or establish asymmetrical dependence through affordance? We may think of making and unmaking, among actions, as simultaneous processes that can unfold for one person, a collective, and in different rooms. This also applies to material restrictions on the spatial autonomy of large numbers of people in social categories, such as bonded laborers or poor women.

V.2. Number of Elements Linked and Forms of Relatedness

By adopting a systemic view of dependence relations, we can investigate the elements and relations that constitute the system. Because we are dealing with eminently relational phenomena, we should analytically differentiate between several morphological structures of relations, such as social versus economic networks. We can distinguish between a bilateral relation (dyad, binary), where two parties (A, B) are linked, e.g. by a work contract. A triadic relation would be one that connects three parties (A, B, C); these may all be of the same sort (e.g. three persons) or be different sorts of entities (e.g. two persons plus one institution). Relations of asymmetrical dependency involving more than three parties would appear as multilateral relations.

Social network theory provides (a) an alternative to purely structural theorizing by taking account of individuals and their social positions. Furthermore, it offers (b) precise language for describing relations and (c) methods for qualitatively or quantitatively analyzing networks empirically (qualitative network analysis). Such analyses could be useful for observing those processes of the formation of dependency that appear more open, and those that appear more closed in regard to intervention by elements outside the system envisioned. We can then ask to which degree a social formation or socio-political system of dependence can be described as open, and how asymmetrical relationships are related to kinship structures or possibly even defined as such. The question would then be why those processes assume specific characteristics in certain contexts and in relation to one another.

V.3. Social, Economic, and Psychic Substance of the Dependence Relation

What forms of relations exist between actors? How are the connections or links between individual and collective actors characterized? Within the latter, we may analytically distinguish primary asymmetries of *power* (control, influence, dominance, coercion, hegemony, or obedience and subjection), of *spatial* access (locale, area, distance, territory, or fixedness), of *economic* exchange (e.g. bulk trade or slave trade) or a specific form of *economic* relation: a *work-based* relation (labor), a *sexual* relation (e.g. coerced sex or romantic love), or relations characterized by another behavior or form of social interaction. In many cases, we observe (a) *multi-modal* relations, e.g. economic labor-cum-sex work, or (b) combinations where one relation prefigures or enables another relation, e.g. an androcentric or hetero-normative gender system that structurally enables coerced sex.

Our assumption is that asymmetrical dependency is characterized by a relationship in which the superordinate has control over actions and resources and can restrict the scope of mobility of the subordinate due to the threat of punishment. Moreover, asymmetrical dependency also stems from broader processes that are not directly connected to control over individuals and groups but rather with the control of territory: e.g. exploitation of natural resources, colonization, sovereignty, and so on. The effectiveness of power (below) should also be differentiated according to substance. Following Foucault, it could be argued that the control of bodies in e.g. slavery or some forms of sex work is a form of biopower. This is particularly relevant here because it enables us to understand the expression of power from A to B in terms of access to B's life and body. This brings us to the next aspect: control.

V.4. Subjects and Objects of Control

If we analyze dependence as a form of control because the control of dependent subjects is at the heart of the relationship of asymmetrical dependency, our next question is this: what is the specific substance that is controlled? Is it *physical mobility* (corporal immobility, bondage through debt, incarceration), *actions* (limited agency or sexuality; cf. less freedom), or *resources*? This includes restricted or prevented access to territory, to resources (one's own or others'), or the power to prevent others from using one's own resources. But control can also be achieved by limiting the emotions of the individual or by limiting the experiences of a person or a collective. One issue of control in terms of historical projects might be the distinction between a person´s or a group´s intentionally limited physical mobility vs. unintended immobility (via geographical isolation or social isolation from compatriots).

In empirical research on dependence it may make the most sense to begin by exploring the moments when relationships break up, break down, or are intentionally unmade ("unmaking"). An extreme but telling example is the forced cutting of all kinship ties, as in many forms of slavery. This central theme of the control of people by other people, by institutions or by material arrangements, concerns questions of the freedom of action and other aspects of autonomy of dependent people, which I will discuss below. Regarding control, in general, the following questions about freedom might be helpful: to what degree is there (a) a freedom to disobey, (b) a freedom to move away spatially (spatial exit), and (c) a freedom to withdraw from the relationship (social exit)?

V.5. Cultural Manifestation, Presentation, and Representation

How is dependency dealt with in thinking, representation, and acting? How are such relations evaluated, and to what extent are they accepted? This holds for the power-holders (super-ordinates) and especially for the subordinates, because we know generally less about those who are subordinated. Are the relations narrated or performed? If they are performed, is this through behavior alone (observable action) or intentional action? Are dependency relations mainly presented or represented? If presented or represented, are they conceived by the actors involved as "normal" social, economic, or gender relations (normalism), or not as normal?

Any theory of asymmetrical dependence has to include an analysis of dependency ideologies and their critique(s), or the different forms in which asymmetrical dependency is legitimized, taken for granted, and even questioned. For societies in which asymmetrical dependency is a widespread (or even normalized) form of relationship, a dissenting heterodox position is one that questions this normality, while an orthodox position affirms this form of relationship. On the other hand, in societies that are based on the norm of symmetrical dependency, an orthodox position is one that questions asymmetrical dependence, and a heterodox one affirms it.

The two cases are linked through different representations and practices of legitimation and de-legitimation of asymmetrical dependency. This implies a range of empirical questions: which symbolic-discursive (and practical, possibly also material-spatial) forms of legitimation can we observe or document? The same question arises for the public or private questioning of dependency from different points of view (heterodoxy or orthodoxy). Which forms of local knowledge, local worldviews, or world-ordering knowledge are involved?

This also holds for public outreach activities by scholars and presentations of our perspectives, and it results in different audiences. The use of the concept of slavery may be problematic in scientific terms to describe many of the forms we study, as it is only one case of asymmetrical dependency, and an extreme one at that. On the other hand, our academic idea of asymmetrical dependency may not be suited for presentations to any given lay audience.

V.6. Direction of Dependence and Temporality

Considering the fact that different actors are in a dependency relationship with each other – at least a dyad of two actors –, two basic directions of dependency are possible. We can distinguish a one-way dependency, where A is dependent on B (mono-dependency) or a two-way dependency where A is dependent on B, and B is dependent on A (mutual dependence, interdependence). However, it may be that the content or quality of dependence differs (A needs money, B needs care or love). In certain production systems or historical phases B (a worker and owner of their own working power) may be more replaceable than A (a factory owner or owner of the means of production). Two partners A and B may be both dependent on a third party C, a person or an institution. In addition there may be a *time aspect* that complicates the structure, e.g. within *delayed* dependence, *seasonal* dependence or *reciprocal* dependency, such as where the reciprocation is habitually or even normatively

postponed. For all of these relations, we might use categories developed in social network approaches, but also the differentiated vocabulary developed in biology to analyze relations of biological symbiosis, mutualism, or parasitism.

V.7. Symmetrical vs. Asymmetric Dependency

Relations of dependence may be symmetric or asymmetric. The analysis of dependence is thus closely related to phenomena associated with inequality and power. In an *asymmetrical* relation, partner A has greater social resources than B, whether these are capital, property, power, influence, prestige, knowledge, or economic resources, or superior access to other resources. The difference should be a systemic one and thus not related to e.g. seasonality or limited to specific social situations. Within a *symmetrical* relationship, partners are on an equal level (socially, politically, and economically). In interdependency, A and B are dependent on each other, but they (as well as others) may be equally dependent on one another, or one may be more dependent than the other. Often one is dependent, but has greater agency to move to another partner, as is typical e.g. in patron-client relations (*patronage*). We should distinguish asymmetrical dependence from hegemony and from heteronomy (vs. autonomy), and clearly indicate the linkages among these phenomena. Hegemony involves normalization in everyday practice or the adoption of this understanding of the world on the part of B in such a way that the asymmetrical relationship is legitimized.

In relation to all of these forms, asymmetry should be distinguished *analytically*, first, from socioeconomic inequality (via e.g. wealth, knowledge, and prestige). This is not to deny that social inequality goes hand in hand with dependence of B versus A, as A and B can be understood as collectives or social categories. Asymmetry should be analytically disentangled as well from hierarchy, such as in models of *Homo hierarchicus*. Asymmetrical dependency always includes hierarchy, that is, a degree of decision-making power of A over the agency for action and access to resources of B, as a central element; but this does not hold in the other direction: not every hierarchy implies asymmetrical dependency of any actor involved, e.g. forms of purely formal hierarchies do not.

V.8. Pervasive vs. Weak Forms of Dependency

The study of dependence in human relations can be guided and also canalized by a focus on strong or extreme forms, such as slavery in the strict sense of the term. We must make clear whether we can analytically disentangle strong from weak forms of dependence and dependency. What, then, would the opposite of strong dependency be? Weak dependency may lack intensity if observed over a short period of time, but be very effective when viewed cumulatively, as indicated by the expression *weak ties* in social network analysis. We could relate strength to the inexistence of an exit option, indicating that the subordinated person or group cannot escape the locality or structure without, for instance, corporal punishment or other severe consequences, such as illness. Another approach would be to link the strength of a dependency to notions of human suffering. This would allow us to link our topic to discourses of human rights. In relation to individuals, we can distinguish temporary

dependence on the one hand and life-long dependencies, such as in patron-client systems, on the other.

V.9. Time Scales, Social Scales, and Spatial Scales

Dependence appears in different scales and can be studied in different scalar contexts. Some dependency studies relate to specific locales and short periods of time; e.g., studies based on anthropological fieldwork typically have narrow temporal and spatial scales. Other studies will have a large spatial frame, e.g. investigating a landscape or an entire polity or country. Some may even deal with transnational entities such as movements or cultural realms of a sub-continental scope. Others will take a *longue durée* perspective to reflect upon a long-term perspective on dependency in relation to historical periods or regimes, such as modernity, characterized by a project of symmetry and thus systemically restricting options for asymmetrical dependencies. We propose to go beyond this dichotomy between the micro and the macro by admitting moderate, or meso-scale, variants and by linking different scales. Furthermore, the construction of different scales by actors in the very processes of the formation of dependency should be observed. Spatial and scalar aspects also play a role in the specific social configuration of dependency situations and settings, especially with regard to categorical inclusion or exclusion. This is true, for example, when house slaves are considered guests within the house or family, while outside they are classified and treated as strangers.

Thus, it would be interesting to investigate the scalability of various forms of asymmetrical dependency. In contrast to dualist notions of local vs. global, short-term vs. long-term, and agency vs. structure, a perspective informed by scale allows for the contemplation of continuities. The study of the scalability of dependency implies the following approach to examining the scaling practices in the respective actors and their environmental conditions. It would entail beginning with the creation of space (material, representational, and social) in terms of the formation of dependency, in the sense of spaces of dependency. Thus we would ask on the basis of which factors can which relationships of asymmetrical dependency be transferred into which different contexts, and on the basis of which factors do they remain locally limited? Here, e.g. ecological factors may also play a role, if, for example, a form of asymmetrical dependency emerges in the context of the production of specific goods and is fundamentally connected to them. Some goods are more bound to certain local conditions (e.g. climatic, soil conditions) than others. Other forms of asymmetrical dependency can only establish themselves if they can build on specific, historically upstream, and socially widespread relationships and systems of representation, such as the traditional production and assertion of social status through asymmetrical dependency relationships.

V.10. Etic and Emic Dimensions

Who is speaking or writing about dependences? What are their perspective and positioning? The aspects of dependency as a social fact may be described from an outside, analyst's perspective, such as in a source written by a contemporaneous member of another society, a later commentator, or as a concept held by the actors involved in the relation itself as described e.g. by an anthropologist. The structural aspects of relations of asymmetrical dependency can be observable via actions, through documented economic processes and relations, objects of material culture or via material traces. The study of asymmetrical dependency should take into account the emic understandings and interpretations of asymmetrical dependency, as well as conflicts arising from different, contested, or antagonist understandings and worldviews within and beyond the social elements studied.

On the other hand, relations of asymmetrical dependency may only be observable in the language behavior of one or more of the actors involved (or indirectly via documents or material traces). The language used in emic studies may be the actor's own (e.g. in interviews) or that of others who are in contact with the actors. To understand and explain actions and agency it may be important to survey case studies or case histories where the aspects of asymmetric dependency are observable, and also manifest in an emic form, whether through documents, texts, or via interviews or are only present in an implicit or tacit way. On the other hand, to avoid a purely expressive understanding of the relationship between economic and cultural processes, it might important to understand how emic understandings and worldviews are entangled in the formation of economic structures and the formation of relevant social formations.

A specific problem involved in analyzing an emic perspective on asymmetrical dependency is the fact that because the topic is related to power and is normatively charged, we cannot assume that there is a one common view. Contrary to the former anthropological assumption that emics constitute a shared worldview, we should expect multi-faceted emics. We should also be open to the existence of idiosyncratic worldviews (*mazeway*) in any social setting. The distinction between the emic and the etic is pivotal for contemporary studies of dependence, such as anthropological studies on unfree labor. However, it is also generally relevant, as we often have only limited access to emic perspectives, even in studies of contemporary subjects or in case histories. Nevertheless, emic perspectives may be very important for historical studies as well, provided that we look critically at how far the sources allow us to develop the emic perspective. Taking inequality of relations as the default case for our topic, emic perspectives will be selectively represented. We can assume that the emic perspectives of certain historical actors, such as superordinate ones, are overrepresented at the expense of subordinates.

VI. Towards a Processual Typology and Against a Dependency Turn

The field of dependency studies falls along a continuum between extreme forms of asymmetrical dependency, like slavery of the Atlantic type, and other, less extreme forms. Because asymmetrical dependencies are diverse and continuously changing, their Atlantic forms should neither be considered as the default comparative type nor (as noted above) as the main orientating perspective for establishing our *tertium comparationis.* It remains an open question whether slavery is always to be regarded as the most extreme condition of asymmetrical dependence within a given context. Different emic views might be found related to the respective positioning of actors within social relations and within certain specific conditions in certain locales (e.g., a given nutritional situation and built environment). Added to this, the polar contrary, which I think is less interesting as a research field concerning the focus of dependency studies, would be what we might characterize emically as freedom and full autonomy. We seek to reveal insights also into forms and degrees, including partial freedom, autonomy, and agency. Thus, since the BCDSS was intentionally titled "Beyond Slavery and Freedom", this should be understood as beyond slavery *and* beyond freedom.

To develop a middle-range theory with sub-theories, a typology such as that presented in Table 2 might be a good first step. The rows represent the ten empirical aspects described above. This approach can be combined with another strategy, namely the taking of a well-documented entry point to a middle-range theory. In line with the processual approach that this essay suggests, we could begin with processes that seem to be almost universally involved in the production and reproduction of asymmetrical dependency. Indeed, some of the BCDSS' research areas and research groups may provide us with some examples, namely:

(a) Practices, norms, institutions i.e. how practices of asymmetrical dependence result in the normativity and (temporary) institutionalization of dependency.

(b) Semantics, such as the specific meanings attached by different actors to dependence relations.

(c) Labor and spatiality; where labor also implies relations of property, control and exploitation of natural resources etc., and spatiality includes both processes of mobilization and immobilization.

(d) Intersectionality, that is, how gender, age, class, status, ethnicity, race, sexuality, and other markers were and are used as a nexus that is involved in the production and reproduction of asymmetrical dependence/dependency, as well as of autonomy.

(e) Punishment, including multiple practices of asymmetrical dependency.

Aspect	Debt bond age	Convict labor	Tributary labor	Servitude	Serfdom	Domestic work	Wage labor	Clientelism, Patronage	...
4.1									
4.2									
4.3									
4.4									
4.5									
4.6									
4.7									
4.8									
4.9									
4.10									
…									

Table 2: Relations of asymmetrical dependency: A simple typological approach

Other entry points could be added, e.g. debt or spatial fixation. Using the ten characteristics, we could rearrange our research clusters in a more content- and less discipline-oriented way. The advantage of taking these processes as starting point for a median-range theory of asymmetrical dependency lies in the fact that they are broad enough to have a cross-cultural and trans-historical scope while at the same time, as processes, they always lead to different outcomes. In this way, we do not predetermine the outcomes, but leave it to empirical research to tell us what the modes of asymmetrical relations really look like in each context (e.g. processes of the mobilization and immobilization of labor played a role in producing and reproducing asymmetrical dependency in both context A and context B, but in the former they produced a social relation called slavery or indentured labor, which had certain characteristics a and b, while in the second case they produced other labor and social relations).

A possible *dependency turn* within studies of labor today may be understood as a scientific turn toward studying dependence as a general structural pattern within social and societal relations of labor, as social dependence. This would imply the study of relations of work-related dependence that is both (a) systematic and (b) thorough, that is, pertaining to any and all social and areal scales. This would hold both transculturally and trans-historically for early

modern cases and phases, as well as more recent or contemporary examples. This approach would constitute a turn away from a focus on unspecified or equal, symmetric relations.

In relation to theories of *unequal labor and slavery*, this turn would not be restricted to top-down dependence but would also imply an explicit consideration of dependencies of super-ordinate actors on their subordinate partners. Thus, dependence and inter-dependence would be linked. As with other so-called turns, this turn could be based on classic arguments and rationales in historical theorizing, cultural anthropology, and macro-sociological theory but with an emphasis on a new empirical area of focus and a specific theoretical perspective within studies of different forms of unfree labor, such as indentured labor, debt bondage, convict labor, sharecropping, and military service.

This dependency turn would signal the enormous importance and urgency of thinking in dimensions of inherited inequality, and it would therefore be welcome. By using the word "turn", however, I already reveal my reservations about such a program. I do not consider asymmetric dependency to be too insignificant a field to call such a change within it a "turn"; on the contrary, it is too important for this. The word "turn" is used primarily in the humanities and cultural studies as a form of order for debates on theory. While sociology tends to discuss permanent paradigms, such as structures, functions, and evolution, the turns seen in the humanities and cultural studies, especially the latter, usually only last until the next turn. Through the short attention cycles of the humanities and cultural studies, the linguistic turn is replaced by the cultural turn, and the latter by the material turn or the practice turn, followed by the relational and animal turns.

The constant turning is inherent in the metaphor, for a turn need not be a U-turn, but turn away from an established direction. If a new turn is seen as simply one additional perspective, the term would not be necessary. If an orientation has only existed since the last turn, the new turn is a departure from the direction in which the last turn was made. As for our topic, we can already foresee the future proclamation of a "post-dependency turn".

One problem with novel turns is that they may make us all-to-quickly forget earlier gains or insights obtained at great pains. This may be seen even in insights that were achieved in earlier turns. A general example of this may be found in the insights into the effectiveness of language that were gained in the linguistic turn, only to be forgotten in later turns. For example, in the currently popular variants of the ontological turn in cultural studies and ethnology, insights from the material turn for material political-economic and political-ecological contexts of worldviews are forgotten.

Given the ubiquity of asymmetrical inequality, this is also not a matter of simply proclaiming a kind of dependency-oriented mainstreaming in research and institutions, because this would invite routinization. In my opinion, dependency is theoretically too important a subject, the problem it expresses is too relevant and the word dependency itself is too rich in content to leave this as merely another turn.

For further titles see: https://www.dependency.uni-bonn.de/en/publications

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1. General Approaches

1.1. Strong Asymmetrical Dependency

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Values, Norms, and Institutions in the Study of Slavery and Other Forms of Asymmetrical Dependency[1]

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I Values, norms, institutions

Societies are always a web of values, norms, and institutions (Parsons 1937). Norms are expectations that are endowed with a binding effect. If someone tries to evade this binding effect, negative sanctions are in place to threaten those who make such an attempt. It is also possible to dispense with the application of these sanctions in individual cases, but the force and effectiveness of the norm depends on the availability of the sanction in principle. Instead of negative sanctions (= punishments), a society can alternatively use positive sanctions (= rewards). But positive sanctions are less suitable for enforcing expectations that are important to society. In the case of positive sanctions, the norm addressee can always say, 'I renounce the reward', and thus withdraw from the normative commitment. As a rule, social norms (e.g. compulsory schooling for children), which are conceived as uncompromising, do not concede such freedom and therefore tend to rely on negative sanctions. The function of positive sanctions (good grades, awards in many social spheres) is rather to motivate performances that go beyond what is normatively expected. One will not be able to encourage good school performance or top athletic performances through negative sanctions.

Social values are not norms. They lack the binding effect of norms and the endowment of negative sanctions. Values are rather preferences or indicators of directions to be followed. They provide interpretations of the meaning of what currently exists and define directions regarding what a society would like to achieve in the future (in this respect, values are "conceptions of the desirable type of society" (Kluckhohn 1951). Individual members of society can adopt values, but they do not have to. Values oscillate between normative and cognitive orientations, and the motivation that attaches to them is determined by a goal to be achieved rather than an order to be defended.

Institutions are always a web of norms and values, so they are clearly more complex social entities than the single value or norm. They are somewhat persistent, and at the same time their persistence and identifiability (on the basis of the norms and values of which they are composed) create an unrelenting pressure for change. It is precisely when institutions have a visible identity that one can criticize the values and the norms on which they rest and seek to change them. It is the complexity of the construction of institutions that makes this likely. Compared to other guiding concepts used in this context, the concept of institution has repeatedly and more clearly been linked to evolutionary theorizing (Hodgson 2004).

[1] The paper will be published in *Dependent 2022, Issue 1.*

II Institutions of asymmetrical dependency as "including exclusion". Diversification and contradictions

For all forms of strong asymmetrical dependency, the key question is how they fit into the web of norms, values, and institutions that make up any society. Are the forms of strong asymmetrical dependency an unbroken part of a social order that continuously consolidates this order, or do they create an internal contradiction in society that also appears as a disturbance, as a factor of unrest, as something that can also blow up a social order?

One can visualize this problem by means of a real (because historically occurring) thought experiment. A society that takes no prisoners in conflict or war, but kills all defeated enemies indiscriminately, will and can have no slaves (see Testart 1998, p.47). Similarly, a society that neither recognizes strangers as such nor is able to include them - i.e. must turn them away or kill them - can have no internal strangers and thus, again, no slaves (Stichweh 2010, 2017). This leads to two conclusions. The invention or creation of the slave creates an internal societal complexity that did not exist before. And second, this intra-societal complexity as a result of slavery is not an additive component that adds a small difference to social institutions. Rather, it creates massive heterogeneity because it institutionalizes a 'contradiction' to the previous social order.

The social order in lineage-societies rests on the fact that assignment to a kinship context is the constitutive social principle. The emergence of the slave, however, means precisely that slaves are made possible by being denied integration into kinship. They are excluded from the most important structural principle of society. And this exclusion is internal social exclusion. One does not expel the slaves, one does not drive them into the sea but leaves them in the society, however, the most important principle of belonging and social structure formation is denied to them. The sociological term for this process is "including exclusion" (Foucault 1977; Stichweh 2022) – an exclusion put into the form of inclusion. And it seems to be the case that every form of slavery rests on the fact that a radical exclusion is performed on the slave regarding a dimension of societal self-description that is constitutive of society (Testart 1998, 2018; Patterson 1982/2018; Rio 2017), and further and equally significant, that this exclusion is performed internally to society. One historical possibility is exclusion from kinship (African pre-colonial societies), another is exclusion from a society insofar as it is understood as a political community (Greece, Rome), and a third is exclusion from a religion actually understood as indispensable (Islam, Christianity). The multitude of variants and their respective shaping into an institution is obviously a central object of investigation.

However, the emergence of slavery seems to always take the institutional form of an "including exclusion." It is obvious that the societies in question arrive at an increase in complexity by institutionalizing contradictions and ambiguities, and that they thereby endow themselves with momentum for change and internal tensions.

Hence, Slavery is always a social institution. The same is true for the other forms of strong asymmetrical dependency: serfdom, debt slavery, forced labor, etc. How universal is the moment of ambiguity or institutionalization of an alien principle that entangles society in contradictions? This is an important research question. As an institution, slavery is created via normative expectations (legal and other norms), cognitive expectations (theories and semantics), and values. All of these components must continually be renewed, i.e. confirmed or changed, in a communication-based society (i.e. in any human society), and in this respect any institution is both stable and subject to evolution. Normative expectations are at the core of the stability of institutions of strong asymmetrical dependency, and they are so according to the definition of norms, since norms are those expectations to which one adheres even if something happens in society that disregards or violates these norms (Luhmann 1972).

III Control strategies in asymmetrical dependencies

In the case of slavery and its related institutions, normative rights of control of the Other are of particular prominence. The emergence of the multiple institutions of asymmetrical dependency should be understood as an escalation of controls that makes ever new dimensions of the social subject to outside control. In this respect, strong asymmetrical dependency is the systematic and unilateral substitution of external controls for self-control.[2] In a first dimension of control, it is a matter of one person controlling the material resources that another person believes he or she needs to live. This situation is close to the exchange that takes place in markets. As long as effective markets exist, no significant dependencies are likely to arise on this basis yet. A second control dimension emerges when someone has the rights of control over the actions of another (in the absence of institutionalized rights, it is only a de facto control of actions) (Coleman 1990). This second control dimension implies the possibility of pervasive control rights of one person over almost all actions of another person. In this way, there could already emerge a very strong asymmetrical dependency among two persons. Slavery is obviously a case of such (almost) complete control of actions. The control of the actions of another includes in many cases the control of the resources of this second person, since the use of the resources consists in actions, so that an ownership of these resources becomes dispensable.

Even when the resources I seek and my actions are controlled by another person, there is the possibility of argument and protest against this control exercised by another. This suggests a third dimension of control in asymmetrical dependencies. This third dimension of control arises when the possibility of conflict communication (Luhmann 1984, Ch. 9) or, in Albert Hirschman's terminology (Hirschman 1970), the possibility of 'voice' is cut off. As long as one can still protest openly, there is hope to weaken and end asymmetrical dependencies through consistent argumentation and contradiction. But if this fails, a fourth circumstance must be considered. This is the possibility of leaving the situation - or 'exit' (Hirschman 1970). Once pervasive, conflict-resistant asymmetrical dependencies are involved, leaving the system is the 'ultima ratio' left to the subjected. As a surprise decision, this can be as effective as the asymmetrical dependencies thereby disestablished. But if this possibility of exit is also cut off by effective control strategies, the web of dependencies that surrounds one becomes ever tighter. There then remains one last freedom in this situation of almost complete dependency. This is the possibility of withdrawal into a personal world experience that remains private and that one consciously keeps out of communication. It is difficult for an external person to control another person's world experience (see on ‘experience’ vs ‘action’, Luhmann 1978), and it is precisely in this that this last possibility of freedom rests. It seems to be a characteristic of totalitarian societies that they also try to invade this domain. Re-education camps are one of those institutions through which they attempt to establish this unlikely form of control.

IV Norms and Normative Pluralism in Institutions of Asymmetrical Dependency

The considerations up to this point have shown, first, that the manifold institutions of strong asymmetrical dependency practically always use the social form of "including exclusion". There is always an exclusionary element, a denial of a belonging or entitlement that is socially significant or even fundamental (kinship, political membership, religious affiliation). In this respect, there is no

[2] Cf. Elias 1976 who interprets the „process of civilization“ as the substitution of self-controls for the external controls of premodern societies.

difference in principle between slavery and the other institutions of strong asymmetrical dependency; at most, the difference between slavery and other forms is a matter of the socially constitutive character of the exclusions in question. This is the reason why one can speak with Patterson (1982) of slavery as 'social death'.

Second, the previous considerations have discussed the control strategies and control dimensions that are drawn upon in determining the inclusion side of the "including exclusion". In this regard, there exists an escalation of controls across five dimensions that increasingly sharpen the asymmetry between the controllers and the controlled, leading to what sociology calls a "total institution" (Goffman 1961). In this case, too, slavery is found at the end of a scale of escalating opportunities for control, which in the institution of slavery may include the possibility to destroy the physical existence of the controlled, the possibility of physical death.

The normative design of institutions of strong asymmetrical dependency necessarily includes both the exclusion side and the inclusion side. On the one hand, there are norms regarding the question of what exclusions can be expected and justified in a given society, just as, on the other hand, there is always a normative articulation of the inclusion side that has an essential impact on the control dimensions. In this context, a pronounced normative and also legal pluralism can often be observed. Due to the fact that they are based on exclusions that deny persons and groups constitutive memberships of the society in question, institutions of asymmetrical dependency exist in many societies that are illegal in terms of the legal order of the respective society. On the other hand they occur against the background of typical social emergencies (poverty, debt, bad harvests). In regard to these illegal asymmetrical dependencies often arise independent normative frameworks and forms of contract. This ensures among the respective participants in illegal institutions a reliable framework of normative expectations that is valid for them and illegal at the same time (the sale of children to other families, the sale of girls into forced prostitution) (cf. with reference to forms of slavery in Southeast Asia, Testart 2011)). 'Verdingkinder' ('enfants placés', 'bambini-schiavi') are another notable example of the occurrence of familial exclusion and resulting quasi-slavery at the center of social modernity (Switzerland 1800-1960). Durkheim's principle (Durkheim 1893) applies to all of these forms: the violation of norms also takes place in society and it creates its own normative frameworks, which it uses as a means of securing expectations.

V Values: Dependency as a societal value and the social value of excluded groups

The institutions of slavery and the other forms of asymmetrical dependency are embedded in the communication of social values. First of all, in all pre-modern societies there are preferences for dependency, i.e. dependency values. Patronage, clientelism, vassalage, submission as an educational value are some of the many agents of institutionalized preferences for dependency. In this respect, social modernity represents an epochal break insofar as it substitutes freedom, maturity, enlightenment, and self-responsibility for dependency values.

At the same time, another moment must be emphasized. This arises directly from the paradoxical character of "including exclusion," which is the institutional form of almost all strong asymmetrical dependencies. While on the exclusion side there is practically always the denial of a belongingness indispensable in principle, inclusion in exclusion means that the society in question expects that it will benefit from the persons and groups excluded in this way. Something is expected of them and something is imposed on them that produces a return or value for society. Hence, social ambiguity returns to the core of institutions of strong asymmetrical dependency. On the one hand, the exclusions that are the basis of strong asymmetrical dependency conflate with the strongest forms of

communicative disregard and dishonor available in a society (Patterson 1982/2018; Patterson and Zhuo 2018). On the other hand, these excluded and dishonored persons provide services that society seeks as profitable and beneficial. There is a contradiction in this, and it is an important task for historical sociological research to analyze how these contradictions are perceived, processed, and, if necessary, communicatively and cognitively denied. This (second) form of societal contradiction must then be further linked to the first form of societal contradiction discussed above, that the characteristics of individuals treated as reasons for exclusion are reproduced and possibly multiplied in society via the including side of exclusion. The rapid growth of the black African population of the United States even after the exit from the transatlantic slave trade (1808) was, after all, also an internally socially produced growth of the exclusion space and the contradictions and conflicts given in it. This is an experience of many historical societies, which react to the contradictions of their spheres of exclusion, which they need as such, with radicalization of repression and expansion of the scope of control. At the same time, they intensify their own contradictions. The analysis of these dynamics in historical and contemporary perspective is of obvious centrality.

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1. General Approaches

1.2. Beyond Slavery and Freedom

Introduction

As already mentioned, the BCDSS seeks to overcome the long-standing paradigm of slavery versus freedom by proposing strong asymmetrical dependency as an alternative, new key concept including all forms of bondage, while examining the distinct forms of dependencies in different regions and different historical periods. These types of bondage encompass precolonial, non-European and post-Abolitionist experiences of individual or structural coercion as well as those forms created within modern Europe and in today's globalized world. The Helots of Sparta, the Penests of Thessalia, the Klarots of Crete, and the Laoi in Hellenist and imperial Anatolia are compared with the bondsmen of the European Middle Ages, with the household servants in early modern Scandinavia, the dependent peasants in seventeenth- to twentieth-century Tibet, the plantation workers of the modern sugar production in India, and the forced laborers of Imperial China. All of these forms of bondage are put on the map of Strong Asymmetrical Dependency Research, as similarities and fine distinctions cannot be conceptualized exclusively within a Western conceptual framework. The principal goal of our research is a historical anthropology of strong asymmetrical dependency that addresses forms of bondage and coercion in their context-related manifestations and constant transformations. Strong asymmetrical dependency is conceived as a basic constellation of societies worldwide and throughout time. Instead of speaking of a continuum ranging 'from slavery to freedom' or 'from free to unfree labor', which draws upon conceptual opposites informed by thought patterns typical of the modern West, the BCDSS proposes the notion of a "continuum of dependencies", which has existed around the world throughout human history. Thus, put in a long-term global perspective, the concept of strong asymmetrical dependency allows for a paradigm shift in the field of research and helps to show that institutionalized coercive relationships, whether for profit or for some more overtly social purpose, were normal in many social and historical contexts. Still, replacing 'slavery' by 'strong asymmetrical dependency' and studying both 'modern' and 'pre-modern' as well as European and non-European contexts in the same conceptual framework does not mean ruling out differences or denying the existence of significant categorical distinctions. Instead, it allows for a reconceptualization and reformulation of analytical categories on the basis of broadened empirical evidence. In that sense, 'provincializing' the dichotomy of 'slavery vs. freedom' does not imply undermining the European project of the Enlightenment, but at least historicizing and decentralizing its achievements and uncovering similar, perhaps more local projects in other areas and periods of world history. New research on strong asymmetrical dependencies in the past may therefore also enrich current debates on precariousness and inequality in the globalized world of the twenty-first century. Ultimately, the new categories of analysis also have to stand the test of being applied to related phenomena today.

1. General Approaches

1.2. Beyond Slavery and Freedom

Veruschka Wagner. "Free like Other Freeborn People or Just Another Form of Dependency? Questioning the Situation of Manumitted Slaves in Early Modern Istanbul," *Working Paper* 6, Bonn Center for Dependency and Slavery Studies (2022).

https://www.dependency.uni-bonn.de/images/pdf-files/working-papers/wp6-wagner.pdf.

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Veruschka Wagner

"FREE LIKE OTHER FREEBORN PEOPLE" OR JUST ANOTHER FORM OF DEPENDENCY? QUESTIONING THE SITUATION OF MANUMITTED SLAVES IN EARLY MODERN ISTANBUL

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“Free Like Other Freeborn People” or Just Another Form of Dependency? Questioning the Situation of Manumitted Slaves in Early Modern Istanbul

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Abstract

This paper aims to present some thoughts and research findings related to my ongoing project on Ottoman slavery and dependency. The project, entitled "Spatial and Social Mobility of Slaves from the Black Sea Region in Seventeenth-Century Istanbul," is part of the *Transottomanica* project funded by the German Research Foundation (DFG).[1] The project focuses on the mobility and agency of slaves and aims to give information about their legal and social status, their trajectories during and after enslavement, and their role in society. Based on the concept of asymmetrical dependency used by the Bonn Center for Dependency and Slavery Studies (BCDSS),[2] my focus in this paper is on the legal and social status of slaves after their time of enslavement in terms of dependency. Drawing on entries in Istanbul-area court records of the sixteenth and the seventeenth centuries, I address the question of freedom, and present some preliminary results concerning forms of asymmetrical dependency that shaped slaves' lives after emancipation.

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[1] www.transottomanica.de.

[2] Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler, and Stephan Conermann, "On Asymmetrical Dependency," *BCDSS Concept Paper 1*, Bonn: BCDSS, University of Bonn, 2021 and Christoph Antweiler, "On Dependence, Dependency, and a Dependency Turn. An Essay with Systematic Intent," *BCDSS Discussion Paper 1*, Bonn: BCDSS, University of Bonn, 2022.

I. The Legal Status of Former Slaves

In comparison with forms of slavery in other regions and countries, the practice of slavery in the Ottoman Empire may be seen as having a certain openness because it offered slaves the possibility of legal and social advancement after their manumission. The very fact that slavery was temporary and that slaves were freed in different ways is a distinguishing feature of Ottoman slavery.[3] According to law, former slaves after manumission were supposed to be "free like other freeborn people," as stated in manumission documents.[4] On the one hand, it is evident that former slaves were integrated into society and, like other free persons, were able to carry out activities such as the purchase and sale of a house, marriage, the setting up of an endowment, or the acquisition of slaves. On the other hand, documents indicate that the relationship between former owners and slaves was maintained after manumission, and that merely a different kind of social, economic, or even emotional dependency developed. This kind of mutual dependency between slave owner and slave that continued after manumission can be described as patronage[5] or as a bond of personal loyalty.[6] However, not only during the time of their enslavement, but also after it had ended, slaves were involved in social processes and shaped the social and economic structures of Ottoman society. Thus, this paper attempts to draw preliminary conclusions about the life of slaves following their enslavement and takes a look at their social and economic activities in the society of early modern Istanbul—as far as the research results up to this point allow. In discussing forms of dependency in this paper, I adopt the BCDSS's[7] classification of free and unfree as a continuum of dependency, and address the question of the dynamic of slave status and dependency relations.

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[3] Madeleine Zilfi, "Ottoman Slavery and Female Slaves in the Early Modern Era," in *The Great Ottoman-Turkish Civilisation 2. Economy and Society*, ed. Kemal Çiçek et al. (Ankara: Yeni Türkiye, 2000): 714 and Nur Sobers-Khan, *Slaves Without Shackles. Forced Labour and Manumission in the Galata Court Registers, 1560–1572* (Berlin: De Gruyter, 2014). For an overview of studies on Ottoman slavery until 2017 see Suraiya Faroqhi, *Slavery in the Ottoman World: A Literature Survey*, Otto Spies Memorial Lecture 4 (Berlin: EB-Verlag, 2017).

[4] On Ottoman manumission documents see Joshua White, "Ottoman Slave Manumission Documents," *Christian-Muslim Relations 1500–1900*, 17.08.2021, http://dx.doi.org/10.1163/2451-9537_cmrii_COM_31256 and Suraiya Faroqhi, "Manumission in 17th-Century Suburban Istanbul," in *Mediterranean Slavery Revisited (500–1800) / Neue Perspektiven auf mediterrane Sklaverei (500–1800)*, ed. Stefan Hanß and Juliane Schiel (Chronos: Zürich, 2014): 381–402.

[5] Ehud R. Toledano, *Slavery and Abolition in the Ottoman Middle East* (Seattle and London: University of Washington Press, 1998): 66.

[6] Jan Hagedorn, *Domestic Slavery in Syria and Egypt, 1200–1500*, Mamluk Studies 21 (Bonn: Bonn University Press, 2020): 171.

[7] Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler, and Stephan Conermann, "On Asymmetrical Dependency," *BCDSS Concept Paper 1* (Bonn: BCDSS, University of Bonn, 2021): 2–3, https://www.dependency.uni-bonn.de/en/publications/bcdsss-publishing-series/bcdss-concept-papers. They refer to David Eltis and Stanley L. Engerman, "Dependence, Servility, and Coerced Labor in Time and Space," in *The Cambridge World History of Slavery*, vol. 3, *AD 1420–AD 1804*, ed. David Eltis and Stanley L. Engerman (Cambridge/New York/Melbourne: Cambridge University Press, 2011): 3. For the Ottoman Empire and the continuum of dependency see Ehud R. Toledano, "The Concept of Slavery in Ottoman and Other Muslim Societies. Dichotomy or Continuum," in *Slave Elites in the Middle East and Africa. A Comparative Study*, ed. Toru Miura and John Edward Philips (London and New York: Kegan Paul International, 2000): 159–75; Michael Ferguson and Ehud R. Toledano, "Ottoman Slavery and Abolition in the Nineteenth Century," in *The Cambridge World History of Slavery*, vol. 4, *AD 1804–AD 2016*, ed. David Eltis, Stanley L. Engerman, Seymour Drescher, and David Richardson (Cambridge: Cambridge University Press, 2017): 200.

My aim in this paper is to underline that after manumission, forms of asymmetrical dependency continued to exist between freed slaves and their former owners, and to demonstrate that the freedom that slaves gained after their manumission was not the same freedom as that possessed by other freeborn. Furthermore, I will claim that there were not only *degrees* of dependency that ranged between strong and less strong,[8] but in addition there were also *layers* of dependency, as (freed) slaves could be dependent at different levels and on different actors at the same time.[9]

II. Ottoman Court Records and the Collective Biographical Approach

Even if standardized formulations in legal texts do not seem to reflect the status of individuals, it is still possible to gain insight into the various social and economic dimensions of dependency by analyzing legal documents that are part of Ottoman court records. Such records, called *şerʿiyye sicil defterleri* or *şerʿiyye sicilleri* as well as *ḳāḍı sicilleri*,[10] are highly significant for examining the economic or social aspects of Ottoman society.[11] They contain a wide variety of transactions among Muslims as well as between Muslims and non-Muslims recorded by a *ḳāḍı* (judge).[12] Among them, many thousands of entries deal with various topics and aspects of the lives of slaves, and an examination of deeds of foundation, donations,

[8] As a measure of the degree of dependency, the agency of the slaves can be considered. However, the aspect of agency will not be addressed in this paper for the time being. For the agency of slaves in the Ottoman Empire, see the volume edited by Stephan Conermann and Gül Şen, eds., *Slaves and Slave Agency in the Ottoman Empire*, Ottoman Studies 7 (Göttingen: Bonn University Press at V&R unipress, 2020) and for a study based on the Istanbul court records, see Veruschka Wagner, "'Speaking Property' with the Capacity to Act. Slave Interagency in the 16th- and 17th-Century Court Register," in *Slaves and Slave Agency in the Ottoman Empire*, ed. Stephan Conermann and Gül Şen (Göttingen: Bonn University Press at V&R unipress, 2020): 213–336.

[9] I speak for the first time of layers of dependency in distinction to degrees of dependency in my forthcoming paper on modes of manumission, since we can infer from the manumission deeds that there were several layers of dependency that had to be dissolved one by one to emancipate a slave. The categories these layers refer to extend from the general to the specific (slave status in general, type of slave status – since there were many different terms and concepts for slaves in Ottoman society, and specific slave statuses with reference to the owner, for instance). See Veruschka Wagner, "Modes of Manumission: What Terms Used for Emancipation Tell Us about Dependencies in Ottoman Society," in *Slavery and other Forms of Strong Asymmetrical Dependencies. Semantics and Lexical Fields*, ed. Jeannine Bischoff and Stephan Conermann (Berlin: De Gruyter, forthcoming): 205–24.

[10] In this paper, I follow the transliteration system of the İslām Ansiklopedisi (İA) for terms in Ottoman-Turkish except for names, which are written according to modern Turkish spelling.

[11] Halil İnalcık already emphasized in his article published in 1943 the importance of court registers for the analysis of the Ottoman administration and social history. See Halil İnalcık, "Osmanlı Tarihi Hakkında Mühim Bir Kaynak," *Ankara Üniversitesi DTCFD* 1, no. 2 (1943): 89. For legal texts as historical sources see also Dror Ze'evi, "The Use of Ottoman Sharīʿa Court Records as a Source for Middle Eastern Social History: A Reappraisal," *Islamic Law and Society* 5, no. 1 (1998): 35–56.

[12] For an overview of the existing *sicils* in the archives, see Ahmet Akgündüz, *Şer'iye Sicilleri: 1; Mahiyeti, toplu kataloğu ve seçme hükümler* [Sharia Court Records: 1; Their Nature, Collective Catalogue and Selected Judgments] (Istanbul: TDAV Yay., 1988). For an introduction into the topic, see Yunus Uğur, "Şerʿiyye Sicilleri," *TDVİA* 39 (2010): 8–11; Halil İnalcık, "Osmanlı Tarihi Hakkında Mühim Bir Kaynak," *Ankara Üniversitesi DTCFD* 1, no. 2 (1943): 89–96; Dror Ze'evi, "The Use of Ottoman Sharīʿa Court Records as a Source for Middle Eastern Social History: A Reappraisal," *Islamic Law and Society* 5, no. 1 (1998): 35–56. For studies drawing on the Istanbul court registers see Yvonne J. Seng, "The *Şer'iye Sicilleri* of Istanbul Müftülüğü as a Source for the Study of Everyday Life," *TSAB* 15, no. 2 (1991): 307–25; Eunjeong Yi, *Guild Dynamics in Seventeenth-Century Istanbul: Fluidity and Leverage* (Leiden: Brill, 2004); and Nur Sobers-Khan, *Slaves Without Shackles. Forced Labour and Manumission in the Galata Court Registers, 1560–1572* (Berlin: De Gruyter, 2014).

estate inventories, and other documents provides information about the period of enslavement, the period of emancipation, and the period after enslavement. In Istanbul-area court registers of the sixteenth and large parts of the seventeenth century,[13] slaves appear as partners of agreements (e.g., in manumission contracts); as defendants (e.g., in records of escapes and recaptures); as plaintiffs (e.g., in proofs of non-slave status); as beneficiaries (e.g., in inheritance inventories); and as subjects of disputes (e.g., in credit issues as guarantees). The descriptions in the entries of these court files, which vary in length from two lines to several pages, are quite limited and formally as well as linguistically standardized,[14] so that the identification of single slaves is difficult. The scarcity of the sources makes it difficult as well to find more than one entry concerning one and the same slave. But even if the lives of individual slaves cannot be traced over an extended period of time due the nature of the sources, the entries still represent fragments of slave biographies, which document important moments like manumission, inheritance, donations, and so on. The collective biographical approach makes it possible to deal with this fragmented information and helps us put pieces of slave lives together in order to gain an overall picture of slaves as a group. From this picture, we can derive patterns that reveal expected and frequently occurring events and circumstances in the life of former slaves in early modern Istanbul. Even though each slave had an individual life story tied to his or her living conditions and other aspects, the collective biographical approach makes it possible to identify group tendencies, especially with regard to the forms of dependency relations.[15]

III. Analysis of Case Studies

III.1. Case Studies that Question the Free Status of Slaves

One of the aspects I would like to address here is the allegedly free status that slaves achieved after their manumission. The information that slaves were now "free like other freeborn people" (*sāʾir ḥarāir-i aṣliyāt* [*gibi*] *ḥür*(*re*) or *sāʾir aḥrār-ı asliyyīn gibi ḥür*) is common, with some slight variations, to all manumission papers. But were they really free, or were there some restrictions concerning their status that influenced their further paths in life?

A female slave of Circassian origin called Vildan bint Abdülvehhab, for instance, was emancipated by her owner, Mehmed Efendi, in the year 1675/1676, and later, when she was

[13] The Istanbul court records of the sixteenth and seventeenth centuries are accessible online; keyword searches allow us to thematically sift through the data set. In 2019, in addition to the entries from the Istanbul court registers from the sixteenth and seventeenth centuries already digitized by the Center for Islamic Studies (İSAM, İslam Araştırmaları Merkezi) between 2008 and 2012 and made available online in forty volumes. Another sixty volumes of the Istanbul court registers from 1557 to 1911 were digitized and made available online in their original form and transliterated; http://www.kadisicilleri.org.

[14] For the use of a "unitary language" in the Ottoman court records, see Boğaç Ergene, *Local Court, Provincial Society and Justice in the Ottoman Empire* (Leiden: Brill, 2003): esp. 134. See also Nur Sobers-Khan, *Slaves Without Shackles. Forced Labour and Manumission in the Galata Court Registers, 1560–1572* (Berlin: De Gruyter, 2014): 67.

[15] Using this approach, I analyze the role of mobility in the lives of female slaves living in sixteenth and seventeenth century Istanbul. Veruschka Wagner, "Lives in Pieces. Female Slaves and Mobility in Early Modern Istanbul," in *Transottoman Biographies, 16th-20th c.*, Transottomanica 3, ed. Denise Klein and Anna Vlachopoulou (Göttingen: V&R unipress, forthcoming). For the collective biographical approach see Levke Harders and Hannes Schweiger, "Kollektivbiographische Ansätze," in *Handbuch Biographie: Methoden, Traditionen, Theorien*, ed. Christian Klein (Stuttgart: J.B. Metzler, 2009).

"free like other freeborn people," she married him. She appears to have accepted a dowry of 12,000 *akçe*.[16] This particular case wound up in court because Mehmed Efendi's daughter, from whom he had bought Vildan some years earlier, claimed Vildan as part of her inheritance after her father died. After the court heard two witnesses, it was decided that Vildan had in fact been freed by her owner and was no longer part of his estate.[17]

In Ottoman society, it was not uncommon for freed slaves to marry their former owners. In general, marriages between slaves and non-slaves were legally and socially recognized,[18] and facilitated the integration of male and female slaves into the Ottoman community[19]—even if we do not know how voluntary this was and whether they had any other choice at all. What this entry shows us, however, in a way that is typical for numerous other entries, is that freed slaves quite frequently had to prove their manumission again in court. So as Vildan's case indicates, manumission did not necessarily lead to an uncontested status. Thus, a former slave's ability to prove his or her freedom could be crucial.

Gülsüm bint Abdullah, a former female slave of Ukrainian origin, for instance, sued Mustafa bin Hacı Kemal, a slave trader who tried to forcibly enslave her. Gülsüm bint Abdullah claimed that she had been manumitted by her owner, Hüseyin, as *ümm-i veled* ("mother of the child"), because she had given birth to three sons of her former owner's—and with the acceptance of them as his own children, the female slave was in general guaranteed freedom after her owner's death. Here, in order to prove her emancipation, two witnesses had to state before the court that Gülsüm had been the slave of Hüseyin, who had freed her because of the children she had born to him. As a result, he had set her free. In the so-called *i<u>s</u>bāt-ı ḥürriyyet* ("proof of freedom"), it was finally decided that the slave trader should take his hands off her and leave her alone.[20]

In addition to showing that a female slave could integrate into society by bearing a child that was accepted by her owner as his own child, these entries also make clear that it happened quite often that slaves had to prove their free status—and this was not only true for female but also for male slaves. Their further path in life was determined by the adequacy of their proof. This, in turn, suggests that freed men and women were not "free like other freeborn people," as the phrase was used in manumission documents. After all, their freedom was fragile and, in the case of contestation, only guaranteed by appropriate documents or

[16] *Akçe* was the name of a silver coin that lost value over time. Until the end of the seventeenth century it was the main monetary unit in the Ottoman Empire. According to İnalcık, in the second half of the fifteenth century in larger Ottoman cities the market price of one average slave fluctuated between 1600 and 3200 *akçe*. Halil İnalcık, "Part I – The Ottoman State: Economy and Society," in *An Economic and Social History of the Ottoman Empire*, *1300–1914,* ed. Halil İnalcık and Donald Quataert (Cambridge: Cambridge University Press, 1994): 284.

[17] Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri İstanbul Mahkemesi 18 Numaralı Sicil (H. 1086–1087 / M. 1675–1676)*, Kadı Sicilleri Dizisi 18 (Istanbul: İSAM, 2010): [10a–1].

[18] Yvonne J. Seng, "Fugitives and Factotums. Slaves in Early Sixteenth-Century Istanbul," *Journal of the Economic and Social History of the Orient* 34 (1996): 147.

[19] Ibid.: 152.

[20] Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri İstanbul Mahkemesi 12 Numaralı Sicil (H. 1073–1074 / M. 1663–1664)*, Kadı Sicilleri Dizisi 16 (Istanbul: İSAM, 2010): [70b–3].

witnesses. In fact, there was always the danger of falling back into slavery, possibly even through false claims.[21]

So the need to prove non-slave status is an indication that the free status which slaves gained after manumission was not so granted after all and differed from the free status of those actually born free. Furthermore, manumitted and later reenslaved persons had to prove their non-slave status, rather than the person who claimed property rights on them having to prove the slave status of these persons they asserted were their slaves. So this reverse burden of proof points to the legal and social acceptance of the lower status of slaves after manumission and clearly indicates the hierarchical order of the society. Even following manumission, slaves still had to rely on others not to refuse to acknowledge their status as freedpersons; and in the case of such a lack of acknowledgment, they were dependent on witnesses for proof of their non-slave status. Yet we find very few entries showing that such proof failed, that is, that the slaves could not prove their free status. This small number of failed proofs does not mean, however, that all other manumitted and reenslaved slaves were able to successfully prove their free status in court. Rather, this indicates that only those who had the means, possibilities, and a prospect of success went to court, so that we today can mainly find the successful proofs of non-slave status.

III.2. Case Studies that Deal with the Freed Slave's Life

III.2.1. Donations

Entries in records dealing with donations suggest what could happen to slaves who gained their free status. Bağıcinan, for instance, was released by her owner, Sinan Beşe, as a *cāriye-i muʿtaḳa* (a female slave manumitted for pious reasons). From the court entry, we learn that she was married to Mehmed Beşe bin Mustafa and had a daughter with him. Bağıcinan donated certain items to her daughter as gifts, as the entry indicates.[22] Another document that bears the same date and is included in the same register states that Bağıcinan and her husband themselves had received donations from their former owner, Sinan Beşe. Mehmed Beşe was given clothing including headgear and pants, while Bağıcinan was given kitchen utensils, blankets, and pillows.[23] In the preceding entry, three other freed slave women of the same Sinan Beşe also received donations of the same size and content as the donation that went to Bağıcinan. Their representative in court was Bağıcinan's husband, Mehmed Beşe.[24] This suggests that the three freed slave women were not yet married, because otherwise they would presumably have been represented in court by their own husbands. Incidentally, the deeds of manumission of all four female slaves cannot be found in the registers. Presumably it was sufficient that the deeds of donation mentioned that the women had been freed, or it

[21] Another way to prove one's manumission beside witnesses was to produce a manumission document. The original manumission document was given to the emancipated slaves, while a copy was kept with the judges. Nur Sobers-Khan, *Slaves Without Shackles. Forced Labour and Manumission in the Galata Court Registers, 1560–1572* (Berlin: De Gruyter, 2014): 49.

[22] Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri 49 Ahi Çelebi Mahkemesi 1 Numaralı Sicil (H. 1063–1064 / M. 1652–1653)*, Kadı Sicilleri Dizisi 9 (Istanbul: Kültür AŞ, 2019): 518 [77a–3].

[23] Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri 49 Ahi Çelebi Mahkemesi 1 Numaralı Sicil (H. 1063–1064 / M. 1652–1653)*, Kadı Sicilleri Dizisi 9 (Istanbul: Kültür AŞ, 2019) 521 [77b–2].

[24] Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri 49 Ahi Çelebi Mahkemesi 1 Numaralı Sicil (H. 1063–1064 / M. 1652–1653)*, Kadı Sicilleri Dizisi 9 (Istanbul: Kültür AŞ, 2019): 520 [77b–1].

may be possible that they still had the opportunity to have them issued in the event that they had to prove their emancipation at some point. This also raises the question of the extent to which slaves depended for their manumission not only on the system and their owners, but also on the person who documented the manumission. A discussion of the role of the *ḳāḍı* (judge), however, is beyond the scope of this paper.

The items Bağıcinan gave away to her daughter do not correspond to those Bağıcinan herself had received from her former owner. This means that she must have acquired them elsewhere after her manumission. However, because she was married and already had a daughter, we can assume that her emancipation took place sometime earlier. Bağıcinan moved from her former owner's household to her husband's household, and there she had a daughter with him, to whom she in turn donated some items. The fact that she and her husband also received gifts from her former owner suggests that the relationship with the former owner was maintained after her emancipation.

In addition, there seems to be a close attachment between Bağıcinan's former owner and her husband, because the latter also received gifts from him and acted in court as the representative of the other freed female slaves. That her husband bears the same title as the former owner (Beşe) indicates that both belonged to the military class.[25] We do not know how willingly Bağıcinan herself became the wife of Mehmed and whether there were other wives besides Bağıcinan, but at least her legal status changed and she went from being a slave to being a free woman. As it is stated in the court records, she was now legally seen as "free like other freeborn people." Nevertheless, she was in a relationship of dependency on her husband, who not only represented her in court but also himself had a certain relationship with her former owner; otherwise, he would not have been given a donation by the owner either. Everything points to a hierarchical constellation, which was probably determined by different dependency relationships.

However, we can see that especially in a direct link with manumissions, slaves profited from their owners, by receiving donations or parts of their inheritance. Süleyman and Vildan, for example, were given the right to cultivate a large field belonging to their owner after their emancipation. In addition, he donated to them a smaller field for their own use. This was a chance for them to make their own living, although again in some dependency on their former owner.[26]

The relationship between slave and slave owner was significant for slaves, because their financial and social status after enslavement was based on the networks they had established during their time of enslavement.[27] In the context of foundations, numerous slaves benefited from the stipulations of their former owners. In some cases, they received the right to dwell

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[25] Güçlü Tülüveli, "Honorific Titles in Ottoman Parlance: A Reevaluation," *International Journal of Turkish Studies* 1, no. 2 (2005): 17–27. The title does not say much about rank because the various titles were used interchangeably in the court records.

[26] Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri 48 Beşiktaş Mahkemesi 63 Numaralı Sicil (H. 1061–1062 / M. 1651–1652)*, Kadı Sicilleri Dizisi 8 (Istanbul: Kültür AŞ, 2019): 257 [77b–2] and Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri 48 Beşiktaş Mahkemesi 63 Numaralı Sicil (H. 1061–1062 / M. 1651–1652)*, Kadı Sicilleri Dizisi 8 (Istanbul: Kültür AŞ, 2019): 258 [78a–1].

[27] Jan Hagedorn, *Domestic Slavery in Syria and Egypt, 1200–1500*, Mamluk Studies 21 (Bonn: Bonn University Press, 2020): 171.

in the houses that their past owners turned into foundations, or they were granted parts of or whole houses, or they bought shares of a house. Some manumitted slaves also received posts or financial benefits.[28] From a 1628 document we learn that the two manumitted slave women of Cihan Hatun bint Abdullah were to be given the right of residence in the house donated by her after her death. Cihan Hatun bint Abdullah left it up to her two slaves whether they wanted to use the residential right transferred to them, or in case that there should be no need, to rent out the rooms and collect the money.[29] We learn nothing more about the two slave women except that they had converted to Islam, but the possibility raised in the document that the two freed slave women might have no need for living accommodations suggests that they could either provide for themselves or were provided for by others. It is conceivable, for example, that they married and, by moving to another household, were no longer in need of the housing rights their former owner had bestowed on them, or that they, for example, found work as servants in another household. At the very least, this additional note points to the possibility that these female slaves had some room for maneuver in their future careers after their manumission. At the same time, however, it indicates the importance of being taken care of by the former owner in case no other alternative arose after emancipation.

In some instances, however, slave owners could also provide for their freed slaves to become slave owners themselves, as in the case of Gülruh bint Abdullah, who made a donation to her freed slave Eğlence bint Abdullah. After Gülruh, presumably a former slave herself—as we can infer from her name—manumitted her female slave Eğlence, she also donated to her numerous objects and valuables like several blankets, hundreds of cushions, carpets, gold, jewelry, a silver belt, caftans, and a female slave of Ukrainian origin called Nevruz bint Abdullah.[30] Even if Gülruh was not a former slave, this entry nevertheless shows her manumitted slave Eğlence became a slave owner through the donation. It also elucidates the different treatment of slaves even within the same household. While Gülruh released one of her slaves and gave her a donation, her other slave remained enslaved and was part of that donation. This case illustrates not only the different positions that slaves could hold, but also that an individual's status after manumission was strongly influenced by their former owner. Other entries show that there were clear differences in the care of slaves after their emancipation. While for some, provision was made for an "independent" life by their owners, others lacked connections and ran the risk of being enslaved again if they were not already.

The documents thus suggest that different forms of free status existed after manumission, and consequently also different forms of dependency remained. The declaration that slaves became "free like other freeborn people" needs further differentiation in the legal and social sense. What at first glance can be interpreted as a concession to the manumitted slave, can also be seen as clarifying the rights and obligations acquired through manumission and, furthermore, as the former owner's ensuring that the slaves from now on had to look after themselves. In some entries we find the additional note that with their manumission, slaves received certain rights and duties (*hak ve yükümlülük* or *sorumluluk*).[31] This freed the slave

[28] Veruschka Wagner, "Slaves, Philanthropy and Pious Endowments in Early Modern Istanbul," in *Endowment Studies* 4, nos. 1–2 (Leiden: Brill, 2020): 125–52.

[29] Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri Hasköy Mahkemesi 5 Numaralı Sicil (H. 1020–1053 / M. 1612–1643)*, Kadı Sicilleri Dizisi 23 (Istanbul: İSAM, 2011): 8 [4–1].

[30] Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri İstanbul Mahkemesi 3 Numaralı Sicil (H.1027 / M.1618)*, Kadı Sicilleri Dizisi 9 (Istanbul: İSAM, 2010): 77a–1.

[31] See for example Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri Üsküdar Mahkemesi 51 Numaları Sicil (H. 987–988 / M. 1579–1580)*, Kadı Sicilleri Dizisi 8 (Istanbul: İSAM, 2010): 683 [81a-3].

owner from being responsible for the obligations of his slave, on the one hand, and it obliged the freed slave as a full member of society to pay, for instance, taxes.

III.2.2. Inheritance Regulations

A clear legal indication of an asymmetrical dependency between slaves and their former owners continued after manumission. It can be seen from a note added in the manumission deed that slaves did not have the full rights of freeborn. In the context of slavery, *velā* is an expression used to describe the legal connection between freed slaves and their former owners that remained after manumission (actually called *velā-i ʿitaḳa*, meaning *velā* upon manumission). This was a form of relationship that regulated inheritance rights (known as *ʿuṣūbe(t)-i sebebiyye* or *ʿaṣabe-i sebebiyye*[32)] and refers to indirect agnates.[33] Through this regulation, the former owner of a manumitted slave became one of the lawful heirs of the slave. Such a tie has to be distinguished from the genetic bond based on kinship and referred to as *ʿusūbe(t)-i nesebiyye* or *ʿaṣabe-i nesebiyye*, which was established by the connection through the paternal side. This "fictitious tie of relationship"[34] applied after manumission between freed slaves and their former owners[35] and enabled inheritance without having blood ties.[36] After the death of his freed slave, the owner was entitled to a part of his inheritance, if the freed slave died without any descendants or heirs of his own.[37] This *velā* relationship was therefore only between freed slaves and their former owners, and replaced or continued partially the previous bond that existed through enslavement.

When a manumitted female slave named Müşerrefe bint Abdullah died and left an inheritance, her former owner, Hacı İsa bin Abdülmümin, claimed his right that he had through *velā* (*velā-i ʿitaḳa cihetinden*). Legally, he was entitled to half of the inheritance, which he shared with the husband of the deceased. Müşerrefe's former owner and her husband, Osman

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[32] In the Istanbul court records, one can also find the following variations with the same meaning: *al-ʿaṣabe-i al-sebebiyye* or *ʿaṣabeten sebebiyyeten*.

[33] For details on inheritance issues see Aburrahman Yazıcı, "İslām Miras Hukukunda Asabe Yoluyla Mirasçılık" (PhD diss., Istanbul University: 2001); for the inheritance from manumitted slaves by their former owners see Aykan, who uses the term "circumstancial agnates", Yavuz Aykan, "On Freedom, Kinship and Market Rethinking Property and Law in the Ottoman Slave System," *Quaderni Storici* 154 (2017): 21–23.

[34] Sahillioğlu describes it as "heirs by indirect relationship." See Halil Sahillioğlu, "Slaves in the Social and Economic Life of Bursa in the Late 15th and Early 16th Centuries," *Turcia* 17 (1985): 60.

[35] On the relationship of former owner and manumitted slaves with a focus on female palace slaves see Betül İpşirli Argıt, *Life after the Harem, Female Palace Slaves, Patronage and the Imperial Ottoman Court* (Cambridge: Cambridge University Press, 2020): esp. 95–100. With a focus on medieval Islam, see Craig Perry "Slavery and Agency in the Middle Ages," in *The Cambridge World History of Slavery*, vol. 2, *AD 500–AD 1420*, ed. Craig Perry, David Eltis, Stanley Engerman, David Richardson (Cambridge: Cambridge University Press, 2021): 244–45.

[36] For this see Halil Sahillioğlu, "Slaves in the Social and Economic Life of Bursa in the Late 15th and Early 16th Centurie," *Turcica* 17 (1985): 60; Erich Pritsch and Otto Spies, "Klassisches Islamisches Recht," in *Handbuch der Orientalistik, III. Orientalisches Recht*, ed. B. Spuler (Leiden, Köln: Brill, 1964): 233.

[37] Patricia Crone, *Roman, Provincial, and Islamic Law: The Origins of the Islamic Patronate* (Cambridge, London and New York: Cambridge University Press, 1987): 36–38; Şükrü Özen, "Velâ," *TDV İslâm Ansiklopedisi* 43 (2013): 11–15. For the discussions of Ottoman religious scholars (*ʿulemā*) on *velā*, see Şükrü Özen, "Bir Mirasın Gölgesinde Velâ Tartışması: Müzellef Ahmed Efendi'nin Terekesi ve Ganîzâde Mehmed Nâdirî'nin Şeyhülislâma Mektubu," *The Journal of Ottoman Studies* 41 (2013): 71–124.

Beşe, agreed on a sum Osman had to pay to Hacı İsa bin Abdülmümin in order to close the case.[38]

Court records reveal that after the death of a freed slave, the descendants of the former owner claimed the inheritance of the freed slave in the event that the former owner was also deceased.

However, this right of inheritance was not only tied to the former owner but also transferred to his own descendants when the owner died before his former slave.[39] In the case of Hatice bint Abdullah, a female slave of Hüseyin Çavuş bin Abdullah, her inheritance was transferred to the son of her former owner, Mustafa Çelebi, because her owner had died in the meantime.[40] While former owners were appointed as heirs to their slaves by legal provisions, court records show that slaves on the other hand were often appointed as heirs or beneficiaries by their owners as well. This was made possible through donation, foundation, or inheritance.

Based on these entries, it can be assumed that the connection between freed slaves and former owners and their descendants continued, at least on a legal level. Moreover, it reflects that the dependency that continued after manumission not only had an impact on the slaves themselves but also on their direct relatives, who were in fact not considered the sole heirs but had to share the inheritance with the former owners. The bond between slave and owner thus also affected other persons, so that we can speak of multiple layers of dependency that remained after manumission.

III.2.3. Other Entries

We have so far looked at cases where it was clear that the individuals were freed slaves, or at least assumed to be. What is difficult to prove in court records, however, is the matter of freed slaves whose concerns had no connection to their time of enslavement. In the cases of these individuals, evidence of prior slave status is not clearly available. The only indication of a possible prior slave status is the patronym bin or bint Abdullah, which at least suggests that someone is a convert. Moreover, because many slaves converted to Islam, we can assume that some of the countless bin or bint Abdullahs who appear in court records are also freed slaves.[41]

This is the case with a certain Mihriban bint Abdullah whose name suggests that she might be a former slave. The entry concerns Mihriban selling a house (with a legal representative) to a man called Veli bin Müstecab. From the entry we know that the building was a one-story wooden house with a courtyard in the district of Üsküdar in the neighborhood of Mamure.

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[38] Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri Bab Mahkemesi 3 Numaralı Sicil (H. 1077 / M. 1666–1667)*, Kadı Sicilleri Dizisi 17 (Istanbul: İSAM, 2011): 25 [4a–1].

[39] On this topic with a focus on domestic slavery in Egypt and Syria see also Jan Hagedorn, *Domestic Slavery in Syria and Egypt, 1200–1500*, Mamluk Studies 21 (Bonn: Bonn University Press, 2020): 163.

[40] Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri İstanbul Mahkemesi 18 Numaralı Sicil (H. 1086–1087 / M. 1675–1676)*, Kadı Sicilleri Dizisi 18 (Istanbul: İSAM, 2010): 535 [148b–1].

[41] This is also true for the less common patronyms bin or bint Abdülmennan or Abdülvehhab.

We also learn the names of the neighbors, and that Mihriban sold the house for 1,500 *akçe*.[42] Thus far, there is nothing unusual about this entry, and apart from the assumption that Mihriban may have been a former female slave, there are no further indications here regarding that aspect.

In another entry from an earlier register we again come across a Mihriban bint Abdullah who this time purchased a house from a certain Mustafa bin Hasan. This entry was documented three years before the one mentioned above. The one-story wooden house she purchased for 1,000 *akçe* was in the district of Üsküdar in the neighborhood of Mamure.[43] When comparing the two entries concerning the purchase and sale of the house, we see not only the same district (Üsküdar), the same neighborhood (Mamure), and the name Mihriban bint Abdullah (who first bought a one-story wooden house and is now selling one), but also that one of the neighbors has the same name. If we take all these indications together, we can assume that the Mihriban in the two documents is the same person.

What we learn from this document furthermore is that Mihriban is the manumitted slave of the person she just bought the house from. This is mentioned in the document itself and can be seen from the manumission deed, which also appears on the same double page of the court record. This deed shows that Mihriban was of Ukrainian origin and that she was manumitted by her owner, Mustafa bin Hasan, for pious reasons.[44]

So Mihriban bint Abdullah bought the house and received a receipt for it on exactly the same day as her manumission.[45] Then, three years later she sold her house for 1,500 *akçe*, which is 500 more *akçe* than she spent for its original purchase.[46]

If we had not found the other documents in one of the preceding registers, we would not have known with certainty that Mihriban was a former slave. Based on this example, it can be seen that we do not know how many former slaves were actually involved in the transactions documented in court records. The presumption, however, is that they were able to engage in the same activities as freeborn people, but that these activities were probably mostly connected to their former owners. As we have learned, the house purchased by Mihriban formerly belonged to her owner. Other examples also illustrate that the further careers of slaves were strongly determined by their former owners and that the slaves were therefore bound to them even after manumission.

Thus, we come to the conclusion that in most cases, slaves after manumission were not as free as other freeborn persons, because they continued to be in a relationship of asymmetrical dependency on their previous owners. However, this does not mean that the dependency was only one-sided, because the slave owners also relied on their slaves. This dependency

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[42] Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri Üsküdar Mahkemesi 56 Numaralı Sicil (H. 990–991 / M. 1582–1583)*, Kadı Sicilleri Dizisi 9 (Istanbul: İSAM, 2010): [66a–3].
[43] Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri Üsküdar Mahkemesi 51 Numaları Sicil (H. 987–988 / M. 1579–1580)*, Kadı Sicilleri Dizisi 8 (Istanbul: İSAM, 2010): [82b–4].
[44] Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri Üsküdar Mahkemesi 51 Numaları Sicil (H. 987–988 / M. 1579–1580)*, Kadı Sicilleri Dizisi 8 (Istanbul: İSAM, 2010): [82a–3].
[45] Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri Üsküdar Mahkemesi 51 Numaları Sicil (H. 987–988 / M. 1579–1580)*, Kadı Sicilleri Dizisi 8 (Istanbul: İSAM, 2010): [82b–4].
[46] Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri Üsküdar Mahkemesi 56 Numaralı Sicil (H. 990–991 / M. 1582–1583)*, Kadı Sicilleri Dizisi 9 (Istanbul: İSAM, 2010): [66a–3].

stemmed from different causes, such as labor power and prestige, which the slave owners needed, so that we can speak of a reciprocal dependency. But this reciprocal dependency was still asymmetrical, as the two sides did not possess equal power and agency.

IV. Concluding Remarks

The possible legal and social mobility for (former) slaves emphasizes the openness of the institution of slavery in the early modern Ottoman Empire. The shift from being property to being a property owner and in some cases even from being a slave to being a slaveholder, emphasizes the social fluidity that characterized the lives of slaves. The examples shown in this paper also demonstrate that there were various types of asymmetrical dependency between (former) slaves and slave owners. Not only the different terms and concepts of slaves in the Ottoman Empire indicate different types of asymmetrical dependency between slaves and slave owners, but also the different treatment that slaves could experience even within the same household indicates different relationships. At the same time, the entries in these records suggest that for slaves, a different kind of dependency on their former owners remained after manumission. While legal dependency seems to be partially lifted, social and economic dependency could remain. This leads to the assumption that there were not only different degrees of asymmetrical dependency (from strong to less strong), but also different layers of asymmetrical dependency in different areas and between different actors. Thus, we can speak of multiple dependencies that could exist at the same time but also vary in terms of persons and extent.

When freed slaves benefited from their owners through donations, inheritance, or in other ways, this in turn created a new type of dependency. Indeed, freed slaves seemed to gain advancement in terms of their legal, social, and economic status only through their former owners, but further research is needed to corroborate this statement. The inheritance regulations also demonstrate that the legal status of a freed slave did not resemble that of a freeborn person, and that dependency remained after manumission. The question remains as to how much their former slave status influenced the lives of freedpeople and their integration into society. Furthermore, an interesting question is how this also had an effect on the lives and social status of their descendants.

Ultimately, the study of slavery should not end with the manumission or the conclusion of an individual's enslavement period, but continue because the time after enslavement was shaped by the time of enslavement. Moreover, the study of the period after enslavement also allows us to better classify the period of enslavement, for it emerges from it and can continue conditioning that was formed there.

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1. General Approaches

1.3. Agency

Introduction

The concept of 'agency' has proved to be useful for the research of the BCDSS. This concept, which has been widely used while at the same time being much criticized, still has a great and unexhausted potential to reconcile structuralist and praxeological approaches to strong asymmetrical dependency and social history. Already introduced as a basic category of social history, the concept of 'agency' has been substantially extended and adapted by the history of objects and a new interest in material cultures, by actor-network theories, by human-animal studies and environmental history. Within social history, and more particularly among labor historians and slavery experts, however, agency has become an emotive word. By using the term for any kind of action performed by suppressed or dependent people, 'agency' has become a buzzword with questionable epistemological value. The use of the term 'slave agency' as an equivalent for resistance and the interpretation of any action of slaves as potentially resistant in character has been criticized. Despite this criticism, the BCDSS is convinced that agency remains a key concept of social history and, building on recent theoretical reflections of other disciplines, must be revisited and refined for the study of strong asymmetrical dependencies. Recent studies on slavery and dependency have identified all sorts of societal 'power arenas' in which slaves and other dependents may be studied as actors: everyday reality, community building, the role of kinship networks, and the formative influence of religion have been the focus of research in recent years. Agency, in this sense, does not only mean violent opposition, but instead points to a broad spectrum of opportunities for acting within relations of strong asymmetrical dependency, such as different variants of silent resistance or the dynamics of concrete legal conflicts or conflicts over customary and religious traditions and rights. It is no longer necessary to locate agency exclusively in the milieu of resistance and defiance. Instead, agency can be seen in the everyday reality of dependent individuals or groups and their interaction with their social surrounding, especially with their masters. The relationship between master and slave, between the dominating and the dominated is no longer seen as being determined exclusively by top-down dominance, as something fixed without any chance of being modified. On the contrary, even the smallest room for maneuvering has been seen as a toehold for change. The bond between master and dependent was understood as alterable and modifiable within the framework of the given social order, as the impact of agency is rooted in the context of social relations. The members of the BCDSS take this new field of study a step further and base their understanding of agency on the concept of interagency as proposed by V. Despret[1] and adapted for social history approaches by Juliane Schiel, Isabelle Schürch and Aline Steinbrecher.[2] According to this approach, individual agency must be studied in relation to other actors. The focus here is on "fluid assemblies of agents"[3], meaning the settings of social interactions and interdependencies, and not on individual actions. The smallest unit of analysis for the study of social agency is always a social relationship of at least two actors (or actor groups). It is the interaction within the social unit of dependent(s) and master(s) that must take center stage, since all actions of the dependent(s) are closely interwoven with the status of the master(s), and the actions of the dominated can impact the conditions of life, even the religious, normative, and ethical values of the master(s).

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[1] Vinciane Despret, "From Secret Agents to Interagency," *History and Theory* 52, no. 4 (2013): 29–44.

[2] Juliane Schiel, Isabelle Schürch and Aline Steinbrecher, "Von Sklaven, Pferden und Hunden. Trialog über den Nutzen aktueller Agency-Debatten für die Sozialgeschichte," in *Neue Beiträge zur Sozialgeschichte/Nouvelles contributions à l'histoire sociale*, ed. C. Arni et al. (Zurich: Chronos, 2017): 17–48.

[3] David Gary Shaw, "The Torturer's Horse: Agency and Animals in History," *History and Theory* 52 (2013): 146–67, 149.

1. General Approaches

1.3. Agency

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WORKING PAPER 22 03

Bethany J. Walker

PEASANT DEPENDENCIES IN MEDIEVAL ISLAM: WHOSE AGENCY IN FOOD PRODUCTION AND MIGRATION?

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Peasant Dependencies in Medieval Islam: Whose Agency in Food Production and Migration?

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Abstract

Medieval feudalism, while it took different forms in different parts of the world, shared one common characteristic: the military, political, and economy foundations of society were constructed with peasant labor. The "state" could not exist, in this form, without a compliant peasantry. The everyday lives of peasants living in the pre-industrial world thus evokes images of immobility, servitude, and a legal and social status that remained static over time. The realities of peasant life in the Islamicate world, however, were quite different. This paper explores the marked inequalities of the mutually dependent relationships that developed between the Mamluk and Ottoman sultanates and peasant society, focusing on two areas of encounter and control that mattered most to both sets of actors: food production and peasant mobility in its many forms (relocation, dislocation, abandonment of villages, and mass migration). Land use and human migration provide us with a unique vantage point to study strongly asymmetrical dependencies on the scale of the village and over *la longue durée*. A joint archaeological-textual study of two villages in Palestine and Transjordan offer us a regionally comparative context.

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I. Were Peasants Tied to the Land?: The Special Case of the Islamicate World

The pre-modern state and peasants were mutually dependent, but in unequal ways. The state exerted force through its military might, which enforced acquiescence and maintained the status quo. The ruler maintained economic control by holding legal tenure of farmland. However, it was the peasantry, and the literal fruits of their labor, that financially bolstered the military. The medieval "feudal" system was, thus, dependent on control of the peasantry and their labor. Social mores and customs could maintain these relationships indefinitely, breaking down only under special conditions, such as the loss of tenure over land, military decline, and loss of a rural labor pool. The Black Death had the greatest impact on labor, but it impacted Europe and the Levant in very different ways.1 In Greater Syria and Egypt, other factors came to play to dissolve the power of the state over the lives of peasants and to ameliorate their conditions, while still maintaining an exploitative system. The unique structure of the political and military system there, which molded relations with peasants, created special conditions of dependency that distinguish this region from other "feudal" societies of the time.

The research project on which this Working Paper is based is a practice-oriented approach to understanding the condition of peasants in the pre-modern Levant, problematizing the concept of agency through archaeological methods.[2] It is very much a work-in-progress, and relies on the cumulative results of ongoing archaeological fieldwork, post-season laboratory analysis (by a team of specialists), and continuing reading and reassessment of contemporary Arabic texts (both documentary and narrative). State-peasant relations sit at the center of this regionally comparative, multidisciplinary project, which aims to reconstruct the realities of daily life for peasants living in Transjordan and Palestine in the thirteenth-eighteenth centuries. The paradigm of strongly asymmetrical dependencies, as being developed by the Bonn Center for Dependency and Slavery Studies, provides a new perspective on these relations. The following, then, focuses on two expressions of peasant dependencies in this period: control over critical resources and migration, and the physical form they take in the archaeological record. These two basic conditions of an autonomous life – access to the food one produces and the freedom to live and move where one wishes – form the centerpiece of relations between the Sultanate and its officials, on one hand, and the peasantry, on the other.

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[1] Stuart Borsch, *The Black Death in Egypt and England* (Austin: University of Texas Press, 2005).

[2] Peasant, environmental, and rural studies are relatively new areas of scholarship in Mamluk and Ottoman Studies. The key works on the peasantry in the Mamluk Sultanate are Tsugitaka Sato, *State and Rural Society in Medieval Islam: Sultans, Muqta's and Fallahun* (Leiden: Brill, 1997) and Yossef Rapoport, *Rural Economy and Tribal Society in Islamic Egypt. A Study of al-Nābulusī's Villages of the Fayyum* (Turnhout: Brepols, 2018), for Egypt, and Bethany J. Walker, *Jordan in the Late Middle Ages: Transformation of the Mamluk Frontier* (Chicago: University of Chicago, 2011), for Transjordan. For Ottoman Egypt, see Alan Mikhail, *Nature and Empire in Ottoman Egypt: An Environmental History* (Cambridge: Cambridge University Press, 2011); and for Ottoman Palestine, Amy Singer, *Palestinian Peasants and Ottoman Officials: Rural Administration around Sixteenth-Century Jerusalem* (Cambridge: Cambridge University Press, 1994).

The struggle for control over food and home is at the root of the strongly asymmetrical peasant dependency that developed in this world.

II. Theory – Problematizing Asymmetry and Dependency in State-Peasant Relations

An asymmetrically dependent relationship is a deeply social one; it is coercive and two-directional.[3] Strong dependencies emerge when one actor cannot exist without the other; the world of one actor would lose meaning without that of the other.[4] Such systems survive because of the mutual reliance of actors on one another. Their relations are heavily unequal, however, and this imbalance would not likely change without threatening the collapse of the entire system. The dependencies are maintained through multiple channels: control over resources, actions, verbal resistance, "exit" strategies, and thought.[5] At the heart of these relations is the expectation that the empowered will benefit from the labor or services of the dependent; dependents are included in this society because they are useful, because society somehow profits from them.[6]

Before the industrial revolution, political power was dependent on the control of agricultural production. The Mamluk and Ottoman states were dependent on peasants in other ways, as well, outside of their labor on the land. Their administrators relied on peasant know-how (at times estate managers even consulted local peasants on "best practices" related to land and water use).[7] Imperial finances were largely dependent on agricultural taxes. The state confiscated food from villages, in times of famine in the cities, and horses, in times of war. Peasant communities were frequently used as pawns in political disputes[8], and were coopted into state service to collect local taxes and guarantee safety of travel. In general, the political elite maintained power over them through violence, cooption, administrative restructuring, and tribal politics.[9]

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[3] Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler, and Stephan Conermann, *On Asymmetrical Dependency*, BCDSS Concept Paper 1 (Bonn: BCDSS, University of Bonn, 2021).

[4] David Miguel Gray, "Asymmetrical and Symmetrical Dependency: A Particular Problem," *Aporia* 6 (1996): 17–34.

[5] Rudolf Stichweh, "How Do Divided Societies Come about? Persistent Inequalities, Pervasive Asymmetrical Dependencies, and Sociocultural Polarization as Divisive Forces in Contemporary Society," *Global Perspectives* 2.1 (2021): 4.

[6] Rudolf Stichweh, "Values, Norms, and Institutions in the Study of Slavery and Other Forms of Asymmetrical Dependency," *DEPENDENT. The Magazine of the Bonn Center for Dependency and Slavery Studies*, 2022-1, 4–8.

[7] Tsugitaka Sato, State and Rural Society in Medieval Islam: Sultans, Muqta's and Fallahun (Leiden: Brill, 1997); Alan Mikhail, Nature and Empire in Ottoman Egypt: An Environmental History (Cambridge: Cambridge University Press, 2011); Thorsten Wollina, Zwanzig Jahre Alltag: Lebens-, Welt- und Selbstbild im Journal des Aḥmad Ibn Ṭawq. Göttingen: V&R unipress, 2012); and Yossef Rapoport, Rural Economy and Tribal Society in Islamic Egypt. A Study of al-Nābulusī's Villages of the Fayyum (Turnhout: Brepols, 2018).

[8] Bethany J. Walker, Jordan in the Late Middle Ages: Transformation of the Mamluk Frontier (Chicago: University of Chicago, 2011).

[9] Ibid., 123–33 and Bethany J. Walker, "The Tribal Dimension in Mamluk-Jordanian Relations," *Mamluk Studies Review* 13.1 (2009): 82–105.

How did the peasantry react to such abuses of power? Peasants had certain expectations of the state, which included keeping the countryside, and travel through it, safe. There were other expectations of fair behavior in the economic realm, the "moral economy' that has occupied the accounts of Mamluk historians, medieval and modern.[10] The most important issues were speculation on wheat prices and hoarding of cereals, which led to the disappearance of wheat from the urban and rural markets. Contemporaries were quick to identify the sources of their suffering: the avarice attributed to corrupt amirs, grain brokers[11], and *waqf* administrators, the officials with whom rural peoples had the most direct contact and who collected taxes.[12] Peasant response to these actions ranged from acquiescence to petitioning to abandonment of home and land.

Litigation, petition-writing, migration, and even taking up arms were forms of resistance, but it is surprising how seldom peasants appear to have resorted to them. Accommodation, and subtle practices through which they could carve out small niches of autonomy[13], were more characteristic of peasant action; these were resilience strategies, meant to maintain communal life. Resilience, from a systems perspective, refers to changes made within a system that allow it to survive as a system under periods of extreme stress; it is adaptive, not transformative. It is ultimately a survival strategy, keeping the group together, while not changing the dependent relations. When a resilience strategy is successful, the group survives as a social unit. The survival of a community is a measure of success on its own terms, even when asymmetries continue to exist. There are limits, however, to the degree to which any social unit (or individual) can adapt, accommodate, or sacrifice before it ceases to exist as a group or person. That is a system threshold. When these thresholds are exceeded, the unit can no longer survive in that form, and either dissolves (dies) or changes form. For peasant communities, this could take several different forms, including full-scale abandonment of villages and migration, population dispersal, „bedouinization", and the disappearance of that community as a recognizable group.

The "subtle practices" are less visible textually, but more likely to be reconstructed archaeologically, as discussed below. They include communal decisions on fair use of crucial resources (namely land and water) and intra-communal conflict resolution (the kind that avoids engaging with official courts). A certain autonomy is achieved in this way, and in those areas of daily life that maintained social cohesion. Traditional practices related to cropping

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[10] Boaz Shoshan, "Grain Riots and the 'Moral Economy': Cairo, 1350–1517," *Journal of Interdisciplinary History* 10.3 (1980): 459–78; Amalia Levanoni, "The al-Nashw Episode: A Case Study of 'Moral Economy,'" *Mamluk Studies Review* 9. 1 (2005): 207–20.

[11] Taxes on cereals were generally collected in-kind. When those taxes were not collected at the threshing floor, peasants were required to bear the expense of transporting them to urban markets, at centers of grain brokerage.

[12] Bethany J. Walker, Sofia Laparidou, Annette Hansen, and Chiara Corbino, "Did the Mamluks Have an Environmental Sense?: Natural Resource Management in Syrian Villages," *Mamluk Studies Review* 20 (2017): 244.

[13] Autonomy results from actions taken by an individual or group to give it space to maneuver, within the restrictions imposed by a dominant power.

and residence offered the "opportunity to act within the relations of dependency", without changing the relations of dependence.[14] In order to understand how the dependent relations developed, we begin with a summary of the political, social, religious, and economic context in which these kinds of dependencies flourished, and which distinguished them from other peasant societies of the medieval world.

III. Historical Context: Mamluks, the *iqṭāʿ* System, and Islamic Endowments

Peasant labor drove the economy of the medieval Islamic state, feeding the masses and providing the tax income that financed the military. There is a disconnect between what the law had to say about the rights of peasants vis-à-vis the state and actual practice in the pre-modern Levant. According to Islamic religious law, peasants were free-born and did not belong to the lands they worked. They were allowed to move to other places, had legal rights over their bodies and personal property, and could not be physically punished or killed. The reality was quite different, however. In practice, peasants were tied to the land. There were many mechanisms in place to force them to remain in their villages and work the land that belonged to absentee landowners. At the same time, the state transferred peasant populations, by force, to other villages and lands, for security and financial reasons. Peasants had no say in this form of "forced migration". Conflicts regularly flared up between peasants and state officials over high taxes and confiscation of crops and animals. Corvée labor was also practiced, particularly on sugar estates, but we have no textual documentation about how peasants responded.

Violent inequalities were pervasive in the Ayyubid, Mamluk, and Ottoman Sultanates. The regiment of imported, and eventually manumitted, slave soldiers (*mamluk*s) that constituted the privileged core of the Ayyubid forces in Egypt and Greater Syria usurped power in the mid-thirteenth century. What developed was a military and socio-economic system that was quite unique for the medieval world.[15] Former slaves ran the state; free-born peoples were their dependents. Historians often refer to the Mamluk Sultanate of the thirteenth-sixteenth centuries as a political system based on a single-generation elite: position and wealth could not be passed down to their blood descendants. What wealth they accumulated came largely from *iqṭāʿ*s, grants of taxes from both urban and rural properties. The Mamluk officer was responsible himself for collecting those taxes from source, keeping lands cultivated and irrigation canals cleaned, and maintaining law-and-order on those lands, which he generally did through proxies (lower officials and local elites coopted into state service) and peasant

[14] Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler, and Stephan Conermann, *On Asymmetrical Dependency*, BCDSS Concept Paper 1 (Bonn: BCDSS, University of Bonn, 2021): 6.

[15] Mamluk Studies has come of its own as a field of research, and has generated a large body of scholarship. It is beyond the scope of this essay to canvass the history of the mamluk system. Comprehensive bibliographies on the topic can be found at the Annemarie Schimmel Kolleg website at the University of Bonn (https://www.mamluk.uni-bonn.de/publications) and the Mamluk Studies Resources website of the Middle East Documentation Center, the University of Chicago (https://mamluk.uchicago.edu/medoc-and-mamluk-studies-resources.html).

labor. It was in the financial interests of the *muqṭāʿ* (*iqṭāʿ*-holder) to squeeze as much labor and taxes out of the peasantry as he could.[16] This system was maintained, with some modification, by the Ottoman sultans until the era of reforms (the *Tanzimat*) in the second half of the nineteenth century.

These political and economic institutions distinguish the mamluk system from European and Chinese feudalism. The medieval Islamic *iqṭāʿ* was not a fief: it was not transferable; it was a grant of taxes, not land tenure; the holdings were spatially dispersed (to prevent the development of landed elites); and the peasants working the land were legally free (they did not belong to the estate). As a result, relations between the *muqṭāʿ* (*iqṭāʿ*-holder) and peasants took a different form from truly feudal systems. The legal system offered protections (at least in spirit, if not always in practice) not offered to peasants in the non-Islamic world. At the same time, the financial institutions that developed as a result of the mamluk political system reinforced asymmetrical dependencies and introduced new, barely legal, abuses of the peasantry. Leasing and endowment of agricultural land were perhaps the most notorious. *Waqf* is the donation of privately-owned, income-producing property to financially support a charity or as a family endowment. The sale of state land during periods of imperial financial insolvency often led to subsequent endowment, which could be used by mamluks to circumvent the restrictions on bequeathing property to their progeny.[17] *Fatwa*s (written collections of legal opinions) make reference to the conflicts that arose from the labor demands of peasants by *waqf*-managers and *waqf* recipients. The most notable of these were the building and repairing of agricultural terraces on endowed land, which required heavy physical labor by large work groups.[18] One gets the impression from the written record that such complaints of labor exploitation increased on endowed lands, though this may be the result of the nature of document and archive preservation. Such abuses were part-and-parcel of the unique financial systems of a slave-based political system. Political theory justified some level of pressure and force, if necessary, to get peasants to produce for the state. The Ottoman "Circle of Justice", articulating a hundreds-year-old political philosophy, describes the

[16] The gradual shift over time to cash-payments of military salaries was never regular or complete. Even in the waning years of the Mamluk Sultanate, a mix of payment schemes, and forms of land tenure to support them, was adopted by the state (Albrecht Fuess, "Waqfization in the late Mamluk Empire: A deliberate policy or chaos management?," Working Paper 1 (June 2020), EGYLandscape Project). The logic behind the implantation of the *iqṭāʿ* system – the decentralization of tax-collection – continued until the Tanzimat.

[17] On the "waqfization" of the Egyptian countryside from the 15th century, see Carl Petry, "Waqf as an Instrument of Investment in the Mamluk Sultanate: Security vs. Profit?," in *Slave Elites in the Middle East and Africa*, ed. Miura Toru and John Edward Philips (London: Kegan Paul, 2000): 99–116, Daisuke Igarashi, *Land Tenure, Fiscal Policy, and Imperial Power in Medieval Syro-Egypt* (Chicago: University of Chicago, 2015), and Albrecht Fuess, "Waqfization in the late Mamluk Empire: A deliberate policy or chaos management?," Working Paper 1 (June 2020), EGYLandscape Project. For Transjordan, Bethany J. Walker, *Jordan in the Late Middle Ages: Transformation of the Mamluk Frontier* (Chicago: University of Chicago, 2011): 235–47.

[18] Bethany J. Walker, "The Changing Face of Agricultural 'Estates' in 15th and 16th-c Palestine: the Commercialization of Khirbet Beit Mazmīl," in *The Mamluk-Ottoman Transition: Continuity and Change in Egypt and Bilad al-Sham in the Sixteenth Century,* vol. 2, ed. Stephan Conermann and Gül Şen (Bonn: University of Bonn Press, forthcoming for 2022).

relationship between the state and people that guarantees security and prosperity.[19] The peasants must work the land, and the state protects them enough to do so.

While largely adopting the financial administrative structure of the Mamluks, the Ottomans did introduce new measures from the sixteenth century that had a mixed impact on peasants' lives. The *timar*, was in many ways a continuation of the *iqṭāʿ* system, but one which increased the sultan's control over agricultural land, rather decentralized tax collection. *Timar*s were grants of land revenue given to members of the military class *in lieu* of salaries. From the seventeenth century the *timar* system unraveled, and state land was gradually liquidated and privatized, tax collection passing into the hands of tax farmers, new forms of land leasing and exchange (*ijār* and *istabdāl*) emerged, and peasants gained access (though limited) to credit through loans from *timariots*, endowment managers and the "cash w*aqf*".[20]

The *timar* and tax farming had mixed impact on peasants. A new rural elite emerged, which acquired wealth as the local tax collectors serving the *timariots* and endowment managers, and later as tax farmers in their own right. In central Palestine, this nouveau-riche peasant class lived in houses that combined characteristics of contemporary urban styles, with the local, vernacular. Sixteenth-century court documents refer to them as *akābir al-qaryah* (village elites) or *zuʿamāʿ al-qarya* (village leaders).[21] From their ranks emerged the sheikhs of the "throne villages". The more successful of peasant entrepreneurs bought modest-sized garden plots, they invested in them, with the construction of terraces, planned soil enrichment, expansion of irrigation systems, and types of crops cultivated.[22] These methods of agricultural intensification were primarily market-driven and the result of their own initiative. They yielded important results for peasant society: (a modest degree of) accumulated wealth, participation in markets once controlled by the state, and the ability to financially sponsor public works and services (such as building mosques and schools and charitable societies) in their local villages.

While the privatization of land improved the standard of living and social standing of some peasants in their communities, it did not, however, result in an erosion of the abuses of the peasantry described above, and, in some cases, introduced new ones. The attempt to better their lives by buying land came at a price to most peasants. Credit, unfortunately, quickly led to peasant debt: rural indebtedness was becoming a chronic problem from the sixteenth century, as the confirmation (*tathbīt*) of debt liability was frequently registered then in the Jerusalem courts.[23] Moreover, most peasants continued to suffer under the weight of complex

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[19] Linda Darling, A History of Social Justice and Political Power in the Middle East (Oxfordshire: Routledge, 2012).
[20] Munther H. al-Sabagh, *Before Banks: Credit, Society, and Law in Sixteenth-Century Palestine and Syria* (unpublished PhD dissertation, University of California-Santa Barbara, 2014).
[21] Zuhair Abd Allatif, "al-Timār (al-Iqṭāʿ al-ʿAskarī) fī Filisṭīn fī al-Qarn al-ʿĀshir al-Hijrī (The Timar in Sixteenth-Century Palestine)," *Jordan Journal for History and Archaeology* 4.2 (2010): 26–56 (in Arabic).
[22] Bethany J. Walker, "Peasants, rural economy and cash crops in medieval Islam," in *Markets, "money" and exchanges: Their economic logics in pre-modern societies*, ed. Juan Carlos Moreno García (Oxford: Oxbow Books, 2021): 91–113.
[23] Bethany J. Walker, *Jordan in the Late Middle Ages: Transformation of the Mamluk Frontier* (Chicago: University of Chicago, 2011): 185–86.

and burdensome taxes. Peasants continued to do unpaid labor on endowed lands, paid high taxes (up to 40% of their produce), and regularly suffered confiscation of crops and draft animals.

III.1. Flash Points of Conflict with the State – a Summary

In traditional agricultural societies, the most visible examples of extreme dependency are in control over and access to critical resources (namely land/food and water) and the labor involved in food production and water harvesting. Peasants in the medieval Arab world buckled under many pressures (though dictating cropping was not one of them), but the worst flash points of conflict between imperial authorities and peasants took the form of interference in traditional forms of water-sharing, hoarding of grains (and resale to the peasants that cultivated them at artificially high prices), confiscation of crops and draft animals by the military (without compensation), burdensome taxation, and military conflicts that spilled over into villages and pitted tribes against one another. Local response in these cases, limited as they were, tended to be communal: petitioning in the form of letter-writing and legal action (in the name of tribes and villages), migration of entire communities to other places, and taking up arms against corrupt officials (often in collaboration with Bedouin tribes). These efforts, however, are best described as a form of resistance. They were short-term resilience strategies, but they were not revolutionary. They seldom led to any long-term changes in power relations. Accommodation of peasant demands by the state could take the form of (very temporary) edicts or dismissal of officials. These actions did not have long-term effect, though they often did alleviate suffering for the moment.

Interestingly, there seems to have been little peasant resistance to corvée labor (particularly on sugar plantations and factories, which also included slave labor)[24] and forced migration (to places where the political elite had economic interests and needed a labor force). The reasons for this have not yet been investigated. Seasonal corvée labor appears to have been tolerated by locals, so long as the sugar industry did not siphon off water from fields devoted to subsistence agriculture. On the other hand, there was real resentment towards forced labor on farmland endowed to religious institutions; heavy labor (such as required for the building and maintenance of agricultural terraces on this *waqf* land) led to enough cases of peasant complaints in religious courts that they appear as a typical case study in *fatwa* manuals (collections of legal opinions).[25] Ultimately, however, what seemed to have mattered to

[24] The historical record is ambiguous in regards to the use of slaves on royal sugar estates. There is growing evidence for slave labor in this sector in Transjordan (Edwards E. Curtis, IV, "The Ghawarna of Jordan: Race and Religion in the Jordan Valley," *Journal of Islamic Law and Culture* 13.2–3 (2011): 193–209): but not for Egypt, where Rapoport argues for Muslim peasant labor, in sectors divided by religious affiliation, in the Ayyubid Fayyum (Yossef Rapoport, *Rural Economy and Tribal Society in Islamic Egypt. A Study of al-Nābulusī's Villages of the Fayyum* (Turnhout: Brepols, 2018).

[25] Bethany J. Walker, "The Changing Face of Agricultural 'Estates' in 15th and 16th-c Palestine: the Commercialization of Khirbet Beit Mazmīl," in *The Mamluk-Ottoman Transition: Continuity and Change in Egypt*

peasants was that they continued to have say in what was planted and when, equitable water distribution (based on custom), and non-interference in daily life on the local level (family life, etc.). Only in these areas of their lives could one say that they generally led an autonomous existence.

III.2. Fluidity of Social Categories under the Mamluk Sultanate

The social structure of these mamluk-centered states presented other anomalies that ultimately impacted the peasantry. Social hierarchies, while widely accepted and culturally reinforced, were rather fluid, particularly as regards the urban professions. The sale of former *iqṭāʿ* lands and the growing endowment of agricultural properties turned the newly landed elites into "gentleman farmers". The *ulema* (clerics), in particular, had a vested interested in the productivity of their farms.[26] Craftsmen attended reading circles, rubbing shoulders with other literate urbanites. The ruling elite progressively took an interest in learning calligraphy and craftsmanship. The borders between farmer, craftsman, and poet were obscured.[27] These were, however, urban phenomena. That the benefactors of endowed lands took a greater interest in the operation of their properties did not translate into changes in the status of the peasants who actually cultivated them. The clerics as managers of *waqf* land could be as oppressive as the mamluks who previously held *iqṭāʿ* rights. The social mobility made possible by greater literacy and the blending of professions had no direct impact on the countryside.

More than professional class, it was the tribal structure of rural society that was the most important factor in state-peasant relations. Peasant society in Syria was organized tribally, as was nomadic society, and this created local social hierarchies and power centers. The medieval state effectively took advantage of this social structure, coopting tribal elites into state service and awarding them *iqṭāʿ*s. Tribalism could, alternatively, undermine the power of the state over peasants. When the ability of the state to guarantee law-and-order broke down, and at times of economic collapse, the tribal structure of local society lent itself to

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and Bilad al-Sham in the Sixteenth Century, vol. 2, ed. Stephan Conermann and Gül Şen (Bonn: University of Bonn Press, forthcoming for 2022).

[26] The *filāḥa* manuals (agricultural treatises) of the time have come under greater scrutiny by Mamluk and Ottoman historians in recent years. While largely encyclopaedic, over time they appear to have incorporated more local knowledge about soil preparation, cropping, watering, and pruning. This suggest that the authors, most of whom were the managers of endowed lands and whose livelihood largely depended on agricultural production, consulted with local peasants about how best to work the land. This genre of literature became very popular at the very time that endowments of farmland became widespread. The ruling elite, moreover, went to great lengths to acquire copies of such treatises for their private libraries, see Aleksandar Shopov, "The Vernacularization of Sixteenth-Century Ottoman Agricultural Science in its Economic Context," in *Living with Nature and Things: Contributions to a New Social History of the Middle Islamic Periods*, ed. Bethany J. Walker and Abdelkader Al Ghouz, (Göttingen: V&R unipress, 2020): 639–81.

[27] For the building crafts, see Ammenah Abdulkarim, *Building Craftsmen in Mamluk Society 648–923/1250–1517: The Professional Muhandis in Context* (unpublished PhD dissertation, University College London-St. Mary, 2017).

political autonomy, with tribal confederations and local sheikhs assuming power.[28] This, however, did not always work in the interest of the peasantry, as sheikhs often assumed the same position of dominance of the old political elites.

IV. Centrality of the Village

The scale of analysis chosen for this study is that of the village, however, and not the tribe. The village (*qarya*) is a regular point of reference in the chronicles, travelogues, tax registers, and court documents of the period. It represents a social unit, with a shared sense of space. The village leaves a clear archaeological trace, the spatial components of which are relevant for reconstructing the contours of daily life. Villages can, as well, be studied in a regionally comparative manner, contrasting patterns of behavior, social networks, and access to resources. The medieval Arab village, moreover, had longevity, and while its physical location may have shifted with time (the "migration of place within a space" readily acknowledged by archaeologists)[29], the continuity of many village names for hundreds of years speaks to a resilience of community that has survived political change and economic and environmental disasters. The village is one of the smallest units of social analysis that leaves a physical trace, and allows us to examine in vivid detail relationships of many forms.[30]

IV.1. Role of the Village in Identity-Making and State Control

More than tribal affiliation, religion, ethnicity or regional home, the village was the central point of reference for rural peoples who were permanently settled.[31] In medieval Arabic surnames, the *nisba* (attribution) more often than not referenced the places the person called home at different times of his or her life. For rural society, this usually referred to village names. The village was more than a place; it represented a network of living relationships and communal memories.

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[28] Bethany J. Walker, "The Tribal Dimension in Mamluk-Jordanian Relations," *Mamluk Studies Review* 13.1 (2009): 82–105.

[29] Bethany J. Walker, "Mobility and Migration in Mamluk Syria: The Dynamism of Villagers 'on the Move'," in *Proceedings of the Conference "Everything is on the Move: The 'Mamluk Empire' as a Node in (Trans-) Regional Networks"*, ed. Stephan Conermann (Göttingen: V&R unipress, 2014): 325–48.

[30] The household – the smallest social unit that resides, produces, and consumes together – would, of course, represent the lowest scale of analysis. The archaeological residue of households, however, produce other kinds of information on social relations, such as "activity areas" (where the same activities, often communal, are repeated on a regular basis) and family structure (such as gendered spaces). Only in the collective – as a village, for example – and in comparison with one another can households shed light on social inequalities on an extra-familial level.

[31] Bethany J. Walker, "Mobility and Migration in Mamluk Syria: The Dynamism of Villagers 'on the Move'," in *Proceedings of the Conference "Everything is on the Move: The 'Mamluk Empire' as a Node in (Trans-) Regional Networks"*, ed. Stephan Conermann (Göttingen:V&R unipress, 2014): 331–334.

The village was also a unit of taxation, administration, and control. It is the village, and not individuals or families, that appear in tax registers. Land for sale was registered in court according to the village to which it belonged. From the perspective of the state, there was nothing smaller than the village; in Ottoman tax registers, sub-village settlements (hamlets, farmsteads, etc. – there were a wide range of terms used to describe these by contemporaries) were simply listed as attachments to villages.

Peasants were controlled in the collective, on the basis of their village of residence. Tax collection was collected by village; collective punishment was meted out on the village basis; confiscations were done by village. The state did not see individual peasants, but a collective that was tied to a village and its land. Recognizing this reality, when peasants filed complaints against government officials, or on the rare occasion they directly petitioned a governor or sultan, they did so in the name of the village. Peasant dependencies were, in fact, those of the village.

IV.2. Case Studies of this Essay

The village thus presents the ideal unit of analysis for studying in detail peasant dependencies, the ways the medieval state maintained systems of inequalities, and evaluating examples of peasant agency. The greatest methodological challenges for the archaeologist is to distinguish the hand of the state from collective and individual decision-making and action by peasants. The coordinated excavations by the author at the well-preserved archaeological ruins of Tall Ḥisbān and Khirbet Beit Mazmīli (Jerusalem) are an initial step towards this end. The selection of these two sites for comparative study was quite deliberate: both are in highland locations and visible to one another (one can see Jerusalem's Dome of the Rock from the top of Tall Ḥisbān at sunrise), and the ruins of their much earlier settlements were reoccupied at the same time. There was a close relationship between Jerusalem (and its villages) and Ḥisbān (and the villages tied to it) in this period, with integration of their agricultural markets, exchange of agricultural land and other kinds of real estate, and even the sale of building material.[32] The peasants living in and working the lands of Beit Mazmīl and Ḥisbān lived in the shadow of the state, with the residences of military officers physically hovering above them. The radically unequal, but mutually dependent, relationships between the state (embodied in its soldiers) and the local peasant communities on a daily basis can be reconstructed through the archaeological remains. Comparisons between the two sites will also reveal common patterns and regional differences in these relations, affording this microhistorical study a spatial dimension. The various social, cultural, landscape, and environmental differences between the two regions would then be investigated for their impact on peasant dependencies.

[32] For a full discussion, see Bethany J. Walker, "Peasants, rural economy and cash crops in medieval Islam," in *Markets, "money" and exchanges: Their economic logics in pre-modern societies*, ed. Juan Carlos Moreno García (Oxford: Oxbow Books, 2021): 91–113.

IV.2.1. Khirbet Beit Mazmīl[33]

Khirbet Beit Mazmīl is a small, .3 hectare walled farmstead sitting atop one of the highest hills of the Jerusalem area and surrounded by the remnants of relic agricultural terraces. It is located in the westernmost edge of Greater Jerusalem, equidistant between the Old City and the village of Ein Kerem. We do not know the historical name of this site, but it appears to have been related to the Arab village of Beit Mazmil, once located one kilometer to the south. The village of this name was first mentioned in Arabic texts in the fourteenth century, in an endowment document (*waqfiyyah*), which lists villages and their lands in the vicinity of Ein Kerem, their revenues to be earmarked for the financial support of a hostel for Maghribi pilgrims in Jerusalem. The document specifically mentions that much farmland in this area had gone uncultivated for a long time, and that the endowment aimed, in part, to revive them.

Fig. 1 – Entrance to the site of Khirbet Beit Mazmīl (photo by author)

[33] The Khirbet Beit Mazmil Archaeological and Development Project, Jerusalem, under the co-directorship of this author, had five seasons of excavation between 2015 and 2019, and is now in final publication stage. It has been financed in different years by the German-Israeli Foundation for Scientific Research and Development, the Barakat Trust, the Palestine Exploration Fund, and the Deutscher Verein zur Erforschung Palästinas. Preliminary reports can be found in Bethany J. Walker and Benjamin Dolinka, "Ḫirbet Bēt Mazmīl, Investigations of Medieval Jerusalem's Hinterland: Interim Report on the 2015 and 2017 Field Seasons," *Zeitschrift der Deutschen Palaestina-Verein* 136.2 (2020): 191–234 and Bethany J. Walker, Yuval Gadot, Yelena Elgart-Sharon, and Omer Ze'evi, "Agricultural Terracing and Rural Revival in Late Medieval Palestine," in *Proceedings of the 11th International Conference on the Archaeology of the Ancient Near East*, vol. 2, ed. Lorenz Korn and Anja Heidenreich (Wiesbaden: Harrassowitz, 2020): 651–61. The final report is forthcoming as Bethany J. Walker, ed., *Life on the Farm in Late Medieval Jerusalem: The Peasant Farmstead of Khirbet Beit Mazmil, its occupants and their industry over five centuries*, Monographs in Islamic Archaeology (Sheffield: Equinox, 2022).

The archaeological site actually constitutes one farmstead built on top of an earlier one. The earliest is Mamluk in date (thirteenth-early sixteenth), with occupation peaking in the fifteenth century. This well-built stone complex makes use of ruins of Roman, Byzantine, Early Islamic, and Crusader wall stubs, vaults, and cisterns, demolishing other parts of these buildings. The result is a two-level complex with outhouses (stables, storage facilities, and industrial installations) occupying the base of the hill, and a vaulted residential complex on the hill's summit. Recovery of military equipment and extensive ceramic imports have led us to identify it as a *qaṣr* (a fortified, hilltop residence awarded to Mamluk officers), associated with an amiral estate, arguably the built environment of the Mamluk *iqṭāʿ*.[34] Built into and on top of the ruins of this was an Ottoman-era complex of agricultural watch towers, domestic spaces, and stables, the seasonal family farmsteads called *eʿzbah*s that were once characteristic of the central Palestinian highlands and connected to olive and grape cultivation.

Excavations of this archaeological site have been done in conjunction with fieldwork in the ancient agricultural terraces between the site and Ein Kerem, led by colleagues from Tel Aviv University. Relic terraces were mapped, excavated, and their soils sampled for botanical remains and to obtain OSL (optically stimulated luminescence) dates. The growing application of OSL dating of terrace soils in Israel and Jordan has made it possible for the first time to assign a chronology to field development. The chronology of the terrace construction (and maintenance) correlates with the history of occupation at Khirbet Beit Mazmīl. This, in conjunction with an ongoing study of Ottoman-era court records by this author, has provided a truly rare opportunity to follow the relationship of settlement, land use, land tenure, at a single village. As a result, the function of access to critical resources – namely, land and food – in the complex relations between local peasants and the Ottoman state are coming into clearer focus.

VI.2.2. Tall Ḥisbān[35]

The eight-hectare tell of Ḥisbān is located between Amman and Madaba on the Madaba Plains of central Jordan. The Madaba Plains was since Antiquity a bread basket for empires, producing a wide variety of cereals for local consumption and export markets. The excavations are among the longest-lived foreign projects in the Middle East, with American (and now also German) teams working there since 1968. This long history of fieldwork has documented a

[34] Bethany J. Walker, "The Changing Face of Agricultural 'Estates' in 15th and 16th-c Palestine: the Commercialization of Khirbet Beit Mazmīl," in *The Mamluk-Ottoman Transition: Continuity and Change in Egypt and Bilad al-Sham in the Sixteenth Century,* vol. 2, ed. Stephan Conermann and Gül Şen (Göttingen: V&R unipress, forthcoming for 2022).

[35] Current excavations at Tall Ḥisbān, directed by the author, are part of the Madaba Plains Project. It has been recently financed by the American Center of Research, the Gerda Henkel Foundation, and the Max van Berchem Foundation. Over the course of over five decades, this project has produced a large body of publications, which will not be listed here. For selective bibliographies and offprints, see the following project websites: www.islamic-archaeology.uni-bonn.de/field-projects/tall-hisban and www.madabaplains.org

history of occupation that spans the Iron Age through nineteenth century. Most of what is visible on the ground surface today dates to the Mamluk period.

Fig. 2 – Aerial view of Tall Ḥisbān (courtesy Bob Bewley, APAAME)

After centuries of textual silence following the Abbasid era, the village of Ḥisbān re-emerges in the written record only in the thirteenth and fourteenth centuries. The village appears to have been a late Ayyubid resettlement, in which was eventually built a madrasa (legal school) and was serviced by a judge. The modest village grew rapidly in the fourteenth century, when the administration of the Balqa District of the Madaba Plains (and its civil servants) were transferred here, and a small garrison established in the ruined fort on the top of the hill. The village had a farmer's market that served several hundred other villages in the region, and to which peasants from as far as Jerusalem brought their produce. An earthquake in the late fourteenth century caused significant structural damage to the Citadel and houses in the village, forcing the transfer of garrison, civil administration, and court to the town of Amman. In the process the Mamluk governor forcefully relocated many of the "people of Ḥisbān" to Amman to populate it. Slowly the village was abandoned by the rest of its inhabitants in the early Ottoman era, to be left in ruins until the establishment of the modern village in the nineteenth century.

Because of its remarkable preservation, the predominance of standing architecture from the Mamluk period, and the mission's sustained research on the Middle Islamic cultural period (thirteenth–sixteenth centuries), Tall Ḥisbān has become the archaeological type site for Mamluk Jordan. The Mamluk citadel straddles the summit of an archaeological tell that overlooks a dense configuration of barrel-vaulted, single-roomed structures – the remains of medieval Ḥisbān. These multi-purpose buildings (some identified as farmhouses), which in

some cases preserve as many as ten courses of their walls and vault springers, are built against one another in a row, all facing a common courtyard and shared cistern. Though these structures have been the object of periodic excavation since the late 1970s, the Ḥisbān farmhouses have been the focus of fieldwork only very recently. As in many village sites throughout southern Syria, they are largely refurbishings and reoccupations of Late Byzantine and Early Islamic domestic ruins, which were at the time hundreds of years old. The site is, additionally, extremely well stratified, with a series of plaster floors separating thirteenth (late Ayyubid) from fourteenth-century (Mamluk) occupation. It is the perfect site to physically trace the social transformation of the site from the Ayyubid to Mamluk periods, as well as document changes in peasant-state relations over *la longue durée*. Moreover, the botanical preservation is outstanding, which has made possible many years of detailed study of cultivation and food preparation practices, and diet. In this way the lives of peasants – their standard of living and their general health – can be described in the context of a village living in the shadow of a Mamluk castle.

V. The Making and Breaking of Strongly Asymmetrical Dependent Relationships

These two archaeological sites offer the opportunity to study in detail the realities of state-peasant relations, and how the asymmetries of peasant dependencies may have changed over a period of several hundreds of years. As agricultural centers, Khirbet Beit Mamīl and Ḥisbān open a window on the ways that control of critical resources was the linchpin in these relations. Control over farmland, agricultural taxes, and rural labor were central to maintaining power over local peoples and were the underpinning of the medieval economy. The potential of changes in land tenure to undermine such systems is explored in our archaeological fieldwork.

V.1. Food Production, Cropping, and Changes in Land Tenure

For this project, we understand a critical resource as one without which one cannot have food security.[36] The United Nations' Committee on World Food Security defines food security as means the "physical, social, and economic access to sufficient, safe, and nutritious food that meets their food preferences and dietary needs for an active and healthy life".[37] For the study of the peasantry the most important resources are food and water; control over access, production, and consumption was essential for well-being and autonomy. Generally, the state did not interfere in the daily management of state lands, except in the case of estates owned by sultans or amirs, which either produced for lucrative markets or were imperial monopolies.

[36] See Paul Graf "Essential Resources as Bodies of Dependency in Classic Maya Society," *DEPENDENT. The Magazine of the Bonn Center for Dependency and Slavery Studies*, 2021-1, 10–11, for a different understanding of "essential resources", based archaeological studies in Latin America: https://www.dependency.uni-bonn.de/images/pdf-files/cluster-magazin/dependent_21-1_web.pdf

[37] Food Policy Research Institute: https://www.ifpri.org/topic/food-security (last accessed 4 March 2022).

Notorious in this case were the "sugar estates" of the Fayyum, Upper Egypt, and the Jordan Valley riparian system. Interference with the traditional water-sharing system in the Jordan Valley, by diverting much-needed water to cane sugar plantations, was a violent point of conflict between state and peasants. Combined with forced labor (and perhaps slave labor), possibly forced residence, and interference with local crop rotation practices, this industry presents us with one of the most vivid examples of the strong asymmetrical dependency of the local peasantry.[38]

More subtle forms of dependency, however, can be found in other areas of the agrarian sector, namely cereals and garden produce. Certainly, it was in the interest of the medieval Islamic state to collect as much tax income as possible, and particularly on cash crops. These financial objectives, though, had to be balanced with the realities of, literally, providing bread to the masses. This was true of peasants, as well. They participated in exchanges at local "farmers' markets", paid (often exorbitantly high) taxes, and had to feed their families. The choice of what to plant, when, and how was generally in the hands of the peasants, as a group (though under certain pressures from governmental officials). This communal decision-making process has left no trace on the written record. It has, however, in the archaeological record, where botanical remains from key spatial contexts allude to the cropping decisions made by peasants, and even the reasons why.

V.1.1. The Political Ecology of Cereal Production – the Case of Ḥisbān

Peasants had to weigh their options carefully, to avoid risk (the loss of crops by drought, for example) and at the same time meet the market demands of the state and make an income for the household, if possible. Mixed cereal cultivation, as a form of crop diversification, has been historically, as today, adopted as a risk management strategy. The ratio between hulled barley and naked wheat has been recently cited as one way to differentiate between subsistence and market-oriented production.[39] Barley, for example, is a drought-resistant, "hearty" cereal; its hulled variety makes it best suited for long-time storage, because of its resistance to spoiling. *Durum* ("hard" or "naked") wheat is free-threshing; by losing its loose-fitting husk during threshing, it is of lighter weight (and less expensive) for long-distance transport, making it well suited for export to distant markets.[40] A village that cultivated more *durum* wheat than hulled barley, according to this argument, produced primarily for the market. Likewise, although agricultural intensification could be a response to different pressures, it is usually associated with market-production. Archaeobotanical evidence of

[38] The relationship between mono-cropping of this form and famine is not fully understood, and remains an aim of future research by this author.

[39] John M. Marston, "Archaeological Markers of Agricultural Risk Management," *Journal of Anthropological Archaeology* 30.2 (2011): 190–205.

[40] Frits B.J. Heinrich, "Modelling Crop-Selection in Roman Italy: The Economics of Agricultural Decision Making in a Globalizing Economy," in *Rural Communities in a globalizing economy: new perspectives on the economic integration of Roman Italy,* ed. Tymon de Haas and Gijs W. Tol (Brill: Leiden, 2017): 141–69.

intensification in the cereal sector includes irrigation of high-value cereals, identified through the irrigation signals of wheat phytoliths.[41]

Careful sampling and botanical analysis of cereal remains from kitchens, refuse areas, stables, and storerooms at Tall Ḥisbān has revealed changes in the ways peasants cultivated cereals at the site over the course of the Ayyubid and Mamluk periods. There is a sudden diversification of cereal production (cultivating three kinds of wheats and hulled barley) and irrigation of wheats for a few decades in the first half of the fourteenth century, this at a time when the village became a center of administration and hosted a small garrison. The combination of diversification and intensification of cereal cultivation would have been the ideal strategy for responding to (state-driven) market demands, while safeguarding household stocks during times of drought.[42] The replacement of the "bread" wheat more popular in the Ayyubid period with "hard" wheat at this time is likely related to either increased taxes or increased state demands for transport of wheat, in particular, to imperial granaries. We are in the process now of comparing this botanical record with that of Khirbet Beit Mazmīl, in order to see if this was a region-wide pattern and if it was related to other imperial interventions in the local economy and society.

V.1.2. Landesque Investment in Garden Agriculture – the Case of Beit Mazmil

The building of agricultural terraces is a form of landesque investment: it raises the value of the land and increases its productive capacity, by controlling water flow, reducing erosion, and providing level plots for cultivation on hillsides. Until now, we cannot say who made the decision to construct the terraces of central Palestine in the late medieval and Early Modern periods, but one can argue that the status of land tenure may be the key to understanding this process. The decisions to build and the labor behind them are unique windows on how asymmetrical dependencies changed over time in pre-modern Palestine.

The construction and maintenance of agricultural terraces is among the most labor-intensive of farm work of the pre-modern era. Construction involves removing soil down to bedrock (by hand), transporting rocks to the location and building walls, and carrying large quantities of heavy soils to lay behind the terrace walls.[43] Who exactly did this work differed according to the legal category of land tenure and cultivation contract. Peasants were forced to do this labor on *iqṭāʿāt* and endowed lands; it was resented by the peasantry and, according to the legal manuals, a regular source of tension with estate managers. Self-exploitation of one's

[41] Sofia Laparidou and Arlene Rosen, "Intensification of production in Medieval Islamic Jordan and its ecological impact: Towns of the Anthropocene," *The Holocene* 25.10 (2015): 1685–697.
[42] Modern Jordan suffers drought on the average of every five years, and the historical record regularly documents the same for this period. Rainfall even in the Madaba Plains – a region of dry-farming – was irregular.
[43] Building a flower bed is a similar exercise, though on a much smaller, and less back-breaking, scale.

family provided the labor on privately-owned land, as we can reconstruct from ethnographic accounts of the early twentieth century.[44]

The earliest large-scale construction of agricultural terraces in Jerusalem's hinterland occurred in the thirteenth century and accelerated through the Mamluk and Ottoman eras. Although demographic pressure is often cited as a driving force behind terrace construction, it has been rejected as a factor in the Palestinian highlands, where periods of terrace-building do not coincide with population growth.[45] Instead, the rejuvenation of once derelict farmland through terrace-construction may have been a local response to the boom in the rural real estate market and commercialization of agriculture, their participation in which is documented in Mamluk and Ottoman legal records.

Court documents record the active buying, selling, and renting of small garden plots by rural elites and regular peasants from the sixteenth through eighteenth centuries. An increasingly diverse range of fruits, in particularly, were grown there for sale at markets in Jerusalem and beyond. Archaeological surveys in the vicinity of Khirbet Beit Mazmīl have documented an intensive terracing of the hillslopes in this period, as well as the subsequent subdivision of fields into smaller plots (from further sale or as a result of partitioning under Muslim inheritance law). The impact of such development can, in part, be followed with the physical and functional development of the Ottoman-era farmstead at the site. It remained a private, family residence during this period, in contrast to the semi-official estate of the Mamluk site, the ruins of which it rehabilitated. The material culture associated with it suggests a modest standard of living, a diverse and sufficient diet (also meat-rich), self-sufficiency, and participation in a monetarized market system (as cash in the form of coinage was always kept on hand).

This farmstead, however, was abandoned at some point in the eighteenth century, to be resettled (and significantly rebuilt) decades later by new residents. Significantly, there is at yet no evidence for building or maintenance of terraces nearby at this time, as well. The reasons for the apparent failure of this family farm are difficult to determine at this point. There is no evidence of military conflict or earthquake in the archaeological ruins. The cause is like to be sought in economic factors, which are the ones that long plagued peasants living in this region.

V.2. Migration

Medieval rural populations were always highly mobile, moving from one village to another for joint harvests, market days, on pilgrimage, to work lands at some distance from their homes,

[44] Gustaf Dalman, *Work and Customs in Palestine,* vols. 1 and 2, trans. Nadia Abdulhadi-Sukhtian (Ramallah: Dar Al Nasher, 2013).

[45] See Bethany J. Walker, Yuval Gadot, Yelena Elgart-Sharon, and Omer Ze'evi, "Agricultural Terracing and Rural Revival in Late Medieval Palestine.," in *Proceedings of the 11th International Conference on the Archaeology of the Ancient Near East*, vol. 2, ed. Lorenz Korn and Anja Heidenreich, (Wiesbaden: Harrassowitz, 2020): 651–61 for a bibliography of the relevant work by Gadot and Porat.

and for economic and professional opportunities.[46] Communal migration represents the extreme of these modalities of mobility. Peasant migration under duress – leaving the village for good and abandoning the land – was generally seen as a disaster, both by the state and local peasants.[47] The decision to leave one's village and farmland was never taken easily. Syrian historians of the late Mamluk period, for example, understood peasant flight as the result of human suffering caused by a failing state and years of drought; hunger, poverty, and war were responsible for the emptying out of the countryside.[48] On the other hand, peasant migration was an action of opportunity and hope for new starts: a community can retain its integrity as a social unit by migrating to a new place *as* a group, and leaving the homeland behind. This is a kind of communal resilience. The place is sacrificed for the survival of the community.

Migration was also imposed on local communities. When the migration was a result of state initiative, the dynamics of resettlement and its social impact were quite different. The Ottoman state was notorious for moving populations around, mostly for political and military reasons. The Mamluk state did, as well, occasionally, often for financial reasons: to repopulate the town of Ajlun, for example, in 1328, when a flood swept away people and property[49], or to revitalize the Balqa in 1357, when the Mamluk state moved the garrison, civil servants, market, and, apparently, peasants from Ḥisbān to Amman.[50] Forced migration leaves a different spatial and material pattern: large numbers of people appear suddenly, and bring their material culture with them. Construction and repairs are done quickly, to settle the arrivees efficiently.

V.2.1. An Archaeology of Migration

Rural migration rarely enters the written record, except when it is large-scale and immediately impacts the financial and political lives of the ruling elite. It does, however, leave a physical trace; identifying this in the archaeological record, however, and making sense of the factors driving it, are methodological challenges. The best evidence "on the ground" of forced migration is settlement abandonment, appearance of new settlements or the reoccupation of

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[46] Bethany J. Walker, "Mobility and Migration in Mamluk Syria: The Dynamism of Villagers 'on the Move'," in *Proceedings of the Conference "Everything is on the Move: The 'Mamluk Empire' as a Node in (Trans-) Regional Networks"*, ed. Stephan Conermann (Göttingen: V&R unipress, 2014): 325–48.

[47] The Ottomans considered the abandonment of villages in sixteenth-century Palestine to be such as threat to the local economy, a social crisis, and challenge to their authority that they went to new legal and armed efforts to keep peasants in their villages and maintain cultivation, and to bring back (by force) those that had fled elsewhere, see Amy Singer, *Palestinian Peasants and Ottoman Officials: Rural Administration around Sixteenth-Century Jerusalem* (Cambridge: Cambridge University Press, 1994).

[48] Yousef D. Ghawanmeh, *Dimashq fī ʿAṣr Dawlat al-Mamālīk al-Thāniyyah* (Amman: Dār al-Fikr, 2005).

[49] Ellen Kenney, "'Reconstructing'" Mamluk ʿAjlūn: The 728/1328 Flood Report as a Source on Architectural Patronage," *Studies on the History and Archaeology of Jordan* 10 (2009): 787–94.

[50] Bethany J. Walker, *Jordan in the Late Middle Ages: Transformation of the Mamluk Frontier* (Chicago: University of Chicago, 2011): 71–72, 76–78.

ruined sites, and epigraphical traces (namely travelers' graffiti).[51] On the scale of the individual archaeological site (or "settlement"), one can draw on the composition and quantity of household goods (the "assemblage"), spatial organization of the site (and its neighborhoods), chronology of the occupational phasing, and architectural interventions (if a site once in ruins is suddenly resettled) to distinguish modalities of migration (in what manner, how quickly, and under what pressures) a group of migrants arrived and successfully resettled.[52] In those exceptional cases where burials have been recovered, oxygen and strontium isotope analysis of dental enamel is becoming an important laboratory method of determining the origins of the migrant population.[53]

Many modalities of mobility are visible archaeologically. Forced migration is the most extreme form of mobility. It is done under duress, either as a form of escape (outside of suicide, it is the ultimate "exit strategy") by dependents or under pressure of those exerting power over the emigrees. Extreme migration is forced migration on a large scale, where entire regions empty out, creating new patterns of settlement in the landscape and resulting in discernable demographic change. In the archaeological record, we can document two periods of "extreme migration" in the period covered by this project in Transjordan and Palestine: in the thirteenth century (in the form of resettlement of places in ruin) and again in the late fourteenth/fifteenth centuries (in settlement abandonment). While the trigger for the first wave of migration remains a focus of ongoing research[54], the later process appears to have

[51] Increasingly more "desert graffiti" are being documented at the Early Islamic desert castles and in Jordan's eastern steppe (Demetri Baramki, "an-Nuqūsh al-ʿarabiyya fī-l-bādiya as-sūriīyya,," *al-Abḥāth* 17.3 (1963): 339–461; Khaled Suleman al-Jbour, "Bayān asʿār al-ḥinṭa fī naqsˇ mamlūkī min al-bādiya al-urduniyya fī ʿamay 757 H/1347M wa 764 H/1363 M," *Journal for History and Archaeology* 5.4 (2011): 1–18; and Ahmad Lash, "Kitābāt ʿalaa-l-Jidrān Qusayr ʿAmrah al-Umawii," *Annual of the Department of Antiquities of Jordan* 58 (2017): 7–36, Arabic section). Some of these inscriptions are lengthy, describing the harsh circumstances that pushed people to leave their villages.

[52] Migration archaeology is a growing area of research. Recent scholarship has focused on such methodological issues, see Jan Driessen, ed., *An Archaeology of Forced Migration: Crisis-induced mobility and the Collapse of the 13th century BCE eastern Mediterranean* (Louvain: Presses universitaires de Louvain, 2018); Cormac McSparron, Colm Donnelly, Eileen Murphy, and Jonny Geber, "Migration, Group Agency, and Archaeology: A New Theoretical Model," *International Journal of Historical Archaeology* 24 (2020): 219–32; Nicolò Pini, "The Different Fates of Architectures," *Journal of Islamic Archaeology* 8.1 (2021): 23–51; Bethany J. Walker, "Searching for a Home in Long-Abandoned Places: the Resettlement of Late Medieval Syria," in *Humanistische Anthropologie. Ethnologische Begegnungen in einer globalisierten Welt. Festschrift für Christoph Antweiler zu seinem fünfundsechzigsten Geburtstag von seinen Freund*innen und Kolleg*innen*, ed. Trang-Dai Vu, Oliver Pye, Hans Dieter Ölschleger and Günther Distelrath (Berlin: EB-Verlag, 2021): 451–72.

[53] Iranzu Guede, Luis Angel Ortega, Maria Cruz Zuluaga, Ainhoa Alonso-Olazabal, Xabier Murelaga, Miriam Pina, Francisco Javier Gutierrez, and Paola Iacumin, "Isotope analyses to explore diet and mobility in a medieval Muslim population at Tauste (NE Spain)," *PLOS One* (2017) (https://doi.org/10.1371/journal.pone.0176572).

[54] Bethany J. Walker, "Mobility and Migration in Mamluk Syria: The Dynamism of Villagers 'on the Move'." *Proceedings of the Conference "Everything is on the Move: The 'Mamluk Empire' as a Node in (Trans-) Regional Networks"*, ed. Stephan Conermann (Göttingen: V&R unipress, 2014): 325–48 and idem, "Searching for a Home in Long-Abandoned Places: the Resettlement of Late Medieval Syria," in *Humanistische Anthropologie. Ethnologische Begegnungen in einer globalisierten Welt. Festschrift für Christoph Antweiler zu seinem*

been done by peasant initiative, in reaction to unsustainable economic, environmental, and political conditions in the Syrian countryside.[55] The methodological challenge, as with cropping, is to distinguish the "hand of the state" in peasant migration from the agency of the peasants themselves.

It is the sudden full-time reoccupation of long-abandoned places in the thirteenth century, which followed what appears to have been large-scale movements of peoples, that concerns us here. Places of diverse heritage and function were resettled: amiral estates, castle towns, villages of various size, hamlets, isolated farmsteads, monasteries, and towns. In general, the ruins of these places could be rehabilitated: the walls of houses still stood, and cisterns and reservoirs did as well, though not maintained for centuries. Reoccupation of such sites was not gradual at each site: it happened suddenly and involved what appear to have been several family units. Roofs were repaired, cisterns cleaned out and replastered, fields once again cultivated, and agricultural terraces built to expand cultivation and control water runoff. These sites were only partially restored, however, and the local residents appear to have continued to live side-by-side with ruins for a long time. This pattern has been identified in all regions of southern Syria: in the Negev, the central Palestinian highlands, the Petra Valley, the central plateaus of Jordan, the northern Jordanian highlands, the southern Hawran of Syria and Jordan, in salvage excavations throughout Israel, and recently in the Golan.[56]

In many cases, ruins were repurposed. Church buildings that had not been used for worship since the eighth and ninth centuries, for example, were converted to industrial centers and cemeteries. Frankish forts of the Crusader era were repurposed as farmhouses. Elsewhere, old farmhouses found new life as granaries. In the Decapolis cities and Late Antique towns, some neighborhoods were rebuilt as agglomerated housing units, dispersed throughout the old urban fabric, and functioned as farmsteads, while the ruins of buildings in others were converted to garden plots. The same pattern has been identified with the resettlement of the so-called Early Islamic desert castles in modern Syria and Jordan. Entire towns could be repurposed. Different patterns of reoccupation can be traced throughout Transjordan and Palestine, suggesting that more than one factor may have driven resettlement at this time.

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*fünfundsechzigsten Geburtstag von seinen Freund*innen und Kolleg*innen*, ed. Trang-Dai Vu, Oliver Pye, Hans Dieter Ölschleger und Günther Distelrath (Berlin: EB-Verlag, 2021): 451–72.

[55] Bethany J. Walker, "The Phenomenon of the 'Disappearing' Villages of Late Medieval Jordan, as Reflected in Archaeological and Economic Sources," *Bulletin d'Études Orientales* 60 (2011): 223–37 and idem, Settlement Abandonment and Site Formation Processes: Case Studies from Late Islamic Syria," in *Proceedings of the Tenth International Conference on the Archaeology of the Ancient Near East, 2016*, ed. Markus Ritter and Mattia Guidetti (Wiesbaden: Harrassowitz, 2018): 681–94.

[56] Bethany J. Walker, "Searching for a Home in Long-Abandoned Places: the Resettlement of Late Medieval Syria," in Humanistische Anthropologie. Ethnologische Begegnungen in einer globalisierten Welt. Festschrift für Christoph Antweiler zu seinem fünfundsechzigsten Geburtstag von seinen Freund*innen und Kolleg*innen, ed. Trang-Dai Vu, Oliver Pye, Hans Dieter Ölschleger und Günther Distelrath (Berlin: EB-Verlag, 2021): 451–72.

Moreover, the timing of the resettlement may not have been the same everywhere. The poor dating of local handmade pottery continues to make site phasing difficult.[57]

Many strategies were adopted to make these places liveable again. At well-preserved sites, collapse was removed, levelling-fill laid, and construction done on fill. Elsewhere, structurally unsound buildings and walls were simply demolished, with new construction done on bedrock.[58] This practice, combined with heavy recycling of dismantled building blocks, rather characterizes construction of the period. These are efficient ways of building quickly and at lowest cost, a strategy that might have been adopted when populations needed to be (re)settled quickly, or in response to an imperial directive that required immediate action (such as construction of a garrison in response to a military threat, or the need to quickly relocate officials of the state during administrative restructuring, as at Ḥisbān). It was not only abandoned settlements that were rehabilitated; their agricultural lands were, as well.[59] One of the most vivid examples of this resettlement can be found at Tall Ḥisbān, where the village and its hinterland were revived at this time.

V.2.2. Migration and Resettlement at Tall Ḥisbān

Few medieval-era rural sites are as well-preserved or well-stratified as that of the eight-hectare Tall Ḥisbān. The town of Ḥisbān, mentioned by early Arab geographers and historians, disappears from medieval texts for at least a couple of centuries. In the thirteenth and fourteenth centuries the place name is suddenly and richly documented. It is at this time its ruins were suddenly resettled, its water infrastructure revitalized, and its lands cultivated once again, by what appears to be a sizeable group of people. Its occupational history thereafter mirrors that of many villages across Transjordan and Palestine: exponential growth and evidence of urbanization during the fourteenth century, and a gradual or phased abandonment over the course of the fifteenth century, as one neighborhood after another were left to ruin and the population dispersed to smaller settlements in its vicinity.[60]

The most recent season of excavations in October 2021 aimed to answer very specific questions related to this initial phase of occupation, to investigate locally patterns of migration

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[57] Bethany J. Walker, "Southern Syria," in *Oxford Handbook of Islamic Archaeology*, ed. Bethany J. Walker, Timothy Insoll, and Corisande Fenwick (Oxford: Oxford University Press, 2020): 56–57.

[58] Georg Kalaitzoglou, "A Middle Islamic Hamlet in Jerash: its Architectural Development," in *Middle Islamic Jerash (9th century – 15th century): Archaeology and History of a Ayyubid-Mamluk Settlement*, ed. Achim Lichtenberger and Rubina Raja (Turnhout: Brepols, 2018): 97–116; Nicolò Pini, "The Different Fates of Architectures," *Journal of Islamic Archaeology* 8.1 (2021): 23–51

[59] For central Palestine, see note 45; for the Madaba Plains in central Transjordan, see Robert D. Ibach, Jr., *Archaeological Survey of the Hesban Region: Catalogue of Sites and Characterization of Periods* (Berrien Springs, MI: Andrews University Press, 1987). The relic terraces of the Wadi Ḥisbān will be the target of joint study soon by the University of Bonn and the German-Jordanian University in Madaba.

[60] Bethany J. Walker, "Settlement Abandonment and Site Formation Processes: Case Studies from Late Islamic Syria," in *Proceedings of the Tenth International Conference on the Archaeology of the Ancient Near East, 2016*, ed. Markus Ritter and Mattia Guidetti (Wiesbaden: Harrassowitz, 2018): 681–94.

documented throughout the region. We wanted to be able to determine when exactly (and how rapidly) this resettlement took place, to explore possible scenarios of what initially drove people to resettle here, and to determine, if possible, who the people were that came back to this site and where they came from. We have worked out patterns of spoliation and architectural reuse, demolition, and new construction that may be markers of rapid resettlement of many people on the move. We hoped to determine what the triggers were for this demographic phenomenon, whether a forced migration by the late Ayyubid state, crisis-induced, or done for financial opportunities. Through our ongoing study of the intrusive medieval cemetery in the ruins of one of the Christian basilicas at the site, we aimed to determine from where this population came in the thirteenth century, what may have pushed them to leave, and what impact the relocation had on the health of the resettled population.

A series of thick, plaster floors across the site provide an excellent stratigraphic separation between thirteenth- and fourteenth-century phases of occupation in these structures, a chronology confirmed by C14, along with ceramic imports, glass, and some coins. The occupational levels on and above these floors were excavated in previous seasons, and have produced fourteenth-century assemblages of pottery and glass that include many imports, with a large component of Damascene imports, evidence of local industrial activity, and a rich botanical and faunal record (demonstrating a varied diet with high content of meat and fruit). The strata below these floors – dated to the early thirteenth century – were excavated for the first time in 2021, and produced a material culture of a strongly rural character, with a poorer botanical record (suggesting a more modest, and monotonous, diet). Moreover, the pottery appears to be non-local, a hypothesis that will be tested in 2022 with petrographic analysis in Bonn.

One room of the farmhouse cluster in Field O, to the southwest of the tell, was of particular interest. The plaster floors covered what was once a large cooking facility of the thirteenth century. It appears to have been at the time an open space, and included at least four *tannurs* (domed-shaped clay ovens fired from the inside) and a complete ceramic cookpot used as a kind of *tabun* (cylindrical clay oven heated form the outside). Botanical samples were taken of all oven and cookpot contents, to reconstruct cooking practices and diet. This public kitchen could have served multiple households. It was used in this fashion for only a short period of time. When it went out of use, the clay ovens were demolished and their foundations and cookpot plastered over by the first of the floors, and a vaulted roof built over the space, transforming a rural, pubic kitchen to a private, urban-style house. While the process of this transformation still needs to be studied in more detail, the picture is emerging of the ways populations may have been quickly settled and new communities formed.

In order to address the question of *who* resettled Ḥisbān in the thirteenth century, we turned to the intrusive, medieval cemetery in the North Church, which was an early Byzantine construction used into the Umayyad period and located off the tell. Over eighty graves were

uncovered by John Lawlor in 1978 during the only large-scale excavation of the church.[61] They were dated at the time to the Mamluk period, on the basis of the handmade pottery found in the fill, suggesting the church ruins were reused hundreds of years later as a long-term, communal cemetery. More cists were uncovered in the south half of the church by Calvin College in 2018. In October 2021 the University of Bonn continued the study of the cemetery by excavating five cist graves, located outside the southern aisle, cut into and laid on a flagstone pavement. Samples of dental enamel were taken for isotope analysis, in order to determine where the population came from and what they ate; histological analysis of select non-dental skeletal samples will shed light on the general health of the population.[62] A single legible coin, recovered from fill above one capstone and dating to the early thirteenth century, and thirteenth and fourteenth-century pottery from fill above the graves, provides our only chronological markers. The interred represent all age groups and both genders, suggesting this may be the cemetery of the late Ayyubid and Mamluk village, which has never been identified as such in over five decades of intermittent fieldwork.[63]

The 2021 excavation of these farmhouses and the cemetery have raised many key questions about the conditions under which people resettled the site in the thirteenth century, as well as their standard of living. The critical issues of who these people were and what happened to them in the long run will be addressed by laboratory work in Bonn and abroad in the next year.

V.2.3. The "Hand of the State"

The question remains, then, why this long-abandoned site was resettled at this time – like many others in the larger region – and under what conditions. *Waqf* documents in the Endowments Ministry in Cairo may provide an answer. To cite one example, one lengthy *waqfīyya* of 777H/1375 CE lists all of the urban and rural properties in Egypt and Greater Syria donated by the Mamluk Sultan Shaʿbān for the financial support of his madrasa complex in Cairo.[64] Farmland and villages in the Kerak and Shobak region figure prominently in this text. The longest Transjordanian entry describes in detail the potential income-producing real estate of the village of Adar near Shobak: houses (both occupied and empty), mills and shops, caves (for storage), cisterns (both in use and derelict), and fields (cultivated, for pasturage, and abandoned). The houses (all vaulted stone buildings) were listed as potential rental

[61] John I. Lawlor, "The Excavation of the North Church at Ḥesbân, Jordan: A Preliminary Report," *Andrews University Seminary Studies* 18.1 (1980): 65–76.

[62] The osteological study from the North Church is being done by Prof. Megan Perry, a bioarchaeologist at East Carolina University in the U.S.

[63] On the Roman and Byzantine necropolis excavated in the 1970s, see S. Douglas Waterhouse, *The Necropolis of Hesban: A Typology of Tombs*. (Berrien Springs, MI: Andrews University Press, 1998). For the Ottoman-era "Bedouin" cemetery on the Citadel, see Bethany J. Walker, "The Late Ottoman Cemetery in Field L, Tall Hisban," *Bulletin of the American Schools of Oriental Research* 322 (2001): 47–65.

[64] *Wizārat* al-Awqāf, Cairo, Waqfiyya 49. For a longer analysis of this document, see Bethany J. Walker, *Jordan in the Late Middle Ages: Transformation of the Mamluk Frontier* (Chicago: University of Chicago, 2011): 158–61.

properties, not as estimates of population. Many of these houses were in ruin at the time. Using what we know about the urban real estate of the Mamluk period, much rural housing would have been rented, particularly by people recently arrived or staying for a short period of time.

This *waqfiyya* highlights another relevant point. Adar was well equipped with a water infrastructure and was close to markets, with roads tying it to Shobak and other larger towns. These are the kinds of amenities that, according to administrative documents of the Ottoman period, made places attractive for imperial investment and settlement.[65] Perhaps it is no surprise that the majority of the sites reoccupied in this manner in the thirteenth century also had ready access to marketplaces, a dependable water supply, and were on well-travelled roads.

V. Conclusions

Deep-time, micro-historical studies of small-scale communities allow us to trace gradual changes in social relations over time. The strongly asymmetrical dependency of peasants on the state in the pre-modern Levant cannot be denied. Peasants were not, however, docile bystanders or mere victims of an oppressive political system. They were quite capable of taking advantage of opportunities to assert themselves, through actions described above. One of the "unanticipated consequences"[66] of the sale of state lands during times of imperial financial insolvency, was that peasants came to buy the small plots of land they and fellow villagers had been cultivating for years. Some became small-scale farmers, and actively participated in the growing rural real estate market and urban market agriculture from the sixteenth century. Financial capital gave them social capital, and this is one mechanism through which some regions gained political autonomy in the later Ottoman centuries. At this point they were able to literally enjoy the "fruits of their labor", through self-exploitation in labor, exchanging market knowledge within the community, and sharing seed and tools. A combination of factors – privatization of agricultural land and expanded cooption of rural leaders into state service – were responsible, over time, in the development of new social classes (tax farmers and state-recognized tribal sheikhs) and new forms of village organization (the Ottoman throne villages of the central Palestinian highlands, for example).[67] The withdrawal of Ottoman forces from much of the region after the sixteenth century allowed for the emergence of autonomous sheikhdoms.[68]

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[65] Engin Deniz Akarlı, Some Ottoman Documents on Jordan: Ottoman Criteria for the Choice of an Administrative Center in the Light of Documents on Hauran, 1909–1910 (Amman: University of Jordan, 1989).

[66] Here we adopt the classic concept of the American sociologist Robert Merton, which refers to human actions that do not go as planned, which have unexpected consequences (Robert K. Merton, "The Unanticipated Consequences of Purposive Social Action," *American Sociological Review* 1.6 (1936): 894–904).

[67] Kamal Abdulfattah, "Throne Villages of the Highlands: Local Nobility and Their Mansions in Ottoman Palestine," *Near Eastern Archaeology* 70.1 (2007): 43–50.

[68] Among the most powerful were the al-Zayadina of northern Palestine and Lebanon.

Not everyone benefited from these developments, however. More peasants ended up impoverished through debt to (absentee) tax farmers, endowments managers (who were largely urban-based clerics), and local tribal sheikhs. Tribal leaders became the new local elites, exerting much of the same pressures on peasants that the Ayyubid, Mamluk, and Ottoman states did previously. Peasants were pushed to pay off Bedouin tribes to prevent attacks on their villages. Peasant dependency, in fact, continued relatively unaltered until the era of the Ottoman Tanzimat, when the medieval system of land tenure and military slavery came to an end. Rural peoples were then able to register land they have cultivated for generations in their own names, a process that gave them full legal tenure of agricultural land, but also subjected them to new forms of taxation and military subscription.[69] While the specifics of the dependent relationships changed over time, the basic structures of inequality did not.

Many questions about the dynamics of state-peasant relations remain open. Future work on this project will focus on regional differences, in order to distinguish possible local factors in creating and maintaining these dependencies, as well peasant health and the extent and nature of forced labor. The details of rural labor organization in Palestine and Transjordan in this period have yet to be documented, and this will be a priority of this author's research this coming year.

[69] The Tanzimat era marks an important watershed in the history of the Middle East. It introduced wide sweeping social, political, and economic changes in the region, and for this reason is not included in this study.

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1. General Approaches

1.4. Language

Introduction

With its mission to explore phenomena of strong asymmetrical dependency, the BCDSS and its publications series work against forms of gatekeeping which may place obstacles in the way of scholarly work written in what some consider to be non-standard English. The Center understands language to be intimately connected to power structures and thus strives to foster an awareness of epistemic dependencies resulting from linguistic dependencies. Given that language is multiply situated and constantly evolving, the BCDSS does not insist on conformity to the traditional binary of standard Englishes (British and American). Our focus is on clarity and the communicative value of English as an international lingua franca. Authors are encouraged to write in their national or regional variety of English.

1. General Approaches

1.4. Language

Imogen Herrad. "Language, Power and (In)Visibility. Reflections on Decolonizing Academic English," in *Intentional Invisibilization in Modern Asian History: Concealing and Self-Concealed Agents*, ed. Mònica Ginés-Blasi (Berlin: De Gruyter, 2025): 143–157.

https://doi.org/10.1515/9783111381831-007

Imogen Herrad

Language, Power and (In)Visibility. Reflections on Decolonizing Academic English

In this reflective chapter, I propose to scrutinize elements of injustice and power in western academia from my professional point of view as academic translator and language editor at the Bonn Center for Dependency and Slavery Studies (BCDSS). Language editors such as myself revise the grammar, syntax and vocabulary of texts written by non-native and/or multilingual speakers of English to render them more idiomatic. In other words, I make what is considered to be non-standard English more standard; I chop up sentences, 'improve' unidiomatic language and 'correct' passages deemed to be incorrect. The translator's invisibility has been famously explored by Lawrence Venuti, but language editors such as myself are more invisible still.[1] I do my work behind the scenes, in the unseen lag between writing and publication. Often my name is not mentioned in the published text, even though my work involves the shaping and nuancing of knowledge production.

I will begin this chapter by discussing the problematic issue of linguistic injustice in academic publishing. Its cause is the dominance of Global North variants of English; i.e. the fact that scholars who either use English as an acquired language (EAL), or who are native speakers of a variant other than British or American (such as Australian or Indian or Nigerian) English, face at best additional work and at worst discrimination.[2] I

1 Venuti described the mechanism whereby 'the more "successful" the translation, the more invisible the translator, and the more visible the author or meaning of the original text.' Lawrence Venuti, "The Translator's Invisibility," *Criticism* 28, no. 2 (1986): 179–212, 179. For processes of and around translation, see also Manuel Pavón-Belizón's fascinating paper in this volume, which explores the factors by which a Chinese woman intellectual was made visible and readable to western audiences by her works being translated into English and discusses 'translation as a socially embedded practice of knowledge production and circulation [which] entails a set of mechanisms that seek to reposition the translated author or work [. . .] [in] the target context' (Pavón-Belizón, in this volume, 113).

2 Studies by linguists and social scientists have shown that non-first-language scholars 'perceived English science writing as 24% more difficult, generating 21% more anxiety and 11% less satisfaction than science writing using their L1 [first language].' David Hanauer, Cheryl Sheridan and Karen Englander, "Linguistic Injustice in the Writing of Research Articles in English as a Second Language: Data from Taiwanese and Mexican Researchers," *Written Communication* 36, no. 1 (2019): 136–54, 138 (with references). A survey of forty-nine doctoral researchers from Colombia found that participants had to invest considerably more time on writing papers in English than they did in their first language: Valeria Ramírez-Castañeda, "Disadvantages in Preparing and Publishing Scientific Papers Caused by the Dominance of the English Language in Science: The Case of Colombian Researchers in Biological Sciences," *PLoS ONE* 15, no. 9: e0238372, https://doi.org/10.1371/journal.pone.0238372: 4/15. See also a very recent study in which a survey of nine hundred international scientists found 'profound disadvantages for non-native English speakers in conducting all scientific activities surveyed.' Tatsuya Amano et al., "The Manifold Costs of Being a Non-Native English Speaker in Science," *PLoS Biology* 21, no. 7

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will then reflect on questions of terminology and wording; i.e. the ways in which scholars who study situations of asymmetrical dependencies write about the situations and the people involved in them. Unthinking replication of terms coined by conquerors or enslavers can invisibilize the humans behind the dehumanizing language. Both of these problematic issues are remnants of colonialism, and I argue that both should be made visible and tackled. I will give a brief overview and some theoretical background to linguistic injustice caused by the dominance of Global North variants of English, and introduce the new language policy we implemented at the BCDSS.

This will be followed by a discussion of examples of language use in on this volume, supplemented sometimes with cases from my work as language editor more generally: formulations which arguably reproduce colonial thought patterns, dependencies and forced invisibilities, but also good-practice examples of how to do it better. My hope is that in writing this, I will raise some awareness of why language matters. I will reflect on how we might decolonize academic English, and in the process improve scholarly practice.

(2023): e3002184, https://doi.org/10.1371/journal.pbio.3002184. Interestingly, those EAL scholars who reported positive rather than negative effects from being required to write in English all worked in industrialised, Global North countries: Josep Soler, "Linguistic Injustice in Academic Publishing in English," *Journal of English for Research Publication Purposes* 2, no. 2 (2021): 161–62 in 160–71, with references. For the impact on EAL scholars outside the Global North, see for example the recent case studies by Seyyed-Abdolhamid Mirhosseini and Zahra Shafiee, "Writing Louder? Coping with the Push to Publish in English at an Iranian University," in *Pedagogies and Policies for Publishing Research in English: Local Initiatives Supporting International Scholars*, ed. James Corcoran, Karen Englander and Laura-Mihaela Muresan (London: Routledge, 2019): 252–65; and by Ayokunle Olumuyiwa Omobowale, Olayinka Akanle and Charles Akinsete, "Scholarly Publishing in Nigeria: The Enduring Effects of Colonization," in *Pedagogies and Policies for Publishing Research in English: Local Initiatives Supporting International Scholars*, ed. James Corcoran, Karen Englander and Laura-Mihaela Muresan (London: Routledge, 2019): 226–27 in 215–31. See also Stephen Politzer-Ahlesa, Teresa Girolamob and Samantha Ghali, "Preliminary Evidence of Linguistic Bias in Academic Reviewing," *Journal of English for Academic Purposes* 47 (2020), https://doi.org/10.1016/j.jeap.2020.100895.

1 Linguistic Injustice

That English is a remnant of colonialism is indisputable.[3] As such, it has become the modern lingua franca of academia.[4] But which English? Linguists have long been aware that the language is not a monolith: the concept of a plurality of co-existing Englishes has been explored since the 1980s. In a number of dedicated journals,[5] linguists study the evolution and the specific characteristics of localized or indigenized autonomous varieties of English: Singlish, South African, Jamaican, or Cypriot, to name only a few. But the awareness of their existence has not changed the dominant position of American (AE) and British English (BE) in international publishing as standard, to the exclusion of all other Englishes which continue to be regarded as divergent or non-standard, of interest merely to linguists.

The reason for this normativity of Euro-American-centred language use is not linguistic, but economic; and as such a legacy of the last two centuries during which European and North American countries colonized and exploited large parts of the rest of the world. The vast majority of academic publishers and journals – and *all* of the

3 Raymond Hickey distinguishes between 'English which arose from the large-scale settlement [. . .] by native speakers and forms of English which arose from the functional need for a means of communication in [colonized] societies with many different background languages' (Hickey, "Introduction": 1). The scholarship on the historical and continuing impact of the English language on the societies colonized by Great Britain and the United States in the eighteenth, nineteenth and early twentieth centuries, and the resulting loss of cultural autonomy (a concept developed by the Africanist Jan Vansina) is vast. For India, see for example the analysis of the impact of 'law and language [as] the two most important instruments [. . .] [of] the British colonisers [. . .] imposed on native Indians' by Debalina Das, Soumyadeep Patranabis and Prabhashis Bose, "English Language: Acceptance as World Language, its History and Importance in Modern World and Science," unublished paper, http://dx.doi.org/10.2139/ssrn.3598918: 17. For Anglophone African societies and countries, see Bert van Pinxteren, *Language, Education and Identity in Africa*.

4 A 2003 study found that out of 40,770 academic and scholarly journals listed with Ulrich's Periodical Directory, 74% were published in English: Curry and Lillis, "Multilingual Scholars": 663. For the 'internationalization' of global research through publishing in English, see Fran M. Collyer, "Global Patterns in the Publishing of Academic Knowledge: Global North, Global South", *Current Sociology* 66 no. 1 (2018), 63–64 in 56–73. and see also the recent findings by Lynne Bowker, Philips Ayeni and Emanuel Kulczycki, "Linguistic Privilege and Marginalization in Scholarly Communication: Understanding the Role of New Language Technologies for Shifting Language Dynamics," final report, 17.12.2023, https://doi.org/10.20381/858s-q632.

5 There are a number of academic journals dedicated to the study of World Englishes, including *World Englishes* https://onlinelibrary.wiley.com/page/journal/1467971x/homepage/productinformation.html, *Journal of World Englishes and Educational Practices (JWEEP)* https://al-kindipublisher.com/index.php/jweep, *English Today* https://www.cambridge.org/core/journals/english-today, and *Asian Englishes* https://www.tandfonline.com/journals/reng20 [all accessed 12.08.2024]; as well as a number of *Handbooks of World Englishes.*

most influential and prestigious ones – are based in the Global North.[6] Their editors, who make decisions which directly impact both knowledge production and scholars' careers, are crucial gatekeepers in international research.[7] As a direct but little-discussed consequence of this geo-economic dominance, publishers' style sheets require scholars wishing to be published internationally to adapt their spelling and grammar usage to just the two dominant variants of English.

The most commonly used (and, as such, the most dominant or indeed hegemonic) academic style guides are The Chicago Manual of Style (Chicago style, 1906[8]), The Publication Manual of the American Psychological Association (APA style, 1929[9]), and The Modern Language Association Handbook (MLA style, 1931[10]).[11] All three have been continually updated (and considerably enlarged) over the decades, but change has been reactive, and at times very slow.

The insistence on 'standard' variants of English puts an unequal burden on scholars whose first language is not English, or not AE/BE. It can be not only harder, but also more time-consuming to write in an acquired language.[12] In addition, unless a

6 In 2015, forty of the global top fifty-seven publishing companies were headquartered in the Global North (US/Canada, EU and the UK): Collyer, "Global Patterns in the Publishing of Academic Knowledge": 61. In humanities and social sciences publishing, half the market is dominated by just five academic publishers: Elsevier (The Netherlands), Black & Wiley (US), Taylor & Francis (UK), Springer Nature (Germany) and SAGE (US); Martin Hagve, "The Money Behind Academic Publishing," *Tidsskr Nor Legeforen* 140, no. 11 (2020): 1–5, http://doi.org/10.4045/tidsskr.20.0118.

7 The enormous asymmetricity of the publishing industry extends to editors. An analysis of the editors of the top five African Studies journals in English, for example, found that from a total of 255 editorial board members, only sixty-one editors (23.9%) are based in sub-Saharan Africa while 190 editors are based in Europe or the US. Only 27% are women, and only seventeen editorial board members (6.6%) are women based in sub-Saharan Africa. Sandro Mendonça, João Pereira and Manuel Ennes Ferreira, "Gatekeeping African Studies: What Does 'Editormetrics' Indicate About Journal Governance?," *Scientometrics* 117 (2018): 1520–21 in 1513–34.

8 https://press.uchicago.edu/press/presshistory.html [accessed 12.08.2024].

9 https://apastyle.apa.org/about-apa-style [accessed 12.08.2024].

10 https://cdn.knightlab.com/libs/timeline3/latest/embed/index.html?source=1GF0_59wNDhlGv3LBkPzm2TbFp-FN9P5R_p2VQp_ieBc& [accessed 12.08.2024].

11 In her discussion of the politics of imposing stylistic and linguistic conventions in the sciences, Audrey Thompson pointed out that all three dominant style guides were developed in the United States at a time when the vast majority of academics were white, male, and upper-middle-class; Audrey Thompson, "Gentlemanly Orthodoxy: Critical Race Feminism, Whiteness Theory, and the APA Manual," *Educational Theory* 54, no. 1 (2004): 27–57, 28, and see also 33–34. For a more general ideological critique of the Chicago and APA manuals see Dustin Wilson, "Institutionalization, Technology, and Power: The Ideological Context of Style Organizations" (Master's thesis, Clemson University, 2010): 22–48, https://tigerprints.clemson.edu/all_theses/863 [accessed 14.08.2024].

12 Hanauer et al., "Linguistic Injustice": 138 and Soler, "Linguistic Injustice in Academic Publishing in English": 161–62, both with references; Mirhosseini and Shafiee, "Writing Louder? Coping with the Push to Publish in English at an Iranian University."

scholar whose English is non-standard employs (and pays[13]) a language editor to 'improve' their text, they face an increased risk of rejection by editors: a 2020 study found that abstracts written in non-standard English 'were much more likely than "standard English" abstracts to be labelled "Poor" and much less likely to be labelled "Fair."'[14] This means not only that individual scholars face more and higher obstacles in their career paths, but that western viewpoints are given more visibility, while important voices that could enrich scholarship by bringing other and more diverse approaches and methods to the table are marginalized, overshadowed or excluded altogether.[15] While some scholars have argued that 'Indigenized Englishes would remain largely understandable only to the local audience,' and consequently encourage the use more standard forms of English,[16] there is arguably a significant difference between what is non-standard and what is unintelligible.

A number of interested and invested scholars at the BCDSS discussed these and similar considerations over the course of 2022, and as a result a new language policy was drawn up, which now applies to all BCDSS publications:

> With its mission to explore phenomena of asymmetrical dependency, the Bonn Center for Dependency and Slavery Studies (BCDSS) works against forms of gatekeeping which may put obstacles in the way of scholarly work in English felt by some to be non-standard. The Center understands language to be intimately connected to power structures and strives to foster an awareness of epistemic dependencies resulting from linguistic dependencies. Given that language is multiply situated and constantly evolving, the BCDSS does not insist on conformity to the traditional binary standard Englishes (British and American). Our focus is on clarity and the communicative value of English as an international lingua franca. Authors are encouraged to write in their national or regional variety of English.[17]

A recent survey about this approach was conducted among all members of the Bonn Center for Dependency and Slavery Studies in May and June 2024. It found that 60%

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13 Olumuyiwa Omobowale et al., "Scholarly Publishing in Nigeria": 226–27; Ramírez-Castañeda found that 'the cost [for language editing] per article is between one-quarter and one-half of a doctoral monthly salary in Colombia.' "Disadvantages in Preparing and Publishing Scientific Papers Caused by the Dominance of the English Language in Science": 5/15 with fig 2, https://journals.plos.org/plosone/article/file?id=10.1371/journal.pone.0238372&type=printable#Rpone.0238372.g002 [accessed 14.08.2024]; Tatsuya Amano et al., "The Manifold Costs of Being a Non-Native English Speaker in Science," fig 1E and 1F, (https://journals.plos.org/plosbiology/article?id=10.1371%2Fjournal.pbio.3002184#pbio-3002184-g001 [accessed 14.08.2024]).

14 Politzer-Ahlesa et al., "Preliminary Evidence of Linguistic Bias in Academic Reviewing": unpaginated. Another study similarly found that 43.5% of respondents reported 'at least one rejection or revision of their articles because of the English grammar.' Ramírez-Castañeda, "Disadvantages in Preparing and Publishing Scientific Papers Caused by the Dominance of the English Language in Science": 4/15.

15 Bowker, Ayeni and Kulczycki, "Linguistic Privilege and Marginalization in Scholarly Communication": 1.

16 Olumuyiwa Omobowale et al., "Scholarly Publishing in Nigeria": 216.

17 https://www.degruyter.com/serial/dss-b/html?lang=en [accessed 14.08.2024].

of respondents felt that the language policy was relevant to them, and half thought that it was necessary while only 17% saw no need for it. (The remaining 33% were neutral.) 47% declared themselves happy or very happy with the BCDSS Language Policy and only 5% unhappy, while the rest were, again, neutral. While a sample of 157 academics at one research centre at one university is clearly not in any way representative, I believe that this result shows an appreciation of the variety of Englishes and, as one respondent wrote, the importance of recognizing 'the diverse needs and practices of colleagues around the world'.[18]

2 Reflections on Language Use, Terminology and Wording

The vast majority of textual sources used by modern scholars were written by the masters, the colonizers, or the slavers. It was in their interests to represent the people they exploited not as human beings, but as things. So the archives of dependency are full of terms that dehumanize their subjects and express essentialist ideas about race, physicality, gender, character and culture; or, as Saidiya Hartman put it infinitely better in her seminal 2008 essay 'Venus in Two Acts': 'the stories that exist are not about [the enslaved], but rather about the violence, excess, mendacity, and reason that seized hold of their lives, transformed them into commodities and corpses, and identified them with names tossed-off as insults and crass jokes.'[19]

When scholars spend long stretches of time working with such archives, they risk growing accustomed to dehumanizing terms. It requires a repeated, conscious effort to reflect on language use: without it, we may end up employing commodifying or essentializing terms, and so reinscribe in our own writings the violence that has been done. That we should take care not to do so matters: in part out of respect for the enslaved, the violated, the exploited, the invisibilized. There is an additional urgency to this effort in some geographies where 'the afterlife of slavery'[20] or colonialization has not yet ended, such as the United States, Australia or Aotearoa New Zealand, where individual and institutional violence and discrimination continue; and where the colonized and enslaved matter in a very real way to those who are alive today, because they are ancestors, they are family. In this volume, Mrinalini Luthra and

18 For a more detailed discussion of the survey result see Dima Al Munajed and Imogen Herrad, "Why Words Matter in Academia: Challenges and Obstacles, Policies and Solutions. A Workshop Led by Dima Al-Munajed and Imogen Herrad at the University of Bonn's Diversity Days 2024," *Dependent. The Magazine of the Bonn Center for Dependency and Slavery Studies* 2024-1: 41–43.

19 Saidiya Hartman, "Venus in Two Acts," in *Small Axe* 12, no. 2 (2008): 1–14, 3.

20 Hartman, "Venus in Two Acts": 13.

Charles Jeurgens draw attention to just this issue in their investigation into enduring colonial practices in archival science, in which they underline the importance of decolonizing texts and collections that deal with colonial and imperial pasts. A failure to do so means that

> descendants of marginalised communities [. . .] who wish to explore the archives through text-searchable technology not only encounter painful and racist language while reading the documents, but are now also compelled to input offensive search terms themselves in order to trace any mentions of their ancestors.[21]

In such an environment, words resonate much more strongly, and it is not merely a matter of semantics when, for example, scholars are asked to replace the essentializing 'slave' with formulations such as 'enslaved person', which stress the process and the humanity of those affected. Teju Cole forcefully expressed the difference between the two: '[T]he word "slave" [. . .] still strikes the ear like a lash. There are those who enslave others and there are those who are enslaved by others. But there's no one whose essence or true description is "slave".'[22]

I am somewhat uneasily aware that this is a moral and emotional argument, and that scholarship and emotion or morality do not, perhaps, always mix very well. I am also, unhappily, aware of the risk of getting carried away by emotion and morality alone, without the scholarly rigour that forces us to stop and think, to reflect and clarify and, sometimes, reject an argument that is all hot blood and emotion but lacks the sinews and bones to stand upright.

So here is a scholarly argument: if we replicate the language of colonial and slavery archives without reflection, we risk blurring distinctions of historical categories or situations. If a scholar employs essentializing terms without prior careful scrutiny, they risk blunting their analysis and coming up with imprecise results.[23]

There may, of course, be good reasons for employing even obsolete terminology. One such case occurs in this volume, in the chapter by Subin Nam about the life of Bae Bong-gi, a Korean survivor of sexual slavery during the Pacific War. The chapter analyzes Bae's decision at different times to reveal or to invisibilize herself during different political situations in Japan and Korea in the 1950s, 1960s and 1970s. Nam makes transparent the reasons behind her choice to use a specific label for Bae: in her introduction, she explains that while the term 'survivor of military sexual slavery' is widely used internationally, in both Korea and Japan the expression 'comfort woman', a Japanese euphemism, continues to be the official term. Bae Bong-gi, a Korean living in the Japanese island of Okinawa, herself employed the

21 Luthra and Jeurgens, in this volume, 176–77.

22 Teju Cole, *Tremor* (London: Faber, 2023): 94

23 A point forcefully made by Raffaella Sarti, "Can Historians Speak? A Few Thoughts and Proposals on a Possible Global History of Domestic Service/Work," in Servants' Pasts, ed. Nitin Sinha, Nitin Varma and Pankaj Jha (New Delhi: Orient BlackSwan, 2019): 345–70, 351.

term, which reflects the geographic and historical context of her life. This is the rationale for Nam's choice to use the term 'comfort woman', but place it quotation marks throughout to distance herself from it.

In these reflections on language use, I will draw largely on the individual chapters in this volume, but to illustrate my point I will also employ some other, anonymized examples from texts I encountered in the course of my work. Let me be clear that I do not intend to shame, prescribe or dictate, or to create outrage. I also don't only want to discuss problematic cases, so I will also discuss how we might approach difficult sources and go beyond 'replicating the grammar of violence.'[24] I hope that these suggestions will also add rigour to scholarly analysis.

2.1 Active and Passive Voice

Using passive rather than active constructions has long been held to be desirable in academic writing. This is no longer universally the case, but does persist in some national academic cultures, such as much of continental Europe and Latin America, both in the national languages and when scholars write in English. By contrast, many humanities and social sciences scholars in the Anglophone world prefer to use the active voice. There are historical reasons for both preferences, and it is helpful to be aware of them. Behind the passive voice stands the desire to visibilize in language the ideal of scholarly objectivity. When scholars assess a situation, they express the outcome of their weighing up of facts and plausibilities. The constraint of having to use an impersonal style reminds the writer not to rush in with hasty personal opinions, but to reflect and carefully formulate their considered judgement.[25] In doing so, they take their personal selves out of the picture as much as possible in what we might describe as a conscious act of invisibilization. The same goes for including or excluding emotional responses. An eastern European historian told me that in his country, scholars are taught to think of themselves as physicians: you don't flinch when you see the wound, you don't stop to comfort the patient, you just go in and do the job with professional detachment.

By contrast, it has become the desired norm in much of Anglophone academia to use the first person singular, and thereby to visibilize the author as a situated person with a personal history and a set of experiences that shaped who they are and how they think, i.e. to articulate their positionality. It was, amongst others, activists in the U.S. American Civil Rights and Feminist Movements of the 1960s and '70s who first questioned and critiqued the definitions of 'objectivity' and 'neutrality', pointing out

24 Hartman, "Venus in Two Acts": 4.

25 I thank Christian de Vito for pointing this out to me in a personal communication, which made me rethink and rewrite (and, I hope, improve) this section.

that they had been drawn up by a small circle of privileged white men who adhered to ancient ideals of self-mastery and unemotionality as masculine virtues.[26] This sort of gender stereotyping is clearly not confined to the west, or indeed the past, as Manuel Pavón-Belizón's chapter in this volume shows. In his exploration of (the obstacles to) the dissemination of works by Chinese women intellectuals, he points to some prominent male Chinese intellectuals who 'consider [women] ontologically incapable of working in fields such as philosophy'.[27] In their contribution, Mrinalini Luthra and Charles Jeurgens discuss positionality in the context of Sandra Harding's standpoint theory, explaining that,

> [i]nstead of attempting to erase subjectivities as biases, feminist epistemologists advocate for acknowledging and considering these subjectivities in the research process. This approach promotes a more nuanced and comprehensive understanding of the world by honestly acknowledging the partiality of our knowledge.[28]

Neither approach – passive or active voice, neutrality of positionality – is inherently 'better' or 'superior'. One drawback of passive constructions can be to invisibilize intentional actions: *The inhabitants of the village were enslaved*. Who enslaved them? One drawback of writing in the active voice can be that one puts oneself too much in the foreground, operating with opinions rather than analysis. The best scholarly practice is always to reflect on stylistic choices – including on the shortcomings of whichever tradition we prefer; and as historians to be aware of the history behind those traditions.

2.2 Compassion or Objectivity?

The difficulty of striking the right balance between human emotion and scholarly analysis – or perhaps better: of achieving the right mix of the two – was on my mind more than once as I read the papers in this collection; perhaps most notably Subin Nam's chapter about Bae Bong-gi. As a young woman, Bae went to Japan in search of employment. She was forced to work in a military brothel, fled through an active war zone during the Battle of Okinawa, and witnessed numerous atrocities. As I read Nam's chapter, I suffered with Bae Bong-gi, who spent the rest of her long life after the end of the war in self-imposed exile in Okinawa, where she made herself as invisible as possible because she felt that she could not go home due to the perceived shame of her sex work and her poverty. Nam, too, clearly felt both compassion and respect for this survivor, whom she shows to have been not only a victim, but also an

26 See for example Jane Tompkins' 1987 essay, "Me and my Shadow," *New Literary History* 19, no. 1 (1987): 169–78.

27 Pavón-Belizón, in this volume, 107.

28 Luthra and Jeurgens, in this volume, 181–82.

active force in the shaping of her own life. In some passages, emotion surged high, expressed in terms such as *horrors*, *tragic, agonizing*, or *harrowing*. As I language-edited the text, I found myself struggling with the conflicting impulses of professionalism and visceral response: I repeatedly wrote and deleted comments that suggested Nam employ more scholarly distance. They felt crass and tone-deaf. How do you strike the right balance between human emotion and scholarly analysis in writing about human suffering? One feels compassion, from the Latin: *con-passio*: *con*, 'with' and *passio*, 'suffering': one suffers with a fellow human. But when one is not only a fellow human but also a scholar, expressing our shared humanity is not enough.

As scholars, our contribution is to contemplate and think, to research and analyze. Scholarly writing is better (in terms of language and expression, but also in terms of the quality of analysis) when it is clear and lucid, when it names objects, situation or experiences as precisely as possible, rather than employing expressions of horror or sympathy.

2.3 Dehumanizing, Essentializing or Uncaring Language

Some authors borrow terms from the study of economics, which can have the effect of obscuring violent actions. Here are some phrases I encountered in texts that I revised for grammar and language use. See if you can work out what they are talking about:

– entry into the system by means of purchase and transportation
– patterns of acquisition
– sourcing the city's workforce by procuring and transporting enslaved laborers

I had to read all of them more than once before I realized that the authors were referring, obliquely, to slaving and the slave trade. Such euphemisms erase both the people who were enslaved, and the people who perpetrated enslavement upon them. Crucial information is missing. Who were the enslaved? Men, presumably; women, probably; children, perhaps – we do not know because the scholar does not tell us. Who were the enslavers? Men, presumably; women, possibly;[29] patrons of the arts, perhaps, or great philanthropists like the seventeenth-century British slave trader Edward Colston;[30] but we cannot tell because the scholar does not say.

29 For women slaveholders in the US South see Stephanie E. Jones-Rogers, *They Were Her Property: White Women as Slave Owners in the American South* (New Haven: Yale University Press, 2020). At the BCDSS, PhD researcher Giulia Cappucci investigates the female owners of enslaved women in ancient Rome.

30 Saima Nasar, "Remembering Edward Colston: Histories of Slavery, Memory, and Black Globality," *Women's History Review* 29, no. 7 (2020): 2–3 in 1–8.

Sometimes, scholars take archive documents literally in what they say about enslaved people. One text that crossed my desk contained sentences such as this: *One individual for example was forty years old and had skin of a chestnut color, which would suggest that he was a descendant of slaves from Peru.* The author made the problematic assumption that they could equate the perception of an enslaved person's skin colour as described in a pre-modern document, with that person's ethnicity, and so their geographic origin. This reduction of the enslaved person to one physical characteristic as described by an enslaver risks perpetuating assumptions of scientific racism.

By contrast, linguistic reflection about the terms employed in our archives is a way of generating additional information. The archives will never give us all the information we seek, but scrutiny and deliberation can tease out additional findings. Does the word 'girl' (*niña, fille, Mädchen* etc.) always mean a female child, or does it perhaps refer to a woman in a subaltern position? Does a slave's bill of sale refer to the same person described in a letter as a trusted servant? If we want to compare data in transnational or diachronic perspective, is it enough to assume that local categories will match across cultures, linguistic boundaries, and/or centuries?[31]

The importance of careful scrutiny of the sources is commented on by several authors in this volume. While the legalistic definition of slavery assumes clear boundaries between who is enslaved and who is not, many scholars have drawn attention to the exceedingly blurry nature of this boundary, and the great variety of conditions of strong asymmetrical dependency which defy the assumption of a clear binary. Historically situated and context-specific terminology add further fuzziness.

In her paper on the 'rescue' of abandoned girls by European missionaries in eighteenth-century China, Marina Torres describes the slippage between different terms for servitude in her sources: in the records of eighteenth-century Spanish and Portuguese missionaries, servants were most often referred as *mozo* (boy), *doméstico/a* (servant) and *criado/a* (servant), which existed alongside the labels of *esclavo/a* (slave), *fámulo* (servant in a convent) and *cautivo/a* (captive). The 'rescued' girls who are the subject of her chapter are mostly just called *criadas* (female servants), a term that could also denote an enslaved person or an indentured or a hired servant. As Torres points out, this fact makes it 'difficult to identify the girls' status'.[32]

Emma Kalb, who explores the traces left by enslaved individuals in Mughal narrative sources, points to 'a tendency towards elliptical and evasive language with regards to enslaved people, where terms utilized to label relations of asymmetrical dependency and slavery intersect with broader terminology of service, discipleship, and kinship.'[33] She discusses a paradoxical phenomenon by which the actual enslave-

31 As Sarti pointed out, in some contexts, for example, there can be 'an overlap in the conditions of wife, concubine, slave/servant and even prostitute.' Sarti, "Can Historians Speak?": 350.

32 Torres, in this volume, 56.

33 Kalb, in this volume, 125.

ment of individuals is very rarely addressed in narrative sources (as opposed to legal documents such as contracts or bills of sale), while at the same time there is a 'pervasive use of the metaphorical language of slavery to describe the loyalty and service of elite men. Thus terms that unambiguously mean slave, such as *ghulām* or *banda*, come to be used by men who are very clearly not slaves to express their devotion to the emperor.'[34]

In their investigation into enduring colonial practices in archival science, Mrinalini Luthra and Charles Jeurgens draw attention to the need to consider context-specific language use in colonial archives:

> The term *njai* is a Balinese word that signifies "sister", but during the colonial period it also referred to the concubine of a non-Indonesian. Despite its significance, a search for contemporary Dutch terms like *minnares* [mistress] or *bijvrouw* [concubine] does not yield any results for *njai*. Thus, the *Zoekintranscripties* tool inadvertently perpetuates silencing [. . .][35]

You may object that all this is nothing more than basic scholarly good practice, but attention to linguistic (and/or cultural) detail is not always a given.

By taking care not to replicate the uncaring, violent or colonializing language of the archives of dependency, we can avoid reinscribing the violence and the uncaringness, and re-humanize – at least in writing – the persons on whom names and/or categories were imposed, or who were reduced to nameless figures on a balance sheet. By reflecting on our choices and definitions of terms, and of categories of analysis, and by discussing and explaining them in our writing, we can generate more clarity – not only for our readers, but also for ourselves in our scholarly endeavour to see, to understand and to explain.

2.4 The Stumbling-Block of Translation

There was one instance in working on the papers in this volume where I felt as though I had to re-colonize academic English. In her chapter, Marina Torres investigates the (purportedly charitable) illicit activities of eighteenth-century missionaries in China, who baptised abandoned girls and raised them as Christians. In her original text, Torres described this activity with the word 'to collect'. However, the activity of 'collecting girls' sounds rather like a sinister hobby. You can collect stamps, but not living people. In my search for an alternative term I found, somewhat to my dismay, that the usual English term for the taking-in of orphans by missionaries is 'to rescue' – which carries an obvious and positive moral bias. The missionaries were probably convinced that what they did was rescuing the children, but they also took them out

34 Ibid. 125–26.

35 Luthra and Jeurgens, in this volume, 176.

of their surroundings and culture and shipped them off to the Philippines to work as servants. Many died, as Torres explains.[36] I had to choose between awkward phrasing and idiomatic but un-decolonized English. In the end, after consulting the author, I decided to use forms of the word 'rescue' in inverted commas, in order to clearly indicate a distancing from and a problematizing of this term.

3 Conclusion

In this chapter, I looked at related issues of injustice and power in academic publishing from a perspective that is usually concealed: that of a language editor. I discussed the problem of linguistic injustice that arises through the exclusion of localized or indigenized autonomous varieties of English that are regarded as non-standard. This gives higher visibility to western viewpoints while silencing other and more diverse approaches and methods, and as a result impoverishes scholarly work. I introduced a step towards tackling this problem, i.e. a Language Policy which deprivileges the two Global North variants of English. This move has been welcomed by the majority of BCDSS researchers.

The second part of this chapter was devoted to reflections on language use, terminology and wording in the contributions in this volume. I argued that what Saidiya Hartman termed the 'afterlife' of historic injustice and violence has not yet ended in many places such as the United States, Australia or Aotearoa New Zealand, where the descendants of the enslaved or colonialized continue to face institutional violence and discrimination, and that it is therefore important to carefully reflect on language use, especially for scholars who work with archives that contain dehumanizing or essentialist terms about race, physicality, gender or culture.

I discussed the difficult balance between human compassion and scholarly objectivity in academic writing, and visibilized my own dilemmas when language-editing a text that may overexpress the writer's emotions; and reviewed the debate over the relative merits – and the academic traditions – of active and passive voice and of positionality or neutrality in academic writing. I reviewed several chapters in this volume whose authors draw attention to imprecise, context-specific, euphemistic or evasive language in their sources that can easily be misinterpreted unless closely scrutinized.

I hope that these reflections from both a practical and a theoretical perspective, and one that is not usually visible, may contribute to the process of decolonizing academic English and enhancing scholarly practice.

36 Torres, in this volume, 61.

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2. Slaveries and Similar Dependencies

2.1. Theoretical and Methodological Avenues

Introduction

By studying strong asymmetrical dependencies within social orders, the BCDSS strives to reconcile a structuralist approach and a praxeological approach to social history. The BCDSS suggests studying social orders and the way they produce and challenge strongly asymmetrical structures between and within societies, groups and individuals. In the BCDSS social orders are understood as a system of institutions, social relations, value orientations and practices, and as the structuring and structured processes of social reality. Similar to Anthony Giddens' structuration theory, which examines the bipolar nature of social structures both as medium and as outcome of social agency, the creative power of social orders is stressed. As several sociologists have suggested, attention must be paid to the social construction of reality, which not only consists of the subjectively meaningful conduct of lives of the members of society, but also of the thoughts and actions of these members, who then maintain this world as 'real'. In this sense, even if social orders tend to maintain, conserve and enforce behavior and thoughts, they should not be seen as a given or be contrasted to social chaos. In fact, social orders are generated by the interplay of both social and political institutions and individual worldviews. On the one hand, institutions encompass behavioral regularities – often of transgenerational duration – which manifest themselves as rules with a particular claim to be obeyed, thus constituting binding rules for the individual. These rules may be binding even if single actors do not know or have forgotten them. On the other hand, individuals may carry out habitual acts without reflecting upon the acts themselves, while their decisions are unique in situations where routines are challenged by new contexts or figurations. Whereas habitus, (shared) mental models/ideologies, 'structuration', habits and frames and symbolic *Sinnwelten* have previously been used independently and in a multidisciplinary manner within the social sciences, the BCDSS summarizes these terms under the umbrella term 'worldview'. The manifestation of worldviews takes place along patterns of real and sensory experience, sedimentation and storage and, finally, accumulation of knowledge. Therefore, the worldview is a concrete social product with a specific history. By analyzing types of dependency in a wide range of different historical contexts, we aim to identify and describe actors' individual (emic) worldviews so as to utilize them for a fully differentiated typology of asymmetrical dependencies. This approach not only contributes to a transcultural comparative analysis, but also constitutes an important corrective to the emic and etic descriptions of asymmetrical (bondage) relationships. The topic the BCDSS would like to present for discussion for general social history is the exact way in which institutions and the cognitive patterns of actors interrelate. Social order and its 'producers' stand in a dialectic relationship with one another, implying that social reality is the product of human exchanges, while it simultaneously re-impacts the interactions which produce it.

Furthermore, the BCDSS – as any research structure within the humanities with a transcultural, diachronic and/or global perspective – must confront two fundamental methodological questions: how to overcome the macro vs. micro-divide, and how to operationalize comparisons across time and space. As far as the first question is concerned, the BCDSS follows Francesca Trivellato's approach of a "global history on a small scale"[1] by using a "spatially aware mindset

[1] Francesca Trivellato, *The Familiarity of Strangers. The Sephardic Diaspora, Livorno, and Cross-Cultural Trade in the Early Modern Period* (New Haven: Yale University Press, 2009); Francesca Trivellato, et al., *Religion and Trade. Cross-Cultural Exchanges in World History, 1000–1900* (New York: Oxford University Press, 2014).

and methodology"[2]. For many years, microhistory has been equated with local history and global history with macro-history. The 'local' was conceived as a stable, rigid and reactive place in history standing in stark opposition to the 'global' as a fluid, flexible and active power in history. Ulrike Freitag and Achim von Oppen, however, have successfully argued for transcending this dichotomy by suggesting the concept of "translocality", focusing on translocal relations and investigating the tensions between "order" and "movement" in order to contribute to a social history from below.[3] In a similar vein, Angelika Epple has recently argued that the only way for global history to avoid the danger of relativizing history and of diminishing explanatory power is to draw upon translocal relations as the basic unit of analysis.[4] The BCDSS thus adheres to the micro-spatial approach suggested by Christian S. De Vito and Anne Gerritsen. In order "to overcome the binary division between global and local", De Vito and Gerritsen propose a productive combination of micro and spatial history. "Micro-history can offer the epistemological foundations […] through its sensitivity to contextualisation and historical distinctiveness through time and space. At the same time, spatial history can help micro-history to overcome its tendency to remain confined in geographically limited spaces and to conceptualize localities as self-sufficient units"[5]. In this sense, our objective is to collect comparative microhistories of strong asymmetrical dependencies that can then lead to a new empirical basis for transcultural and diachronic comparison.

The question of how to overcome the macro vs. micro-divide leads directly to the second question of how to compare empirical findings across time and space. Long-term comparative history and connected or entangled history have been conceived of as two opposing and competing methodological approaches to transcultural and global history. Recent debates, however, have focused more and more on the question of how comparisons and connections may be combined in studies with a transcultural or global perspective. The BCDSS relies on an old claim of microhistorians seeking to correlate the specific with the universal. While searching for the normal exceptional case and the exceptional case of normality, historians have sown the seeds of a comparative approach that attempts to constantly pivot between close-ups on the micro-level and extreme long shots on the macro-level, oscillating between 'snapshots' and a longue durée perspective. The BCDSS thus pursues a decentering way of comparison.

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[2] Christian G. De Vito and Anne Gerritsen, eds., *Micro-Spatial Histories of Global Labor* (Cham: Palgrave Macmillan, 2017): 2–3.

[3] Ulrike Freitag and Achim von Oppen, eds., *Translocality. The Study of Globalising Processes from a Southern Perspective* (Leiden: Brill, 2010): 5, 8.

[4] Angelika Epple, „Lokalität und die Dimensionen des Globalen. Eine Frage der Relationen," *Historische Anthropologie* 21, no. 1 (2013): 4–25, 25.

[5] Christian G. De Vito and Anne Gerritsen, eds., Micro-Spatial Histories of Global Labor (Cham: Palgrave Macmillan, 2017): 15.

2. Slaveries and Similar Dependencies

2.1. Theoretical Avenues

A Phenomenological Overview

Michael Zeuske. "Slavery and Slaves as 'Global and Globalizing'?" in *Comparative and Global Framing of Enslavement*, ed. Stephan Conermann, Youval Rotman, Ehud R. Toledano and Rachel Zelnick-Abramovitz (Berlin: De Gruyter, 2023): 7–42.

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Michael Zeuske

Slavery and Slaves as "Global and Globalizing"?

Slavery and the enslaved, under whatever culturally shaped name, are ubiquitous in the history of all continents, territories, oceans, nations, countries, and societies of our globe or whatever spatial-social concept. It has been so from the emergence of – or at least since – the so-called "Neolithic Revolution," when people settled down and began to live on the basis of agriculture, weaving, pottery, and, later, animal husbandry (with the very important invention of preservation and storage, such as grain in pottery or meat in herds).[1] Animal husbandry, especially of horses, enabled elites to become influential and rich, while also facilitating massive raids on other settlements (which, of course, also took place on foot or by water). In addition to domestic slavery, this also enabled the integration of enslaved male warriors.[2] In this respect, slavery is not only a global, but also, in my view as a researcher concentrating not on Europe but on the Caribbean, a universalist issue.[3] To what extent this also applies to

1 On this complicated question (whether slavery really existed in all groups/communities and all societies) there are only very few texts. One of the most important comes from the historical-anthropological research based on works by Alain Testart; see Christophe Darmangeat, "Paiements, esclavage et exploitation: éléments d'un triptyque," *Cahiers d'économie Politique* 75, no. 2 (2018): 227–53. The answer or, rather, the perspective, will always remain in a certain sense hypothetical (although in archeology there are more and more interpretations in the sense that there was a specific "status of enslaved without slavery," very local but as such universal. This is what I call the First Plateau). Christophe Darmangeat says: "Plus récemment, A. Testart [2003] reliait l'absence d'esclavage dans certaines aires culturelles à une disposition particulière du droit de la guerre selon laquelle le vainqueur devait, pour conclure la paix, indemniser le vaincu pour ses tués. L'argument, certes séduisant, reste néanmoins quelque peu circulaire; on ne voit pas pourquoi l'absence d'esclavage résulterait davantage d'un droit de la guerre spécifique que l'inverse. Par ailleurs, si une forte proportion de sociétés non esclavagistes se concentrent en effet dans trois principales aires culturelles, de nombreuses autres se situent en dehors d'elles, auxquelles cette thèse ne peut s'appliquer. On en restera donc ici au constat d'une question qui, en raison de sa complexité, n'a jamais reçu de réponse satisfaisante, et qui constituerait un vaste et passionnant programme de recherche." Of course, if slavery is seen as an institution, the platform of the "status of enslaved 'without institution' does not appear": see Alain Testart, *L'institution de l'esclavage: Une approche mondiale*, ed. Valérie Lécrivain (Paris: Gallimard, 2018).

2 Detlef Gronenborn, "Zum (möglichen) Nachweis von Sklaven/Unfreien in prähistorischen Gesellschaften Mitteleuropas," *Ethnologisch-Archäologische Zeitschrift* 42, no. 1 (2001): 1–42; Martin Schmidt, "Die Welt des Eumaios," in *Geschichte und Fiktion in der homerischen Odyssee*, ed. Andreas Luther (Munich: C.H. Beck, 2006): 117–38; Michael Zeuske, "Globalhistorische Sklavereiplateaus," in *Sklaverei: Eine Menschheitsgeschichte von der Steinzeit bis heute*, 2nd ed. (Stuttgart: Reclam, 2021): 41–140.

3 Michael Zeuske, *Handbuch Geschichte der Sklaverei: Eine Globalgeschichte von den Anfängen bis heute*, 2 vols., 2nd ed. (Berlin: De Gruyter, 2019); Michael Zeuske, "Writing Global Histories of Slavery," in *Writing the History of Slavery*, ed. David Stefan Doddington and Enrico Dal Lago (London: Bloomsbury Academic, 2022): 41–57.

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so-called "slave labor" today (i.e., extremely hard labor without a legal framework of ownership), a concept which emanated from Brazil and is now being debated worldwide, is still under discussion.[4]

In reality, it always was and still is about *slaveries*. No other term or name for the institution, whether "servility" or "unfree work," can better grasp the global meaning of these terms, namely the ubiquity of these forms of strong asymmetrical dependencies.[5] But, for reasons of language economy, we have to stick to the singular word *slavery*. Whether the sociological/anthropological (functional) concept of "extreme asymmetrical dependency"[6] works (it is ahistorical, but is certainly useful as a heuristic approach in the sense of more functionalist analysis) is currently being intensively researched at the Bonn Center for Dependency and Slavery Studies (BCDSS).

Slavery, if one absolutely wants a definition, is the exploitation and control of human bodies, their productivity (work, energy, services), reproduction, time, and mobility by other people, institutions, or corporations. This includes their use as bodily capital and a commodity for (more) slaves, economic success, power, value, wealth and productivity/reproduction, status, and health; their use as currency or life assurance; and sometimes the very specific use of parts or the whole of the enslaved body. Slaving or enslavement as the procurement of those to be enslaved by mostly marginal elites or as mutual "gifts" between elite members of empires actually makes slavery an institution (or vice versa: slavery and enslaved people are important for founding and maintaining imperial states).[7] Slavery was never a "mode of production," but always part of other social systems and cultures (imperial, monarchical, republican, as well as in so-called pre-state, small-scale societies).

Slavery as an object of research is now more and more seen by historians as a social-historical global phenomenon with many cultural-historical dimensions and as the basis of many societies, states, and empires. But for other historians and many

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4 Rebecca J. Scott, "O Trabalho Escravo Contemporâneo e os Usos da História," *Mundos do Trabalho* (Florianópolis, Brazil) 5, no. 9 (2013): 129–37; Rebecca J. Scott, Leonardo Augusto de Andrade Barbosa and Carlos Henrique Borlido Haddad, "How Does the Law Put a Historical Analogy to Work?: Defining the Imposition of 'A Condition Analogous to That of a Slave' in Modern Brazil," *Duke Journal of Constitutional Law & Public Policy* 13, no. 1 (2017), https://papers.ssrn.com/abstract=3058191 [accessed 26.01.2023].

5 One of the best examples of research into slavery as slaveries and their interdependencies is that into the diverse slaveries in North America, including northern Mexico and the Caribbean: see Bonnie Martin and James Brooks, eds., *Linking the Histories of Slavery in North America and Its Borderlands* (Santa Fe, NM: School for Advanced Research Press, 2015).

6 Ehud R. Toledano, "Models of Global Enslavement," in *Slaves and Slave Agency in the Ottoman Empire*, ed. Stephan Conermann and Gül Şen (Göttingen: Vandenhoeck & Ruprecht 2020): 31–51.

7 John Bodel and Walter Scheidel, eds., *On Human Bondage: After Slavery and Social Death* (Oxford: Wiley Blackwell, 2017); Joseph C. Miller, "Slaving as Historical Process: Examples from the Ancient Mediterranean and the Modern Atlantic," in *Slave Systems: Ancient and Modern*, ed. Enrico Dal Lago and Constantina Katsari (Cambridge: Cambridge University Press, 2008): 70–102; Joseph C. Miller, *The Problem of Slavery as History: A Global Approach* (New Haven, CT: Yale University Press, 2012).

more sociologists and anthropologists, it is not considered a global phenomenon. In many societies and historiographies, the mention of the word "slavery" is actively prevented or does not matter. This is a real problem in many ways. I want to start with one here. Slaveries are always local, even in the earliest times, but are spread over entire areas of human populations. They are local-global, or, in current terminology, glocal. However, they are rarely connected by supra-regional exchange networks (which can be relativized by captivity). Truly global structures, that is, the global networks of sailing ships and trade that spanned the globe (in a German word from the fifteenth century, *Erdball*) from around 1570 (Manila) belonged more to slave traders, merchants, captains, ship crews (as well as other auxiliary groups or individuals, such as doctors, cooks, healers, and translators), and members of the global Christian orders (such as Jesuits, i.e., in a very general sense, people of knowledge). There were certainly also some men enslaved on the ships that sailed these global network routes. But relatively few. Enslaved people have been hemispherically "global" (i.e., in the Atlantic World or in the Indian Ocean World, and the marginal seas of the Pacific) or terrestrially "global" – between China, India, Asia Minor, the Middle East, North Africa, Arabia, and the edges of Europe (with a center in Central Asia). Slavery and its social actors were not totally global until the nineteenth century, already mingled with the mass migration of indentured laborers (most of them from China, India, the Pacific Islands, and Indonesia).[8] But they were globalizing in the sense of a globalizing transculturation "from below" (food, plants, epidemics, performances, knowledge of life in the tropics, etc.). The most global and globalizing cosmopolitans from below were slave traders, captains, and their personnel (like seamen, sometimes enslaved ones, and Atlantic creoles).[9]

The connections to real global communications and mobilities began in the sixteenth century. To be more explicit: prior to the circumnavigation of the Earth by Iberian ships (Magellan/El Cano, 1519–1522) and the founding of Manila in 1571, nothing about slavery was global in terms of globally connected slavery/slaveries, slavery regimes, and slave trades. There was also no such thing as global biographies of enslaved people (although there is the myth of a global life history).[10] All slaveries were

8 Michael Zeuske, "Coolies – Asiáticos and Chinos: Global Dimensions of Second Slavery," in *Bonded Labour: Global and Comparative Perspectives (18th–21st Century)*, ed. Sabine Damir-Geilsdorf et al. (Bielefeld: transcript Verlag, 2016): 35–57.

9 Damian Alan Pargas, "Slavery as a Global and Globalizing Phenomenon: An Editorial Note," *Journal of Global Slavery* 1 (2016): 1–4; see also Jerry H. Bentley, Renate Bridenthal and Kären Wigen, eds., *Seascapes: Maritime Histories, Littoral Cultures, and Transoceanic Exchanges* (Honolulu: University of Hawai'i Press, 2007).

10 Eberhard Crailsheim, "Die Manila-Galeone: Ein Akteur der frühen Globalisierung" [The Manila Galleon: An Actor in Early Globalization], in *Seehandelsrouten: Wegbereiter der frühen Globalisierung*, ed. Franz Halbartschlager, Andreas Obenaus and Philipp A. Sutner (Vienna: Mandelbaum Verlag, 2019): 188–224; Dennis O. Flynn and Arturo Giráldez, "Born Again: Globalization's Sixteenth Century Origins (Asian/Global versus European Dynamics)," *Pacific Economic Review* 13, no. 3 (2008): 359–87.

"systems of belonging" (E. Toledano)[11] for different forms of kin and households, as well as (sometimes very large) regional, social, and political entities. This means that all slaveries were also systems of territorial and culturally rooted dependencies – after almost always very violent acts, actions, and processes of enslavement against individuals and groups. All the systems we know of were initially local, but also regional, continental, imperial, and, perhaps, as said above, "hemispheric" or inter-hemispheric, such as Mongol (East and Southeast Asia to Eastern Europe) or Islamic commercial networks (North India, with connections to the Malay world, North and East Africa, and Europe).

But before the nineteenth century, the "global," in a spatial sense of the entire globe, did not exist. Let me repeat this before I explain the basic structures below. With the advent of the global market, based on real networks and sailing routes, in around 1550, regional or local slavery regimes (house slaveries and slaveries of women and children, which were collective slaveries, often under the control of local elites) were increasingly globalized.[12] But, before the so-called *Welthandel* (the world economy from around 1860), global colonialities and overseas colonies slaveries were not totally global, only, at most, national-imperial and, as I said, hemispheric work systems. For the nineteenth century, this globalized slavery is conceptualized as *second slavery* in a *hidden Atlantic* (in and for the Americas in 1820–1888) with worldwide ramifications – despite (or precisely because of) Western and other abolition discourses. Before, alongside, and after these processes of globalization, many local slaveries, slavery regimes, and slave trading systems under other names (and cultural traditions) existed, regional slavery among regional elites and myriads of migrations in forced labor systems.

1 Chronological-Spatial Plateaus of Slavery in World and Global History

There are chronological-spatial plateaus (as I call them) of slavery. Hypothetically, they began between 20,000 and 10,000–8,000 BCE and are spatial to differing degrees, ranging from local to larger spaces. However, they always grew from local roots in

11 Ehud R. Toledano, "Enslavement in the Ottoman Empire in the Early Modern Period," in *The Cambridge World History of Slavery*, vol. 3, *AD 1420–AD 1804*, ed. David Eltis and Stanley L. Engerman (Cambridge: Cambridge University Press, 2011): 34; see also Gudrun Krämer, "Fürstendiener und Pfortensklaven," in *Der Vordere Orient und Nordafrika ab 1500* (Frankfurt am Main: S. Fischer, 2016): 85–87.

12 Angus Dalrymple-Smith and Matthias van Rossum, "Globalization and Coerced Labour in Early Modern Asia and Africa," in *The Slavery/Capitalism Debate Global. From "Capitalism and Slavery" to Slavery as Capitalism*, ed. Stephan Conermann and Michael Zeuske [= *Comparativ: Zeitschrift für Globalgeschichte und vergleichende Gesellschaftsforschung* 30, no. 5–6 (2020)]: 543–59.

some form, which was also culturally defined (religious-legal forms, such as forms of bondage and serfdom in Europe). They were, even in their very local beginnings, "global." This does not contradict the above. This "global," as I have said already, was global in the sense that slaves existed, such as enslaved women and children without slavery as an institution and as prisoners in groups in the absence of a state or in "small-scale societies," across the entire globe (especially on land).[13]

Now, the plateaus. It is important to stress that all these plateaus have a starting point, but no end (i.e., they continue to this day), with the relative exception of the third plateau (Atlantic slavery), which was abolished formally in the West (including all of the Americas and the Caribbean) in 1803 (Haiti), 1810–1850s (the new republics), 1838 (UK), 1848 (France), 1863 (Netherlands), 1865 (USA), Puerto Rico (1873), 1886 (Cuba), and 1888 (Brazil). Today's slaveries all exist without legal concepts of ownership (under "Roman" law – as well as other civil codes and traditional Anglo-American case law).

The First Plateau consists chiefly of enslaved women and children or, better, poor women/children as victims and/or part of concrete actions of slaving within or between communities (hunger, interruption of mobility, shelter, rape, raids, war, and ritual/sacrificial captivity/slavery).[14] This plateau includes the self-enslavement of women, children, and poor people for the sake of food and survival. This was "slavery without an institution," which, as already mentioned, has existed since between 20,000 and 8,000 BCE,[15] and still does.

Even if there is a type of contract (as was the case very early in China), once it is signed these people totally disappear as legal persons, often under other forms of social dependencies (like the enslavement of orphans, adoption, forced marriage or female house servitude, children's bondage, and the buying or lending of girls, boys, and women).

A possibly even older form of slavery is what we might call sacrificial slavery and the use of enslaved people as parts of rituals of death. This means the use of living human bodies as part of rituals that imply the death of an individual or a group of captive/enslaved persons (the debate about "voluntary" participation often reveals

13 Catherine M. Cameron, "Captives in Prehistory: Agents of Social Change," in *Invisible Citizens: Captives and Their Consequences*, ed. Catherine M. Cameron (Salt Lake City: University of Utah Press, 2008): 1–24; Catherine M. Cameron, "How People Moved among Ancient Societies: Broadening the View," *American Anthropologist* 115, no. 2 (2013): 218–31; Catherine M. Cameron, "Captive Taking in Global Perspective," in *Captives: How Stolen People Changed the World* (Lincoln: University of Nebraska Press, 2016): 19–42; Testart, *L'institution de l'esclavage*; Catherine M. Cameron, "The Nature of Slavery in Small-Scale Societies," in *What Is a Slave Society? The Practice of Slavery in Global Perspective*, ed. Noel Lenski and Catherine M. Cameron (Cambridge: Cambridge University Press, 2018): 151–68.

14 Cameron, "The Nature of Slavery."

15 Joseph C. Miller, "Slaving in Historical Africa: Early Times to ca. 2000 BCE," in *The Problem of Slavery as History: A Global Approach* (New Haven, CT: Yale University Press, 2012): 90–96.

individuals who have already been subjected to another type of extreme dependency/captivity/slaveries).[16]

The Second Plateau is that of "house" or kin slaveries (domestic), shading into the small-scale earlier personal networks of kinship, affinity, age group, guilds of skilled people (like hunters, warriors, ritual specialists, healers, etc.), and clientage. There is, in the conceptualization of the times, often no name for what we call "slaving,"[17] or there is a lack of sources. This is a dimension of mobility between groups, in the majority of cases involuntary, but in some cases voluntary (clientage, oath warriors, self-enslavement). The enslaved arrive into a household group or a household (whatever basial construction for living there is in a given place – this includes huts, houses, houseboats, tents, temples, palaces, etc.).[18] This plateau forms what I call the Pandora's box of all slaveries until today (debt slavery, collective slavery, raid slavery, sex slavery, and the slave trade (more or less since the beginning of mass metal working and trading)). And it forms, possibly, the most widespread and quantitatively largest forms of all slaveries ever.[19]

The Third Plateau is constituted by so-called Atlantic slavery,[20] from around 1400 to 1900 in the expanding "West" – including the Americas and West Africa, as well as parts of East Africa (ending even later than the mid-1900s) and the islands of the Indian Ocean (from the eighteenth century onwards). This refers not only to all the "hegemonic" slaveries of modern times (see below under historiography), but also different types of other slaveries – other plateaus, plateaus mingled, other forms of the aforementioned first and second plateaus, types of slaving zones (frontiers, war or raiding zones) of independent peoples and/or colonial unfreedom/hidden house slaveries,[21] and colonial territories as slaving zones.[22] The last period of this plateau is formed by some very extensive, almost global, slaveries, like second slaveries, slavery modernities, or slavery capitalisms.[23] This was based on colonialism, Western war capitalism (the USA,

16 Alain Testart, *La Servitude Volontaire*, 2 vols. (Paris: Éditions Errance, 2004).

17 Miller, *Problem of Slavery as History*; Zeuske, "Writing Global Histories of Slavery."

18 Alfredo González-Ruibal and Marisa Ruiz-Gálvez, "House Societies in the Ancient Mediterranean (2000–500 BC)," *Journal of World Prehistory* 29, no. 4 (2016): 383–437.

19 Christine E. Sears, "'In Algiers, the City of Bondage': Urban Slavery in Comparative Context," in *New Directions in Slavery Studies: Commodification, Community, and Comparison*, ed. Jeff Forret and Christine E. Sears (Baton Rouge: Louisiana State University Press, 2015): 201–18.

20 Michael Zeuske, "Atlantic Slavery und Wirtschaftskultur in welt – und globalhistorischer Perspektive," *Geschichte in Wissenschaft und Unterricht* 66, no. 5–6 (2015): 280–301; Michael Zeuske, "Out of the Americas: Slave Traders and the *Hidden Atlantic* in the Nineteenth Century," *Atlantic Studies: Global Currents* 15, no. 1 (2018): 103–35.

21 Andrés Reséndez, *The Other Slavery: The Uncovered Story of Indian Enslavement in America* (Boston: Houghton Mifflin Harcourt, 2016).

22 Jeff Fynn-Paul and Damian Alan Pargas, eds., *Slaving Zones: Cultural Identities, Ideologies, and Institutions in the Evolution of Global Slavery* (Leiden: Brill, 2018).

23 Robert William Fogel, "American Slavery: A Flexible, Highly Developed Form of Capitalism," in *Society and Culture in the Slave South*, ed. J. William Harris (London: Routledge, 1992): 77–99; Bonnie

Cuba, Brazil, Surinam, partly French territories)[24] and the capital-multiplying space of the *hidden Atlantic* (first of all in the cases of Cuba/Spain and Brazil/Portugal).[25] This Third Plateau is the only plateau in history in which Atlantic south-south connections (direct trade between West African places and islands to the Iberian Caribbean and then to the other Americas), followed by European political centers, set up an entire maritime commercial transport system for enslaved people (partly also land-based, as transports also moved to and from the Atlantic coasts in Africa and America). I repeat, the Atlantic slave trade between the Americas and Atlantic Africa, as well as later parts of East Africa, were mainly a south-south phenomenon.[26] And it is the only plateau that found a formal end in state-proclaimed abolitions. In a very broad global perspective, this may be the main reason why there is no country/nation today that still has *legal ownership* of human bodies as a base of whatever type or plateau of still-existing informal slaveries.[27]

Martin, "Slavery's Invisible Engine: Mortgaging Human Property," *Journal of Southern History* 76, no. 4 (2010): 817–66; Edward E. Baptist, *The Half Has Never Been Told: Slavery and the Making of American Capitalism* (New York: Basic Books, 2014); Sven Beckert and Seth Rockman, eds., *Slavery's Capitalism: A New History of American Economic Development* (Philadelphia: University of Pennsylvania Press, 2016); Dale Tomich, ed., *Slavery and Historical Capitalism During the Nineteenth Century* (Lanham: Lexington Books, 2017); for slavery as capitalism in Cuba/Spain, see Eduardo Marrero Cruz, "Traficante de esclavos y chinos," in *Julián de Zulutea y Amondo: Promotor del capitalismo en Cuba* (Havana: Ediciones Unión, 2006): 46–79; for a perspective of all Americas, see Rafael de Bivar Marquese and Ricardo Salles, eds., *Escravidão e capitalismo histórico no século XIX: Brasil, Cuba e Estados Unidos* (Rio de Janeiro: Civilização Brasileira, 2015); Mariana Muaze and Ricardo Salles, eds., *O Vale do Paraíba e o Império do Brasil nos quadros da Segunda Escravidão* (Rio de Janeiro: 7Letras, 2015); José Antonio Piqueras, ed., *Esclavitud y capitalismo histórico en el siglo XIX: Brazil, Cuba y Estados Unidos* (Santiago de Cuba: Casa del Caribe, 2016); Daniel B. Rood, *The Reinvention of Atlantic Slavery: Technology, Labor, Race, and Capitalism in the Greater Caribbean* (Oxford: Oxford University Press, 2017); Trevor Burnard and John Garrigus, *The Plantation Machine: Atlantic Capitalism in French Saint-Domingue and British Jamaica* (Philadelphia: University of Pennsylvania Press, 2016); Mariana Muaze and Ricardo H. Salles, eds., *A Segunda Escravidão e o Império do Brasil em Perspectiva Histórica* (São Leopoldo: Casa Leiria, 2020); Conermann and Zeuske, "Slavery/Capitalism Debate Global."

24 Sven Beckert, "Einleitung," in *King Cotton: Eine Geschichte des globalen Kapitalismus*, trans. Annabel Zettel and Martin Richter (Munich: C.H. Beck, 2014): 12. Originally published as Sven Beckert, *Empire of Cotton: A Global History* (New York: Alfred A. Knopf, 2014).

25 Michael Zeuske, "The Hidden Atlantic/El Atlántico oculto (Agosto de 2019/August 2019)," https://www.academia.edu/40119218/2019 [accessed 12.06.2020]; Zeuske, "Out of the Americas."

26 See "SlaveVoyages: Home Page," SlaveVoyages, 2021, https://www.slavevoyages.org/ [accessed 26.01.2023]; David Eltis and David Richardson, eds., *Extending the Frontiers: Essays on the New Transatlantic Slave Trade Database* (New Haven, CT: Yale University Press, 2008); David Eltis and David Richardson, *Atlas of the Transatlantic Slave Trade* (New Haven, CT: Yale University Press, 2010); Alex Borucki, David Eltis and David Wheat, "Atlantic History and the Slave Trade to Spanish America," *American Historical Review* 120, no. 2 (2015): 433–61.

27 Seymour Drescher, "The Long Goodbye: Dutch Capitalism and Antislavery in Comparative Perspective," in *Fifty Years Later: Antislavery, Capitalism and Modernity in the Dutch Orbit*, ed. Gert Oostindie (Pittsburgh: University of Pittsburgh Press, 1995): 25–66; Seymour Drescher, *Abolition: A History of*

The Fourth Plateau, starting around 1800, is, as I understand it, the most complicated one.[28] This was a period of Western abolition policies and mass antislavery discourses and politics, especially in England and the United States (1808–1840) and partly in France (1790–1802 and 1830–1848), on the one hand, and the global colonial expansion of "new" slaveries (1800–1960), on the other (together with developing discourses of racism).[29] The "West" really became global, with colonial expansions in India, the Indian Ocean, the so-called Opium Wars, and expansion in Africa (from 1830 onwards for France, at least from 1880 for the other colonial powers). Westerners, under the pressure of their own abolition rhetoric ("freedom") and local names/customs of slaveries, first of all in the eastern hemisphere, did not call slaveries slavery or the enslaved slaves anymore.[30] Instead, they used many traditional names or newly invented and more sociological concepts, such as "bond labor" and other terms for colonial forms of collective slaveries (like "forced labor" from the end of the nineteenth century onwards), to hide collective colonial slaveries. The same, but under "local" names (customs/traditions) of the respective cultures, happened to forms of slavery under local enslavers and slavery regimes in China, India, Persia, and Arabia, Islamic countries or countries with Islamized elites and many other local slaveries (often in continued forms from the First and Second Plateaus).[31]

This was paralleled first by large-scale migrations of forced workers into and from the Indian Ocean, China, and other territories of the eastern hemisphere to the

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Slavery and Antislavery (Cambridge: Cambridge University Press, 2009); Marcel van der Linden, ed., *Humanitarian Intervention and Changing Labor Relations: The Long-Term Consequences of the Abolition of the Slave Trade*, Studies in Global Social History 7 (Leiden: Brill, 2011).

28 Michael Zeuske, "Viertes Sklavereiplateau – Abolitionsdiskurse, *Bond-Sklaverei* und *Second Slaveries* (Beginn um 1800)," in *Sklaverei: Eine Menschheitsgeschichte von der Steinzeit bis heute*, 2nd ed. (Stuttgart: Reclam, 2021): 96–126.

29 Richard B. Allen, "Slave Trading, Abolitionism, and 'New Systems of Slavery' in the Nineteenth-Century Indian Ocean World," in *Indian Ocean Slavery in the Age of Abolition*, ed. Robert Harms, Bernard K. Freamon and David W. Blight (New Haven, CT: Yale University Press, 2013): 183–99; James Francis Warren, "The Structure of Slavery in the Sulu Zone in the Late Eighteenth and Nineteenth Centuries," in *The Structure of Slavery in Indian Ocean Africa and Asia*, ed. Gwyn Campbell (London: Frank Cass, 2004): 111–28; Lisa Lowe, *The Intimacies of Four Continents* (Durham, NC: Duke University Press, 2015).

30 For India, see Andrea Major, "'To Call a Slave a Slave': Recovering Indian Slavery," in *Slavery, Abolition and Empire in India, 1772–1843* (Liverpool: Liverpool University Press, 2012): 18–38; for China, see Michael Zeuske, "Andere globale Räume – andere Sklavereien. Das Fallbeispiel China," in *Sklaverei: Eine Menschheitsgeschichte von der Steinzeit bis heute*, 2nd ed. (Stuttgart: Reclam, 2021): 154–71.

31 Frederick Cooper, *From Slaves to Squatters: Plantation Labor and Agriculture in Zanzibar and Coastal Kenya, 1890–1925* (New Haven, CT: Yale University Press, 1980); Frederick Cooper, *Plantation Slavery on the East Coast of Africa* (Portsmouth, NH: Heinemann, 1997); Matthew S. Hopper, *Slaves of One Master: Globalization and Slavery in Arabia in the Age of Empire* (New Haven, CT: Yale University Press, 2015); Oliver Tappe and Ulrike Lindner, "Global Variants of Bonded Labour," in *Bonded Labour: Global and Comparative Perspectives (18th–21st Century)*, ed. Sabine Damir-Geilsdorf et al. (Bielefeld: transcript Verlag, 2016): 9–34.

western hemisphere and Australia,[32] as well as mixed forms of indenture, free labor, and bond slaveries, based on the aforementioned national-imperial war capitalism (Sven Beckert).[33] Second, it was paralleled by formal or informal second slaveries (in the Americas as formal slaveries until 1865–1888). It may be that with this plateau, we have a kind of global second slavery.[34] All this takes place under what I call "no end after the end."[35] This means that abolition was merely an informalization of former "big," legal slaveries into smaller complexes of slaveries with no name (or under another name, with "slavery" regarded as a controversial concept), but with the same extremely hard work within the same production structures (plantations and others; also as mass slaveries in colonies or on colonial frontiers), often in even stronger asymmetrical dependencies, and with the same low status (or even lower status for the ex-slaves) of the officially abolished slavery. All this began with practices under Toussaint Louverture in Saint-Domingue/Haiti in 1800 and the first British attempts to bring "contract" workers from Bengal to plantation islands, as well as colonial policies under British pressure from around 1815 onwards – the so-called *emancipated* or *liberated slaves* or *recaptives*, in Spanish *emancipados*.[36] These informal state slaves had

32 Evelyn Hu-DeHart, "La Trata Amarilla: The 'Yellow Trade' and the Middle Passage, 1847–1884," in *Many Middle Passages: Forced Migration and the Making of the Modern World*, ed. Emma Christopher, Cassandra Pybus and Marcus Rediker (Berkeley: University of California Press, 2007): 166–83; Evelyn Hu-DeHart, "Latin America in Asia-Pacific Perspective," in *Asian Diasporas: New Formations, New Conceptions*, ed. Rhacel Salazar Parreñas and Lok C.D. Siu (Stanford: Stanford University Press, 2007): 29–61; Evelyn Hu-DeHart and Kathleen López, "Asian Diasporas in Latin America and the Caribbean: An Historical Overview," *Afro-Hispanic Review* 27, no. 1 (2008): 9–21; Adam McKeown, "Global Migration, 1846–1940," *Journal of World History* 15, no. 2 (2004): 155–90; Adam McKeown, "Chinese Emigration in Global Context, 1850–1940," *Journal of Global History* 5, no. 1 (2010): 95–124; Allen, "New Systems of Slavery"; Zeuske, "Coolies – Asiáticos and Chinos"; see also Laurence Brown, "'A Most Irregular Traffic': The Oceanic Passages of the Melanesian Labor Trade," in *Many Middle Passages: Forced Migration and the Making of the Modern World*, ed. Emma Christopher, Cassandra Pybus and Marcus Rediker (Berkeley: University of California Press, 2007): 184–203.

33 Sven Beckert, "Die Bildung globaler Netzwerke," in *King Cotton: Eine Geschichte des globalen Kapitalismus*, trans. Annabel Zettel and Martin Richter (Munich: C.H. Beck, 2014): 197–229.

34 Janet J. Ewald, "African Slavery and the African Slave Trade: A Review Essay," *American Historical Review* 97 (1992): 465–85; Hopper, *Slaves of One Master*; Mohammed Bashir Salau, *Plantation Slavery in the Sokoto Caliphate: A Historical and Comparative Study* (Rochester, NY: University of Rochester Press, 2018); Zeuske, "Coolies – Asiáticos and Chinos"; Michael Zeuske, "Versklavte und Sklavereien in der Geschichte Chinas aus global-historischer Sicht: Perspektiven und Probleme," *Dhau: Jahrbuch für außereuropäische Geschichte* 2 (2017): 25–51.

35 Michael Zeuske, "Kein Ende nach dem Ende-Diskurse und Realitäten der globalen Sklaverei seit 1800," in *Sklaverei: Eine Menschheitsgeschichte von der Steinzeit bis heute*, 2nd ed. (Stuttgart: Reclam, 2021): 212–44; see also Amalia Ribi Forclaz, *Humanitarian Imperialism: The Politics of Anti-Slavery Activism, 1880–1940* (Oxford: Oxford University Press, 2015); Olivier Grenouilleau, *La révolution abolitionniste*, Bibliothèque des histoires (Paris: Gallimard, 2017).

36 Inés Roldán de Montaud, "On the Blurred Boundaries of Freedom: Liberated Africans in Cuba, 1817–1870," in *New Frontiers of Slavery*, ed. Dale W. Tomich (Albany: State University of New York

to work after their "liberation/emancipation" from a slave vessel (they were often officially registered in written form as "liberated slaves") for seven or more years in the hard conditions of slavery and frontier regimes, often harder than those in slavery.[37]

The Fifth and Sixth Plateaus, which I will not treat here extensively, comprise first of all slaveries of women and children (mostly under other names), collective colonial and state slaveries,[38] slaveries in prisons and camps (German concentration camps, Japanese prisoner camps, the Russian gulags from 1920 to 1970, US jails, and Chinese and North Korean camps), and the so-called "modern slaveries."

2 Some Historiographical Thoughts

The basic historiography for this chapter is not easy. First of all because there is so much of it. It touches on the subject of slavery and the historical slave trade, which has been a kind of hegemonic historiography from around 1800 onwards. This hegemonic historiography referred especially to slavery in ancient Greece and Rome, as well as in relation to Anglo-British slavery and slavery in the American South from the beginnings

Press, 2015): 127–55; Michael Zeuske, "Emancipados oder 'befreite' Verschleppte als Staatssklaven der Atlantisierung [Emancipados or 'liberated' enslaved persons as state-slaves of Atlanticization/Emancipados o esclavizados 'liberados' como esclavos del Estado de la atlantización]," https://www.academia.edu/15139503 [accessed 12.06.2020]; Lowe, *The Intimacies of Four Continents*; Henry B. Lovejoy, "The Registers of Liberated Africans of the Havana Slave Trade Commission: Implementation and Policy, 1824–1841," *Slavery and Abolition* 37, no. 1 (2016): 23–44.

37 Fernando Ortiz, "Los 'Emancipados.' Su historia. Su situación desventajosa," in *Los negros esclavos* (Havana: Editorial de Ciencias Sociales, 1976): 298–305; G. Ugo Nwokeji and David Eltis, "Characteristics of Captives Leaving the Cameroons for the Americas, 1822–37," *Journal of African History* 43, no. 2 (2002): 191–210; G. Ugo Nwokeji and David Eltis, "The Roots of the African Diaspora: Methodological Considerations in the Analysis of Names in the Liberated African Registers of Sierra Leone and Havana," *History in Africa* 29 (2002): 368–73; David Eltis, "O significado da investigação sobre os africanos escapados de navios negreiros no século XIX," *História: Questões & Debates* 52, no. 1 (2010): 13–39; Sharla M. Fett, *Recaptured Africans: Surviving Slave Ships, Detention, and Dislocation in the Final Years of the Slave Trade* (Chapel Hill: University of North Carolina Press, 2017).

38 Slaveries in global history have, in global perspective, two main legal-real dimensions: the construction of "one master/one slave" ("private slavery") and collective slaveries (*glebae adscripti* – rural populations and entire villages are bound to the land, which can be sold, "gifted" – also as a privilege), as well as state controlled populations of subjugated and settled people or masses of people in camps; for collective colonial slaveries, see Julia Seibert, "More Continuity than Change? New Forms of Unfree Labor in the Belgian Congo, 1908–1930," in *Humanitarian Intervention and Changing Labor Relations: The Long-Term Consequences of the Abolition of the Slave Trade*, ed. Marcel van der Linden (Leiden: Brill, 2011): 369–86; Vincent Houben and Julia Seibert, "(Un)Freedom: Colonial Labour Relations in Belgian Congo and the Dutch East Indies Compared," in *Colonial Exploitation and Economic Development: The Belgian Congo and the Netherlands Indies Compared*, ed. Ewout Frankema and Frans Buelens (London: Routledge, 2013): 178–92; Julia Seibert, *In die globale Wirtschaft gezwungen: Arbeit und kolonialer Kapitalismus im Kongo (1885–1960)* (Frankfurt am Main: Campus Verlag, 2016).

of the twentieth century. It also considers what has become a major topic in the modern world, migration (since around 2000, where slaveries are analyzed even under the aforementioned "other names").[39] What is certain is that when "slavery" was referenced in European and US historiography, what was meant initially was slavery in classical antiquity. From the 1980s onwards, it has become clear that slavery has not always been the same, but that there have been many different slaveries and slavery regimes in terms of development, entanglements, and mutual influence.[40] I would therefore like to express a few thoughts on slavery historiography up to the Fourth Plateau (including the European colonies until around 1960). This is mainly because, firstly, it reflects the real history of slavery quite well (at least as far as the Atlantic West and the global expansion of large slaveries are concerned: see Finley's "slave societies")[41] and, secondly, because the historiographies are connected to the emergence and global expansion of capitalism. Most of the historiography of the nineteenth and twentieth centuries focused on slavery in antiquity, on the aforementioned large-scale, hegemonic slaveries, the national-imperial slaveries (despite the fact that there is nothing less national than slaveries, except in historiographies, registers, and national archival systems), often with the final goal of becoming a part of the "Western" abolition and civilization discourse. Under the concepts of Atlantic history and/or "new global history" or "new history of capitalism," it may also refer to an inflated imperial-national slavery ("British slavery," "French slavery," all types of some "national-imperial" Atlantics – Iberian, British, French, etc.).[42]

I think it was Cuban historiography that started to debate and compare different slaveries in the world and to write the first actual world history of slavery. At the

39 Michael Zeuske, "Quellen – und Literaturverzeichnis," in *Handbuch Geschichte der Sklaverei: Eine Globalgeschichte von den Anfängen bis heute*, vol. 2, 2nd ed. (Berlin: De Gruyter, 2019): 1059–323.

40 Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge, MA: Harvard University Press, 1982); Claude Meillassoux, *Anthropologie de l'esclavage: Le ventre de fer et le argent* (Paris: Presses Universitaires de France, 1986); the following title expresses very well that there were very different slaveries: Stephan Conermann and Gül Şen, "Slavery Is Not Slavery: On Slaves and Slave Agency in the Ottoman Empire, Introduction," in *Slaves and Slave Agency in the Ottoman Empire*, ed. Stephan Conermann and Gül Şen (Göttingen: Vandenhoeck & Ruprecht, 2020): 11–27.

41 Noel Lenski, "Framing the Question: What Is a Slave Society," in *What Is a Slave Society? The Practice of Slavery in Global Perspective*, ed. Noel Lenski and Catherine M. Cameron (Cambridge: Cambridge University Press, 2018): 15–57.

42 Michael Zeuske, "Historiography and Research Problems of Slavery and the Slave Trade in a Global-Historical Perspective," *International Review of Social History* 57, no. 1 (2012): 87–111; Michael Zeuske, "Historiografie und Forschungsprobleme in globalhistorischer Perspektive," in *Handbuch Geschichte der Sklaverei: Eine Globalgeschichte von den Anfängen bis heute*, vol. 1, 2nd ed. (Berlin: De Gruyter, 2019): 51–190. "Atlantics" have been springing up like mushrooms since 2000: see Michael Zeuske and Stephan Conermann, "The Slavery/Capitalism Debate Global: From 'Capitalism and Slavery' to Slavery as Capitalism. Introduction," in *The Slavery/Capitalism Debate Global. From "Capitalism and Slavery" to Slavery as Capitalism*, ed. Stephan Conermann and Michael Zeuske [= *Comparativ: Zeitschrift für Globalgeschichte und vergleichende Gesellschaftsforschung* 30, no. 5–6 (2020)]: 448–63.

time, in the nineteenth century, Cuba itself was at the peak of a global development in the highly dynamic *second slavery*.[43] José Antonio Saco (1797–1879), a Cuban intellectual and historian from the tiny town of Bayamo in eastern Cuba, wrote a unique world history of slavery in the nineteenth century.[44] He himself possessed house slaves. All the other important first macro-histories of slavery focused on slavery in antiquity, especially Roman and Greek slaveries. Saco also concentrated on Roman slavery, but in addition he looked, very broadly, at Egyptian, Babylonian, Assyrian, Chinese, Indian, Persian, Scythian, Carthaginian, and other large-scale slaveries in antiquity.[45] Eduardo Torres-Cuevas, himself an eminent historian of slavery and ex-director of the Cuban National Library (*Biblioteca Nacional de Cuba*), says about Saco's opus magnum: "¿Quién podía, incluso, decir que conocía la historia de la esclavitud en el mundo, sin haber estudiado una de las obras mayores que se ha escrito acerca del tema y que, además, tenía una asombrosa óptica americana y no europea? [Who could even say that they know the history of slavery in the world without having studied one of the greatest works that has been written on the subject and that, moreover, had an amazing American, not European, perspective?]."[46]

Saco took a comprehensive and comparative look at many large-scale slaveries, as well as Roman slavery. He did so to explain to his fellow Cuban slave owners that the covert slave trade of the *hidden Atlantic* had to be abolished (also because it was controlled mainly by Spaniards and Catalans),[47] but by no means Cuban slavery itself.[48] And he explained this with the disasters of Roman development after the fifth

43 Dale Tomich, "The 'Second Slavery': Bonded Labor and the Transformations of the Nineteenth-Century World Economy," in *Rethinking the Nineteenth Century: Contradictions and Movement*, ed. Francisco O. Ramirez (New York: Greenwood Press, 1988): 103–17; Dale Tomich, "The Wealth of the Empire: Francisco de Arango y Parreño, Political Economy, and the Second Slavery in Cuba," *Comparative Studies in Society and History* 45, no. 1 (2003): 4–28; Dale W. Tomich, *Through the Prism of Slavery: Labor, Capital, and World Economy* (Boulder, CO: Rowman & Littlefield, 2004); Dale Tomich and Michael Zeuske, eds., *The Second Slavery: Mass Slavery, World-Economy, and Comparative Microhistories*, 2 vols. (Binghamton: Binghamton University, 2009) [=Special issue: *Review: A Journal of the Fernand Braudel Center, Binghamton University* 31, no. 2–3 (2008)]; Zeuske and Conermann, "Introduction."

44 At that time, "global" did not exist – it was something like "universal" history.

45 José Antonio Saco, *Historia de la esclavitud desde los tiempos más remotos hasta nuestros días*, vols. 1–2 (Paris: Kugelmann, 1875), vol. 3 (Barcelona: Jaime Jepús, 1878); modern edition: José Antonio Saco, *Historia de la esclavitud*, vol. 1, Biblioteca de Clásicos Cubanos (Havana: Imagen Contemporánea, 2002).

46 Eduardo Torres-Cuevas, "Ensayo introductorio. La esclavitud y su historia," in *Historia de la esclavitud*, by José Antonio Saco, vol.1, Biblioteca de Clásicos Cubanos (Havana: Imagen Contemporánea, 2002): 2.

47 Martín Rodrigo y Alharilla and Lizbeth J. Chaviano Pérez, eds., *Negreros y esclavos: Barcelona y la esclavitud atlántica (siglos XVI-XIX)* (Barcelona: Icaria Editorial, 2017); Martín Rodrigo y Alharilla and María del Carmen Cózar Navarro, eds., *Cádiz y el tráfico de esclavos: De la legalidad a la clandestinidad* (Madrid: Sílex Ediciones, 2018).

48 Saco wrote also, as single volumes, a history of the "African race" (*raza Africana*) in the Americas, first of all in Hispano-America (the Spanish colonies in Central and South America and the Caribbean):

century CE (Western Rome, to be exact). His main argument was that not one second in world history had passed without slaves and slavery: "¿Existió jamás algún pueblo donde ésta [la esclavitud – MZ] no penetrase bajo alguna de las formas que reviste? ¿Hay por ventura en los fastos de la humanidad algún período, por corto que sea, en que haya desaparecido de la tierra? [Was there ever a people where it [slavery – MZ] did not penetrate in any of its forms? Was there, perhaps, a period in humanity's fate, however short, when it disappeared from the earth?]."[49] Saco was right at the time, and he is still right today (despite the fact that I am writing today, just as nearly all histories of slavery are written, with the goal of denouncing all forms of slavery, including contemporary ones, as "bad" and unethical and with the aim of abolishing and ending all forms of slaveries).

3 The Reach of the Plateaus and the Global Reach of Atlantic Slavery Based on the Capital of Human Bodies as a Basic Element of the Slave Trade

As a preliminary thought about the global reach of the plateaus described above, I should highlight that during all plateaus from the third to the sixth, the slaveries of the first and second plateaus continued to exist or were reinvented (mostly slaveries of women and children, but also of male captives, a good part of them due to war captivity or indebtedness).[50]

The most local-"global" slaveries as the basis of imperial systems since the Second Plateau were the long-distance slaveries of the Bronze Ages;[51] ancient slaveries (including all the slaveries in the ancient empires, like Egypt, Sumer or Assyria, the wider

José Antonio Saco, *Historia de la esclavitud de la raza africana en el Nuevo Mundo y en especial en los países Americo-Hispanos*, 4 vols. (Havana: A. Álvarez, 1893); and a history of the slavery of the Indians of the new world: José Antonio Saco, *Historia de la esclavitud de los indios en el nuevo mundo: Seguida de la Historia de los repartimientos y encomiendas*, 2 vols., Colección de Libros cubanos 28–29 (Havana: Cultural S.A., 1932); Torres-Cuevas informs us that in the papers of Saco, found after his death, were manuscripts about slavery in the French colonies of Caribbean and about slavery in the British colonies of North America and the Caribbean; see Torres-Cuevas, "Ensayo introductorio."

49 José Antonio Saco, "Introducción – Egipto – Etiopía – Hebreos – Fenicios," in *Historia de la esclavitud desde los tiempos más remotos hasta nuestros días*, vol. 1 (Paris: Kugelmann, 1875): 29.

50 All after Zeuske, "Globalhistorische Sklavereiplateaus": 41–40, passim. See also Suzanne Miers, *Slavery in the Twentieth Century: The Evolution of a Global Problem* (Walnut Creek: Altamira Press, 2003); Gwyn Campbell, Suzanne Miers and Joseph C. Miller, eds., *Women and Slavery*, 2 vols. (Athens: Ohio University Press, 2007–2008).

51 Kristian Kristiansen, Thomas Lindkvist and Janken Myrdal, eds., *Trade and Civilisation: Economic Networks and Cultural Ties, from Prehistory to the Early Modern Era* (New York: Cambridge University Press, 2018).

ancient Mediterranean, like the Thracians, Lydians, Jews/Israelites, Scythians, Parthians, Egyptians, Celts, Britons, Teutons, Numidians, Nubians, etc.);[52] Byzantine imperial slave trades and slaveries;[53] Carolingian slaveries and slave trades and those of other early Christian elites,[54] especially those who founded independent monarchies, among them the Norse/Viking/Varangian slave trades and slaveries;[55] imperial Islamic and islamicate slave trades and slaveries (in the fifteenth and sixteenth centuries, the most global slavery on the three continents of Africa, Asia, and Europe, including the Malay world, Southeast Asia, and part of the Philippines), with their continuation and concentration in Ottoman slavery against the background of Mediterranean slavery and forced labor systems; and Mongolian slavery (especially in the thirteenth century until the Great Plague, with links to Chinese and other Asian slavery regimes). In terms of territorial expansion and volume, the largest (to this day, although there are no estimates of demographics or the number of ships, enslaved persons, etc.) were perhaps the Chinese imperial slaveries and slave trades (often under other names); the mosaics of Indian Ocean slaveries and maritime and land-based slave trades around the Indian Ocean (including Arab slaveries);[56] Indian slaveries;[57] and Russian-Asian slaveries,[58] without greater European involvement. Quantitatively very large until the beginning of the

52 Catherine Hezser, *Jewish Slavery in Antiquity* (Oxford: Oxford University Press, 2005); Winfried Schmitz, "Überlegungen zur Verbreitung der Sklaverei in der griechischen Landwirtschaft," in *Kultur (en) – Formen des Alltäglichen in der Antike: Festschrift für Ingomar Weiler zum 75. Geburtstag*, vol. 2, ed. Peter Mauritsch and Christoph Ulf (Graz: Grazer Universitätsverlag, 2013): 535–52; David Lewis, "Near Eastern Slaves in Classical Attica and the Slave Trade with Persian Territories," *Classical Quarterly* 61, no. 1 (2011): 91–113; Bodel and Scheidel, *On Human Bondage*; David Lewis, *Greek Slave Systems in Their Eastern Mediterranean Context, c. 800–146 BC* (Oxford: Oxford University Press, 2018).

53 Youval Rotman, *Byzantine Slavery and the Mediterranean World*, trans. Jane Marie Todd (Cambridge, MA: Harvard University Press, 2009); Youval Rotman, "Byzantium and the International Slave Trade in the Central Middle Ages," in *Trade in Byzantium: Papers from the Third International Sevgi Gönül Byzantine Studies Symposium*, ed. Paul Magdalino and Nevra Necipoğlu (Istanbul: Koç University Publications, 2016): 129–42.

54 Michael McCormick, *Origins of the European Economy: Communication and Commerce, AD 300–900* (Cambridge: Cambridge University Press, 2001); Michael McCormick, "Geography of the European Slave Trade," in *Origins of the European Economy*: 759–77; Michale McCormick, "Slaves," in *Origins of the European Economy*: 244–54; Michael McCormick, "New Light on the 'Dark Ages': How the Slave Trade Fuelled the Carolingian Economy," *Past & Present* 177 (2002): 17–54.

55 Anders Winroth, *Die Wikinger: Das Zeitalter des Nordens* (Stuttgart: Klett-Cotta, 2016); Rudolf Simek, "Undesirable Biographies: Victims of Viking Slavery and Ransom Payments," *Quaestiones Medii Aevi Novae* 23 (2018): 111–24.

56 Gwyn Campbell, ed., *The Structure of Slavery in Indian Ocean Africa and Asia* (London: Frank Cass, 2004); Stephan Conermann, "South Asia and the Indian Ocean," in *Empires and Encounters: 1350–1750*, ed. Wolfgang Reinhard (Cambridge, MA: Harvard University Press, 2015): 389–552.

57 Michael Mann, *Sahibs, Sklaven und Soldaten: Geschichte des Menschenhandels rund um den Indischen Ozean* (Darmstadt: Verlag Philipp von Zabern, 2011).

58 Christoph Witzenrath, ed., *Eurasian Slavery, Ransom and Abolition in World History, 1200–1860* (Aldershot: Ashgate, 2015).

sixteenth century were mostly local slaveries (slavery regimes), i.e., mass enslavements on a local or regional level.[59] The local "points" (houses, buildings, residential units) of these slaveries, most of them urban domestic slaveries or slaveries in the vicinity of households in the sense of the Second Plateau, covered very large, often imperial territories.

Is there a global dimension of Atlantic slavery in the sense of really covering the globe? I would say no, but with a caveat. During the Third Plateau, Atlantic slavery (slaveries controlled by Christian Europeans and the settlers of European colonies, as well as enslaved people themselves) played a global and historical role in the rise of Western Europe. This plateau was dominated by the trading and slavery empires of Portugal and Spain (the "Catholic or Christian Atlantic"):[60] the new capitalist trade empires of the Netherlands and England/Great Britain, the French Atlantic regions, and regions of the North and the Baltic Seas controlled by the cities of Denmark, Sweden, and Brandenburg-Prussia (the "Protestant Atlantic")[61] also played a role. Barbados and the French *Amériques* played a major role in the early compression and dynamization of commodification and capitalist slavery. But Atlantic slavery was not completely global; it was, at best, hemispherical, with some routes and ships into the other hemisphere, because exchanges, as I said above, happened largely between south and south (Africa-Atlantic-America (AAA), partly also East Africa-America or Africa-Asia). Slavery and slave trading systems were nowhere totally global until around 1840 (when they began to mingle with indentured migrations). The same is true for the life histories of most enslaved people; the few exceptions can probably only be represented in micro-historical biographies. Before I go into this, let us briefly review the Slavery Atlantic and its globalizing dynamics. I will first give a comprehensive synthesis of the "Atlantics," followed by a detailed historical outline.

1400–1640: the First Atlantic or African-Iberian Atlantic (with connections to the Indian Ocean from 1488 and to the Pacific Ocean from 1520);

1650–1800: the Second Atlantic, a double Atlantic with many interconnections (especially in the Caribbean and West Africa; in some cases, also in East Africa, the western Indian Ocean, and East Asia-Mexico/Spanish America). This Second Atlantic was a Christian Atlantic, but it had two main dimensions that influenced each other: a

59 Matthias van Rossum et al., *Testimonies of Enslavement: Sources on Slavery from the Indian Ocean World* (London: Bloomsbury Academic, 2020). For bibliographies of global slavery, see the chapter Zeuske, "Historiografie und Forschungsprobleme."

60 Jonathan Schorsch, *Swimming the Christian Atlantic: Judeoconversos, Afroiberians and Amerindians in the Seventeenth Century*, 2 vols. (Leiden: Brill, 2009).

61 Robin Blackburn, *The Making of New World Slavery: From the Baroque to the Modern, 1492–1800* (London: Verso, 1997); Jorge Cañizares-Esguerra, "How the 'Reformation' Invented Separate Catholic and Protestant Atlantics," *Archiv für Reformationsgeschichte – Archive for Reformation History* 108, no. 1 (2017): 245–54.

Protestant African-Northwest-European Atlantic and a Catholic African-Iberian *Atlântico Sul* (Portugal/Brazil and Spain/Spanish America);[62]

1800–1900: the third or African-Iberian *hidden Atlantic*, with between two and three million displaced persons through illegal trafficking from West and East Africa (mostly Catholic, with Protestant, mostly North American, partners/captains, crews, doctors, and factors).[63]

The basic spatial structures in chronological order were the first Atlantic, the two second Atlantics, and the third Atlantic. The first Atlantic is traditionally referred to as the Iberian Atlantic.[64] But it was much more. First of all, it was an African-Iberian Atlantic with many global connections, such as with Manila in the Philippines, and with Spanish America (especially *Nueva España*/*México*) as a center between the Pacific and Atlantic oceans. In this sense, the Iberian colonial empires, especially the Spanish colonial empire in the Americas, were an early global center between the Pacific (China and Southeast Asia via Macao and the Philippines)[65] and the Atlantic. In its beginning (1415–1520), this first Iberian Atlantic in West Africa (islands and emporia) was not yet a pure forerunner of the subsequent Atlantic slavery, although it contained a macro-orientation towards the connection between Senegambia, the West African islands, and the Caribbean islands from about 1518.[66]

62 Cañizares-Esguerra, "How the 'Reformation' Invented."

63 Leonardo Marques, *The United States and the Transatlantic Slave Trade to the Americas, 1776–1867* (New Haven, CT: Yale University Press, 2016); John Harris, *The Last Slave Ships: New York and the End of the Middle Passage* (New Haven, CT: Yale University Press, 2020).

64 Jorge Cañizares-Esguerra, *Puritan Conquistadors: Iberianizing the Atlantic, 1550–1700* (Stanford: Stanford University Press, 2006); António de Almeida Mendes, "The Foundations of the System: A Reassessment of the Slave Trade to the Spanish Americas in the Sixteenth and Seventeenth Centuries," in *Extending the Frontiers: Essays on the New Transatlantic Slave Trade Database*, ed. David Eltis and David Richardson (New Haven, CT: Yale University Press, 2008): 63–94; António de Almeida Mendes, "Les Portugais et le premier Atlantique (XVe-XVIe siècles)," in *Les Territoires de la Méditerranée: XIe-XVIe siècle*, by Annliese Nef, ed. Damien Coulon, Christophe Picard and Dominique Valérian (Rennes: Presses Universitaires de Rennes, 2013): 137–57; João Luís Ribeiro Fragoso, Roberto Guedes and Thiago Nascimento Krause, *A América portuguesa e os sistemas atlânticos na Época Moderna* (Rio de Janeiro: Editora FGV, 2013).

65 Tatiana Seijas, "The Portuguese Slave Trade to Spanish Manila: 1580–1640," *Itinerario: International Journal on the History of European Expansion and Global Interaction* 32, no. 1 (2008): 19–38; Sucheta Mazumdar, "China and the Global Atlantic: Sugar from the Age of Columbus to Pepsi-Coke and Ethanol," *Food and Foodways* 16, no. 2 (2008): 135–47 [= Special issue: *Sweetness and Power: Rethinking Sidney Mintz's Classic Work*]; Tatiana Seijas, *Asian Slaves in Colonial Mexico: From Chinos to Indians* (New York: Cambridge University Press, 2014).

66 Toby Green, *The Rise of the Trans-Atlantic Slave Trade in Western Africa, 1300–1589* (Cambridge: Cambridge University Press, 2012); Marc Eagle and David Wheat, "The Early Iberian Slave Trade to the Spanish Caribbean, 1500–1580," in *From the Galleons to the Highlands: Slave Trade Routes in the Spanish Americas*, ed. Alex Borucki, David Eltis and David Wheat (Albuquerque: University of New Mexico Press, 2020): 47–72.

In total, the Iberian dimensions were Mediterranean-Atlantic, African-American, Pacific-European, and soon a pan-Atlantic world that was rooted in global Iberian expansionism. It used African and other forms of slaveries and slave trades as a basis (until the end of the Third Plateau and in the Fourth Plateau). It encompassed West Africa, the Americas, East Asia (Macao, the Philippines), and parts of South and Southeast Asia, as well as Iberia and its mainly Mediterranean contact zones, along with northwest European countries such as the Spanish Netherlands and England until around 1570 (James Lovell, John Hawkins, and Francis Drake's slave journeys took place within the framework of the African-Iberian Atlantic).[67] This dynamic, translocal, transcultural, and above all transnational area of Atlantic xlavery was at the same time part of the religious-philosophically-based Iberian global orientation *por toda la tierra* – on all oceans and continents (despite many real borders and limits).[68] And it was, even then, a north-south dimension that was given a specific Atlantic east-west dimension (south-south = Africa-America (in the Iberian sense)) in the south, on the Atlantic, by Columbus. After this first north-south orientation, it became a gigantic African-Iberian south-south enterprise (with northwest European north-south dimensions as entrances, as well as commodity and profit routes) from around 1520. Starting from this general south-south dimension of the Slavery Atlantic, it remains to be investigated whether there was a kind of what I call *Atlanticization* (*Atlantisierung*) of Europe, and also some routes of the Indian Ocean and the Pacific. All of this was used by individual actors, such as merchants, slave traders, captains of ships full of enslaved individuals, and captains smuggling only some slaves.[69]

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67 Tobias Green, "Fear and Atlantic History: Some Observations Derived from Cape Verde Islands and the African Atlantic," *Atlantic Studies* 3, no. 1 (2006): 25–42; Toby Green, "Baculamento or Encomienda?: Legal Pluralisms and the Contestation of Power in the Pan-Atlantic World of the Sixteenth and Seventeenth Centuries," *Journal of Global Slavery* 2, no. 3 (2017): 310–36; Rafael Valladares, *"Por toda la Tierra": España y Portugal: globalización y ruptura (1580–1700)* (Lisbon: CHAM, 2016).

68 Carlos Martínez Shaw and José Antonio Martínez Torres, eds., *España y Portugal en el mundo (1581–1668)* (Madrid: Polifemo, 2014); Amélia Polónia and Cátia Antunes, eds., *Mechanisms of Global Empire Building* (Porto: CITCEM/Edições Afrontamento, 2017); Shihan de Silva Jayasuriya, *The Portuguese in the East: A Cultural History of a Maritime Trading Empire* (London: I.B. Tauris, 2017); Ryan Dominic Crewe, "Connecting the Indies: The Hispano-Asian Pacific World in Early Modern Global History," *Estudos Históricos* (Rio de Janeiro) 30, no. 60 (2017): 17–34; Susana Truchuelo and Emir Reitano, eds., *Las fronteras en el Mundo Atlántico (siglos XVI-XIX)*, HisMundI 1 (La Plata: Universidad Nacional de La Plata, 2017); on whether Spain should be defined as a land empire or a sea empire, see Horst Pietschmann, "Frühneuzeitliche Imperialkriege Spaniens: Ein Beitrag zur Abgrenzung komplexer Kriegsformen in Raum und Zeit," in *Imperialkriege von 1500 bis heute: Strukturen – Akteure – Lernprozesse*, ed. Tanja Bührer, Christian Stachelbeck and Dierk Walter (Paderborn: Ferdinand Schöningh, 2011): 73–92; Bentley, Bridenthal and Wigen, *Seascapes*; Pius Onyemechi Adiele, *The Popes, the Catholic Church and the Transatlantic Enslavement of Black Africans 1418–1839* (Hildesheim: Georg Olms Verlag, 2017).

69 Lúcio de Sousa, "The Manila Slave Market, the Korean Gaspar, the Japanese Miguel Jerónimo, and Ventura," in *The Jewish Diaspora and the Perez Family Case in China, Japan, the Philippines, and the*

And there were global plans in Philip II's time to conquer China (until ca. 1600).[70] Today we know that, at least until around 1840, this was more an attack on (or disruption of) the dominance of Asia, especially China and Indian territories, and the superiority of African and Islamic states/societies. This was due to global economic and cultural interests, as well as the monetary globalization of silver and the biological globalizations of animals, diseases, and food/plants. Much of the American silver went to China in particular (mostly for silk, lacquerware, other luxury products, and tea), but also a great many plants were introduced from the Americas to Asia. Spanish America was full of Chinese silk and other products, even more so than in Europe. Indian cotton and Indian textiles were global commodities (for example, *guinées* or *calico*, which arrived first in West Africa rather than in Europe: there, European imitations of Indian textiles were called *indiennes*, produced first of all in the so-called global peripheries of Europe, i.e., German territories, Switzerland, etc.).[71] These global textiles were especially used in the slave trade. The same applies to linen fabrics, mainly from Silesia.

There was, however, an important spatial limitation to these types of globalization (textiles/commodities, plants, and precious metals) because of the necessary material

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Americas (16th Century), trans. Joseph Abraham Levi (Macao: Fundaçao Macau, 2015): 119–23; for West Africa, see Benjamin Scheller, "Erfahrungsraum und Möglichkeitsraum: Das sub-saharische Westafrika in den Navigazioni Atlantiche Alvise Cadamostos," in *Venezia e la nuova oikoumene Cartografia del Quattrocento/Venedig und die neue Oikoumene: Kartographie im 15. Jahrhundert*, ed. Ingrid Baumgärtner and Piero Falchetta (Rome: Viella, 2016): 201–20.

70 Manel Ollé, *La empresa de China: De la Armada Invencible al Galeón de Manila* (Barcelona: Acantilado, 2002); Carlos Martínez Shaw and Marina Alfonso Mola, eds., *La ruta española a China* (Madrid: El Viso, 2007); José Miguel Herrera Reviriego, "Manila, entrepôt comercial," in "Manila y la gobernación de Filipinas en el mundo interconectado de la segunda mitad del siglo XVII" (PhD diss., Universitat Jaume I, n.d.): 46–53, https://www.academia.edu/30718539 [accessed 02.10.2019]; Paulo Jorge de Sousa Pinto, "Manila, Macao and Chinese Networks in South China Sea: Adaptive Strategies of Cooperation and Survival (Sixteenth-to-Seventeenth Centuries)," *Anais de História de Além-Mar* 15 (2014): 79–100.

71 Giorgio Riello and Prasannan Parthasarathi, eds., *The Spinning World: A Global History of Cotton Textiles, 1200–1850* (Oxford: Oxford University Press, 2009); Giorgio Riello, "Luxury or Commodity? The Success of Indian Cotton Cloth in the First Global Age," in *Luxury in Global Perspective: Objects and Practices, 1600–2000*, ed. Bernd-Stefan Grewe and Karin Hofmeester (Cambridge: Cambridge University Press, 2016): 138–68; Pedro Machado, "Cloths of Fashion: Indian Ocean Networks of Exchange and Cloth Zones of Contact in Africa and India in the Eighteenth and Nineteenth Centuries," in *How India Clothed the World: The World of South Asian Textiles, 1500–1850*, ed. Giorgio Riello and Tirthankar Roy (Leiden: Brill, 2009): 53–83; Giorgio Riello, *Cotton: The Fabric That Made the Modern World* (Cambridge: Cambridge University Press, 2013); Pedro Machado, *Ocean of Trade: South Asian Merchants, Africa and the Indian Ocean, c. 1750–1850* (Cambridge: Cambridge University Press, 2014); Mariano Bonialian, *China en la América colonial: bienes, mercados, comercio y cultura del consumo desde México hasta Buenos Aires* (Buenos Aires: Biblos-Instituto/Mexico City: Instituto Mora, 2014); Kazuo Kobayashi, "Inroduction," in *Indian Cotton Textiles in West Africa: African Agency, Consumer Demand and the Making of the Global Economy, 1750–1850*, Cambridge Imperial and Post-Colonial Studies (London: Palgrave Macmillan, 2019): 1–27.

elements of transportation and security from the counter-violence of the enslaved. As such, slaving zones, slavery, and slave trading systems were mostly local and regional, at best hemispherical, in Atlantic slavery. The slave trade centers between the Atlantic and the continents were always tiny points on a world map (individual cities, often cities or loading zones on easily controllable islands or peninsulas ("off-shore"), protected by infrastructures of violence, *barracoons*). As I said above, slavery was not completely global (if only because it was subject to national-imperial laws or because of the mentioned structural limitations of slave trading points (harbor cities and islands)). Truly global was the exchange of diseases, viruses, microbes, animals, plants (including many plants worked on by enslaved labor, such as sugar cane, tobacco, yuca/cassava, tapioca; corn, tobacco, and potatoes, because they also grew in temperate latitudes, were truly global plants), and great masses of goods and precious metals. Slaves may have been members of ship crews, including the many slave ships that sailed the great global routes.

Anglo-American scholarship on the slave trade mostly deals with the so-called Second Atlantic, the north-west European Atlantic between around 1600 and 1808. It concentrates largely on Great Britain as an example. But early modern France, on the path to absolutism, had similar global plans for the Atlantic to those of Spain from the mid-sixteenth century onwards.[72] The Second Atlantic was characterized by massive French efforts, carried out by corsairs/pirates, and intense Dutch exertions up to about 1670, followed by the British.[73] Then came a phase of British-French great power competition in Asian and trade wars, as well as monopoly companies and a Bourbon Atlantic shared by France and Spain. France was "absolutely Atlantic" at that time (and indeed remained so until 1803).[74] Spain tried to consolidate a "national" empire on both sides of the Atlantic and a continent-sized colonial territory between the Atlantic and the Pacific as an "empire of slaves" (with capitalist free trade in slaves from Africa and many "other" informal slaveries) in the late eighteenth century.[75] From the War of the

72 Christopher Hodson and Brett Rushforth, "Absolutely Atlantic: Colonialism and the Early Modern French State in Recent Historiography," *History Compass* 8, no. 1 (2010): 101–17.

73 Johannes Menne Postma, *The Dutch in the Atlantic Slave Trade, 1600–1815* (Cambridge: Cambridge University Press, 1990); Peter A. Coclanis, *The Atlantic Economy During the Seventeenth and Eighteenth Centuries: Organization, Operation, Practice, and Personnel* (Columbia: University of South Carolina Press, 2005); Wim Klooster, *The Dutch Moment: War, Trade, and Settlement in the Seventeenth-Century Atlantic World* (Ithaca, NY: Cornell University Press, 2016).

74 Hodson and Rushforth, "Absolutely Atlantic"; Susanne Lachenicht, "Histoires naturelles, récits de voyage et géopolitique religieuse dans l'Atlantique français XVIe et XVIIe siècles," *Revue d'histoire de l'Amérique française* 69, no. 4 (2016): 27–45.

75 Xosé-Manoel Núñez, "Nation-Building and Regional Integration: The Case of the Spanish Empire, 1700–1914," in *Nationalizing Empires*, ed. Stefan Berger and Alexei Miller (Budapest: Central European University Press, 2015): 195–245; for the legal side, see Alejandro García-Montón, "The Cost of the Asiento: Private Merchants, Royal Monopolies, and the Making of the Trans-Atlantic Slave Trade in the Spanish Empire," in *Mechanisms of Global Empire Building*, ed. Amélia Polónia and Cátia Antunes

Spanish Succession and especially from the British occupation of Havana and Manila in the Seven Years' War (1762–1763/64), this connection applied not only to Spanish America as a link between the eastern and western hemispheres and the Caribbean, but also in and around Africa. This was accompanied by an even greater interest in slaves and the slave trade, which expanded to include existing regional slaveries and slavery regimes in and around the Indian Ocean and on the edges of the Pacific,[76] but still without really comprehensive global slavery in the sense defined above or enslaved people as global actors. The latter occurred, as mentioned, mostly in ship crews on the ever longer transport routes. Dutch and Baltic traders were in between – especially in the conflicts over trading places/emporia (fortresses) in West Africa, in Caribbean smuggling (in which many Danes participated at the end of the eighteenth century), in and on the Indian Ocean, and in the Malay world.[77] This epoch of the Atlantic ended for the North Atlantic, including the northwest European slave trade, with the revolution of Saint-Domingue (1791–1803), the Napoleonic Wars, and the British and US abolition of the Atlantic slave trade on national ships in 1807/08. The Atlantic narrative for the northwest-European Atlantic in the epoch from 1650 to 1808 is one of the traditional readings of modern Atlantic history (it has been around for 70 years and has been dominant until very recently).

However, the first "globalized" Atlantic, the Iberian Atlantic, did not disappear after 1640. Up until that time, it was under Spanish control as the Iberian Atlantic (from a European perspective). As mentioned above, it was envisaged as a global space (with many real borders) simply because it included the Portuguese ambitions of Catholic globalization and, formally, Portuguese networks, colonies, and emporia (such as Goa or Macau, temporarily also Nagasaki and Formosa/Taiwan). Despite, or perhaps because of, the conflicts between Spain and Portugal and the rapprochement between Portugal and Great Britain, the first Iberian Atlantic continued to exist after 1640. As an increasingly more globalized Slavery Atlantic (with a number of routes, including via Cartagena (Nombre de Díos; Portobelo; Chagres)/Panamá/Lima, and Cape Horn, via the land route of Buenos Aires-Chile-Charcas/Potosí-Lima, and via the Cape of Good Hope and Manila-Acapulco), it really flourished as a slavery ocean,

(Porto: CITCEM/Edições Afrontamento, 2017): 11–34; Anne-Charlotte Martineau, "A Forgotten Chapter in the History of International Commercial Arbitration: The Slave Trade's Dispute Settlement System," *Leiden Journal of International Law* 31, no. 2 (2018): 219–41.

76 Elena A. Schneider, "A Slaving Fever," in *The Occupation of Havana: War, Trade, and Slavery in the Atlantic World* (Chapel Hill: University of North Carolina Press, 2018): 270–84; Dalrymple-Smith and Rossum, "Globalization and Coerced Labour."

77 James Pritchard, *In Search of Empire: The French in the Americas, 1670–1730* (Cambridge: Cambridge University Press, 2004); Wim Klooster and Gert Oostindie, *Realm Between Empires: The Second Dutch Atlantic, 1680–1815* (Leiden: Leiden University Press, 2018).

especially in the south and south-center (also across the Caribbean), as an Iberian *Atlântico Sul*.[78]

For this purpose (after experiences in the Caribbean/Northern South America),[79] an Atlanticized western part of the Indian Ocean and new regional/hemispherical slaving zones in East Africa were created. This was also because mainly Arab elites (such as the Omanis) took over Portuguese emporia, islands, fortresses, slave trading, and slaving/slavery practices. The structures and routes changed, especially from and to Spanish America and between the colonial empires.[80] The global south Atlantic (*Atlântico Sul*), the massive slave trade to Brazil, and the massive capital accumulation of the Atlantic slave trade, at the heart of the African-Iberian Atlantic, pushed the Indian Ocean and Asia somewhat out of the focus of Iberian global attention, even if the Indian Ocean became increasingly important economically and a target for colonization efforts. Not so for the Dutch, French, and English merchants, commercial companies, slave traders, and their increasingly globalized networks. As already mentioned, local elites such as the Omanis in East Africa or the slave-hunting states of the Zulu Sea grew stronger.

From 1808, but above all from 1820 (when Spain abolished formally the Atlantic slave trade), a third Atlantic was formed (or, if we assume a northwestern European Atlantic and an Iberian-African Atlantic from 1640 to 1800, a fourth Atlantic). This was the *hidden Atlantic* of human smuggling, despite (or precisely because of) the formal

78 Luiz Felipe de Alencastro, "Le versant brésilien de l'Atlantique-Sud: 1550–1850," *Annales: Histoire, Sciences Sociales* 61, no. 2 (2006): 339–82; Luiz Felipe de Alencastro, "Brazil in the South Atlantic: 1550–1850," *Mediations* 23, no. 1 (2007): 125–74; Guy Saupin, ed., *Africains et Européens dans le monde atlantique: XVe-XIXe siècle* (Rennes: Presses Universitaires de Rennes, 2014); David Richardson and Filipa Ribeiro da Silva, "Introduction: The South Atlantic Slave Trade in Historical Perspective," in *Networks and Trans-Cultural Exchange: Slave Trading in the South Atlantic, 1590–1867*, ed. David Richardson and Filipa Ribeiro da Silva (Leiden: Brill, 2015): 1–29; Graça Almeida Borges, "The South Atlantic and Transatlantic Slave Trade: Review Essay," e-*Journal of Portuguese History* 15, no. 1 (2017), http://www.scielo.mec.pt/scielo.php?script=sci_arttext&pid=S1645-64322017000100009 [accessed 21.10.2019]; Selwyn H.H. Carrington and Ronald C. Noel, "Slaves and Tropical Commodities: The Caribbean in the South Atlantic System," in *The Caribbean: A History of the Region and Its Peoples*, ed. Stephan Palmié and Francisco A. Scarano (Chicago: University of Chicago Press, 2011): 231–42.

79 Erin Stone, "Chasing 'Caribs': Defining Zones of Legal Indigenous Enslavement in the Circum-Caribbean, 1493–1542," in *Slaving Zones: Cultural Identities, Ideologies, and Institutions in the Evolution of Global Slavery*, ed. Jeff Fynn-Paul and Damian Alan Pargas (Leiden: Brill, 2018): 118–47.

80 Alejandro García-Montón, "The Rise of Portobelo and the Transformation of the Spanish American Slave Trade, 1640s–1730s: Transimperial Connections and Intra-American Shipping," *Hispanic American Historical Review* 99, no. 3 (2019): 399–429; Linda K. Salvucci, "Atlantic Intersections: Early American Commerce and the Rise of the Spanish West Indies (Cuba)," *Business History Review* 79 (2005): 781–810; Nadine Hunt, "Scattered Memories: The Intra-Caribbean Slave Trade to Spanish America, 1700–1750," in *Crossing Memories: Slavery and African Diaspora*, ed. Ana Lucia Araujo, Mariana P. Candido and Paul E. Lovejoy, Harriet Tubman Series on the African Diaspora (Trenton, NJ: Africa World Press, 2011): 105–27; Hernán Venegas Delgado, *Trinidad de Cuba: Corsarios, azúcar y revolución en el Caribe* (Havana: Centro de Investigación y Desarrollo de la Cultura Cubana Juan Marinello, 2005).

abolitions in the so-called "West."[81] This *hidden Atlantic* was, together with the second slaveries, especially in the Caribbean, a space of new technologies, organization, finance, science, medicine, culture, elite luxury, art, etc. In general, we must think of modern slavery, and even of Atlantic slavery, as capitalism, with its own industrial bases and dynamics.[82] That is, the Atlantic I refer to in this essay as the African-Iberian Atlantic existed (if we count the history of West Africa (since 1400) and East Africa and the *hidden Atlantic* within the framework of AAA continuously, of course with spatial extensions, new routes, coastal territories, ports, cities, and actors) from around 1400 to at least 1900. I say "at least" because it is still not entirely clear when exactly it ended, due to the transitions to hidden forms of enslavement and bond-slaveries and the difficulties of delimiting the Fourth Plateau of global slaveries. Above all, it is unclear whether this Atlantic Ocean did not merge relatively seamlessly into the even wider global economy of the nineteenth and early twentieth centuries, with its global mass migrations and embedded forms of slaveries/asymmetrical dependencies.[83] This *Welthandel*, as traditional wisdom calls it, with its technological/communicative elements, covered all oceans and important peripheral seas (including whaling and the whale industry).

Despite some possible examples of truly global lives of enslaved people (I repeat, especially members of ship crews), there was no completely global slavery and no completely global slave trading system. On the other hand, there were global diseases (epidemics/pandemics), whose carriers (viruses, bacteria, insects) moved using transport and trading systems – this is clearly the case with the smallpox and yellow fever epidemics, and especially the cholera pandemics of the nineteenth century. These diseases used animals (rats, dogs, cattle), but above all plants and so-called cash crops, the latter of which (sugar, tobacco, cotton/textiles), along with precious metals, were truly global commodities, reaching Australia in 1788.

When we summarize all the "Atlantics" of 1400–1900, the following scheme results:1400–1640: the First Atlantic or African-Iberian Atlantic;1650–1800: the Second Atlantic, a double Atlantic with many interconnections (Protestant African-Northwest-European Atlantic/Catholic African-Iberian *Atlântico Sul*); 1800–1900: the third or African-Iberian *hidden Atlantic*.

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81 Roquinaldo Ferreira, "Negociantes, fazendeiros e escravos: o tráfico ilegal de escravos no Brasil," *Revista Internacional de Estudos Africanos* 18–22 (1999): 9–28; João Lopes Filho, "Tráfico clandestino," in *Cabo Verde: Abolição da escravatura; Subsídios para o estudo* (Praia: Spleen, 2006): 45–75; Zeuske, "Out of the Americas."

82 Adrian Leonard and David Pretel, eds., *The Caribbean and the Atlantic World Economy: Circuits of Trade, Money and Knowledge, 1650–1914* (London: Palgrave Macmillan, 2015); Rood, *Reinvention of Atlantic Slavery*; Conermann and Zeuske, "Slavery/Capitalism Debate Global."

83 McKeown, "Global Migration, 1846–1940"; McKeown, "Chinese Emigration"; Hu-DeHart, "Asia-Pacific Perspective"; Hu-DeHart and López, "Asian Diasporas in Latin America"; Zeuske, "Coolies – Asiáticos and Chinos."

There is another interesting estimate of the Atlantic slave trade and the rise of the "West": between 1640 and 1820, eight million enslaved people were taken from Africa to the Americas, 75% men and *piezas de Indias*[84] (theoretical) for prices of 200–300 silver-pesos each (*peso de a ocho reales*; *piasters* – a global currency at the time).[85] They were mainly connected to three production complexes that were increasingly globally oriented: precious metals (especially gold, platinum, copper, and precious stones), crop production (sugar, cocoa, tobacco, tea, etc.), and raw materials for textile production (especially cotton, produced by slaves, but also dyes and materials for sewing). This means that Atlantic capital (of c. eight million human bodies) consisted of between 1.6 to 2.4 billion silver pesos.[86] Together with commodities produced

84 The basic currency for large billing operations in the Atlantic slave trade was enslaved persons. The account unit for this type of operations in Spanish was *pieza de Indias* (roughly piece of Indies; in Portuguese, *peça*, also *boa peça, peça da Índia*), which was used throughout the Iberian Empire and the Slavery Atlantics until more or less 1820, meaning a healthy man between 15 and 30 years of age with a certain height and healthy, tall, young women expected to have healthy and strong children were considered full *pieza*. Older women (over 25 years of age), as well as adolescents and children, were valued as half or two-thirds *pieza.* Fernando Ortiz gives a working definition of the value measure and ideal type of the "pieza de Indias": "El esclavo tipo era el varón o hembra de quince a treinta años, sano, bien conformado y con la dentadura completa, el cual recibía el nombre de pieza de Indias [The slave type was a man or woman from fifteen to thirty years of age, healthy, well-built, and with complete dentition, which was named pieza de Indias]," in Fernando Ortiz, *Hampa afro-cubana: Los negros esclavos; Estudio sociológico y de derecho público* (Havana: Revista Bimestre Cubana, 1916) [many reprints, e.g. the one that is always quoted today:] Fernando Ortiz, *Los negros esclavos* (Havana: Editorial de Ciencias Sociales, 1976): 133; see also Fernando Ortiz, "Clasificación de los esclavos. 'Bozales' y 'Ladinos'. 'Piezas de Indias', 'Muleques' y 'Mulecones'. Negros de "Nación," in *Los negros esclavos*: 168–69; the original definition of the *pieza de Indias* comes from 1662: Manuel Lucena Salmoral, "El período de los asientos con particulares (1595–1700)," in *La esclavitud en la América española*, Estudios y Materiales 22 (Warszawa: Universidad de Varsovia, Centro de Estudios Latinoamericanos, 2002): 180: "destacó el [asiento] realizado con Lomelín y Grillo el 5 de Julio de 1662 [. . .] porque en él se definó por vez primera lo que era una 'pieza' de Indias: un negro de siete cuartas de alto, sin defectos (ni ciego, ni tuerto, etc.). Los negros que fueran más bajos había que juntarlos para complete las siete cuartas" – "highlighted the [asiento de negros] made with Lomelín and Grillo on July 5, 1662 [. . .] because in it was defined for the first time what was a 'piece' of the Indies: a black man seven cuadras high, without defects (neither blind nor one-eyed, etc.). The blacks who were shorter had to be put together to complete the seven cuadras."

85 Drawn from "SlaveVoyages" (website); see also Carlos Marichal, "The Spanish-American Silver Peso: Export Commodity and Global Money of the Ancien Regime, 1500–1800," in *From Silver to Cocaine: Latin American Commodity Chains and the Building of the World Economy, 1500–2000*, ed. Steven Topik, Carlos Marichal and Zephyr Frank, American Encounters/Global Interactions (Durham, NC: Duke University Press, 2006): 25–52.

86 I'm making theoretical estimates here, for real slave prices for the British Caribbean, see David Eltis, Frank D. Lewis and David Richardson, "Slave Prices, the African Slave Trade, and Productivity in the Caribbean, 1674–1807," *Economic History Review* 58, no. 4 (2005): 673–700; see also Nicholas Draper, *The Price of Emancipation: Slave-Ownership, Compensation and British Society at the End of Slavery* (Cambridge: Cambridge University Press, 2010); Catherine Hall, Nicholas Draper and Keith McClelland, "Introduction," in *Legacies of British Slave-Ownership: Colonial Slavery and the Formation of Victorian Britain*, ed. Catherine Hall et al. (Cambridge: Cambridge University Press, 2014): 1–32.

for and by the enslaved, land, foodstuffs, working and guard animals (cattle, horses, mules, dogs, etc.), animals to be eaten (pigs, chicken), clothing, tools (machetes, hoes, axes, shovels, sticks with iron tops to plant sugar, etc.), ships, crews, ports, docks, and barracks, this accumulation from the capital of human bodies (plus the products for and by enslaved people) was of immense global value. Was it worth more than precious metals and European goods? Was this Atlantic capital and its accumulation the most important and dynamic basis for global capitalism (not only normal Western capitalism, but also slavery capitalism in the Americas and Africa)? Was this global economy (globalizing European economies on this basis) the cause of the great divergence? To start to answer this question, I will merely give yet another sequence of estimated numbers. In the eighteenth century, the century of the Enlightenment, the beginning of "Western" capitalism as we know it (especially in England and the Southern Netherlands (Belgium)), and the beginning of the Industrial Revolution (Great Britain), around six million people were abducted from Africa to the Americas. If we estimate, as I did above, around 300 *pesos de a ocho* per human body as a commodity, the result is the gigantic sum of 18 billion silver *pesos.* Alexander von Humboldt already calculated this (only for Cuba – but even these sums are extremely high). Humboldt published an estimate for the 15,647 *negros bozales* (enslaved Africans without knowledge of an Iberian language) imported to Cuba in the years 1797–1800: the price per enslaved person (per capita) was on average 375 *pesos de a ocho* (piastres).[87] If we apply this average price to the 307,000 deported from Africa to Cuba during the period 1790–1823, the total is 115 million silver pesos.[88]

In short, my hypothesis for a global history of slaveries here is thus: human bodies, as capital and commodities (in the slave trade in Africa, on the Atlantic, to the Americas, and in/between the individual slaving colonies of the Americas and the Caribbean), as potential producers and reproducers, and as settlers on the islands of Western Africa and the Americas, were more important than the European goods transported in exchange to the Americas, more even than the precious metals that Spain, above all, exported and traded from the Americas. In this respect, the greater Caribbean (including Brazil) was economically more important than Peru.[89]

But, I repeat, what spread globally was plants, animals, food, epidemics, viruses, products, commodities, and knowledge. The *consumption revolution*, with its slavery capitalisms in the Americas (especially Cuba and the USA, but also Brazil, Puerto Rico,

87 See also Jorge Felipe-González, "Reassessing the Slave Trade to Cuba, 1790–1820," in *From the Galleons to the Highlands: Slave Trade Routes in the Spanish Americas*, ed. Alex Borucki, David Eltis and David Wheat (Albuquerque: University of New Mexico Press, 2020): 223–48.

88 According to sources from the *Consulado de la Habana*; *Papel Periódico*, 1801, p. 12, see Alexander von Humboldt, "Population," in *Essai politique sur l'ile de Cuba: Avec une carte et un supplément qui renferme des considérations sur la population, la richesse territoriale et le commerce de l'Archipel des Antilles et de Colombia*, vol. 1 (Paris: Librairie Gide et fils, 1826): 171, n. 1.

89 Carrington and Noel, "Slaves and Tropical Commodities."

Suriname, and other Caribbean places),[90] was already far more global than the European-British industrial revolution until around 1840 (and Great Britain was, on this basis, much more militarily aggressive than China).[91] The Fourth Plateau of slaveries developed against the background of the approximately eight million humans enslaved in AAA (even if we do not have numbers for Africa). It developed on the global Atlantic (the spread of models of Atlantic slaveries) and increasing global consumption and resource demand. Despite, or perhaps because of, abolition and civilization discourses, new slaveries and global migrations (around 1840–1960) developed during the Fourth Plateau: large-scale forced migrations around, within, and from the Indian Ocean (eastern hemisphere), China, Southeast Asia, and the Pacific Islands (also to Australia), indenture, and bond-slaveries. The question is whether there was a global *second slavery*, especially in the transport systems: in the Indian Ocean world as part of the supply of migrants to the Atlantic hemisphere and possibly as second slaveries under local elites (the Arabian Gulf region; Omanis-Zanzibar/East Africa; Madagascar), but also in the Sokoto-Caliphate, in Southeast Asia, and in the Malayan world. The traditional areas of the Second Plateau (such as the Ottoman Empire) continued with second-plateau slavery (with the possible exception of Egypt in the nineteenth century).[92]

4 Enslaved and Otherwise Bonded People as Globalizing Actors?

I repeat, captives are local and regional enslaved people, enslaved people from migrations who are not globally connected but can be found all over the world and in world history: they are transcultural local-global agents between "small slaveries" or regional slavery regimes, as well as slaving zones and greater transportation systems.[93] Transculturation and cosmopolitism from below, at most, reach through

90 Zeuske and Conermann, "Introduction."

91 Priya Satia, "Introduction," in *Empire of Guns: The Violent Making of the Industrial Revolution* (New York: Penguin Press, 2018): 1–23.

92 Ehud R. Toledano, *The Ottoman Slave Trade and Its Suppression, 1840–1890* (Princeton, NJ: Princeton University Press, 1982); Ehud R. Toledano, *State and Society in Mid-Nineteenth-Century Egypt* (Cambridge: Cambridge University Press, 1990); Ehud R. Toledano, "Ottoman Concepts of Slavery in the Period of Reform, 1830s–1880s," in *Breaking the Chains: Slavery, Bondage, and Emancipation in Modern Africa and Asia*, ed. Martin A. Klein (Madison: University of Wisconsin Press, 1993): 37–63; Ehud R. Toledano, *Slavery and Abolition in the Ottoman Middle East* (Seattle: University of Washington Press, 1998); Ehud R. Toledano, *As if Silent and Absent: Bonds of Enslavement in the Islamic Middle East* (New Haven, CT: Yale University Press, 2007); Ehud R. Toledano, "An Empire of Many Households: The Case of Ottoman Enslavement," in *Slaves and Households in the Near East*, ed. Laura Culbertson (Chicago: Oriental Institute of the University of Chicago, 2011): 85–97.

93 Cameron, "Nature of Slavery."

different imperial-national territories. But slaves are, relatively speaking, almost always more socially and spatially global than the local populations of the groups or societies they come from or to (apart from slave traders, seafarers, and, of course, the millions of victims of local slaveries, in which the enslaved came from the immediate areas of the enslavers). The African diaspora concept is also mostly hemispherical and, as such, very transcultural. Important biographies in this trans-imperial/transcultural sense certainly include those of Mohammed Baquaqua and Mohammed Nicolas Said, from Islamic Africa to the Ottoman Empire, then to Europe, Brazil, the Caribbean, and the USA. Mohammed Baquaqua and Nicolas Said are examples of enslaved trans-imperial cosmopolitans from below.[94]

As we see, in the view of the masses of enslaved people in Africa and in the eastern hemisphere, it is a complicated question where (at what distance to the place of enslavement) and if the enslavement and life histories of the enslaved form a global pattern.[95] In contrast, epidemics, plants, food, and the products and commodities produced by enslaved labor, as well as precious metals, are much more clearly global and parts of global patterns.

As I mentioned above, slave traders and partly enslaved crews also operated globally as cosmopolitans "from below." So, we can say that we do not know of any truly global life histories of enslaved people; the only really global phenomena are biological (plants, some animals, viruses, diseases, pandemics – often bound to climatic

94 Robin Law and Paul E. Lovejoy, eds., *The Biography of Mahommah Gardo Baquaqua: His Passage from Slavery to Freedom in Africa and America* (Princeton, NJ: Marcus Wiener Publishers, 2001); Paul E. Lovejoy, "Identidade e a miragem da etnicidade: A jornada de Mahommah Gardo Baquaqua para as Américas," *Afro-Ásia* 27 (2002): 9–39; Mohammad Ali Sa'id, *The Autobiography of Nicholas Said: A Native of Bornou, Eastern Soudan, Central Africa* (Memphis: Shotwell, 1873), www.docsouth.unc.edu/neh/said/said.html [accessed 04.04.2017]; Paul E. Lovejoy, "Mohammed Ali Nicholas Sa'id: From Enslavement to American Civil War Veteran," in *Microhistoria de esclavas y esclavos*, ed. Vicent Sanz Rozalén and Michael Zeuske [= *Millars: Espai i Història* 42 (2017)]: 219–32.

95 Patrick Manning et al., "Demographic Models for Projecting Population and Migration: Methods for African Historical Analysis," *Journal of World-Historical Information* 2–3, no. 1 (2015): 24–40, https://jwsr.pitt.edu/ojs/jwhi/article/view/817 [accessed 03.06.2020]; see p. 37: "The question of how far continental captives traveled before their settlement as slaves is unanswered empirically, though there is a simple solution in computation. Beyond these issues in calculation, two contradictory interpretive problems arise. First, there appear to be no demographic relationships by which to estimate the historical level of enslavement. That is, the proportion of African populations enslaved in each region and period appears to be 'autonomous' – indeterminate and arbitrary – in that there is no clear way to calibrate it with other information in the system. Nonetheless, in contrast, if one looks broadly enough there does seem to be a general pattern in nineteenth century enslavement. The qualitative historical record for tropical Africa and Asia in the nineteenth century conveys a broad pattern of expanded enslavement. That is, despite the British anti-slavery campaign, enslavement expanded across the Old-World tropics until late in the nineteenth century in what is arguably a common pattern. This hypothesis provides one more argument that the effort of modeling population and migration on a large and systematic scale may bring about clarification of important patterns in large-scale social processes and relationships that had previously escaped notice."

factors), elements of global value exchanges (silver, gold, sugar, tobacco, cotton), and structural: the nineteenth-century slave and coolie trades; imperial colonialisms and collective slaveries; slavery as capitalism (second slaveries), until more or less 1900 in the western hemisphere, as colonial and local slaveries until around 1960: and global migrations to this day.

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2. Slaveries and Similar Dependencies

2.1. Theoretical and Methodological Avenues

Stephan Conermann, Youval Rotman, Ehud Toledano and Rachel Zelnick-Abramovitz. "Introduction: What is Global About Global Enslavement?" in *Comparative and Global Framing of Enslavement*, ed. Stephan Conermann, Youval Rotman, Ehud R. Toledano and Rachel Zelnick-Abramovitz (Berlin: De Gruyter, 2023): 1–6.

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Stephan Conermann, Youval Rotman, Ehud Toledano,
Rachel Zelnick-Abramovitz

Introduction: What is Global about Global Enslavement?

The study of enslavement has become urgent over the last two decades. Social scientists, legal scholars, human rights activists, and historians, who study forms of enslavement in both modern and historical societies, have sought – and often achieved – common conceptual grounds to forge a new perspective that englobes historical and contemporary forms of slavery. What could certainly be termed a *turn* in the study of slavery has also intensified awareness of enslavement as a global phenomenon, inviting a comparative, trans-regional approach across time-space divides.

But what does global enslavement mean? Does it mean that enslavement appears in most societies and periods, transcending spatial and temporal boundaries? Is it enough to broaden the range of areas and periods studied to earn the title "global"? Or does global mean that whenever and wherever enslavement existed, it had a universal essence that can be defined in terms and concepts valid for all its occurrences and manifestations? Should the study of global enslavement lead us to an ahistorical/metahistorical view of the subject? Or should we adopt a historical approach, taking into consideration change, diversity, fluidity, and differentiation? In other words, is enslavement constant and applicable to any region or period, an aggregate of various forms, processes, and narratives? Alternatively, are these really "either-or" questions, or can they be reconciled as "both"?

These questions, which still occupy contemporary scholarship, gave rise to several theories and models that aim to understand the world-wide institutionalization of enslavement. Societies may share common practices of bondage and enslavement, but also diverge in their definitions of these phenomena. While the ways and means by which such societies acquired and enslaved humans were often relatively similar, the ways enslaved persons were exploited and treated, the ways they negotiated their condition, and the ways out of slavery were often historically different. Nevertheless, both the enslavement of people and their maintenance as enslaved over time always included the use of various degrees of violence. They connect and separate societies in applying economic and political powers and ideologies. The study of forced migration and human trafficking, as well as other features of enslavement, may bring different approaches, closer to the study of enslavement as a global phenomenon. Demand for unfree labor often generated forced migration, with its local and global economic, political, and cultural implications. Gender, origin/ethnicity/race, property, and domination also played a major role in the relationships formed in the framework of enslavement. These were shaped by both the interests of enslavers and the agency of the enslaved, by the political, religious, and legal practices of enslaving societies around the globe throughout history up to the present day.

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Most of the chapters in this volume are based on papers delivered at the workshop *What is Global About Global Enslavement*, held at Tel Aviv University on December 29–30, 2019. The workshop was a joint project of the faculty of humanities at Tel Aviv University and the Center for Dependency and Slavery Studies at Bonn University. It brought together scholars who work with different theoretical approaches and study the diverse manifestations of enslavement in various regions, periods, and aspects in order to interrogate the concept of global enslavement and what was global about it.

In addition to the issues raised above, the workshop also posed the following preliminary questions: were practices associated with enslavement a product of the encounter between local cultures and global notions of domination and exploitation? Does the use of overlapping categories and the translatability of terms/concepts hamper our understanding of the global dimension of enslavement?

Though discussing different aspects of enslavement in different societies and eras, each of the volume's chapters contributes to, and has benefitted from, a global perspective of enslavement. The first three chapters propose to frame the global examination of the theoretical, ideological, and methodological aspects of the "global," "local," and "glocal," while the following two chapters present regional and trans-regional perspectives of the global through analyses of historical case studies, the link between connectivity and mobility as a fundamental aspect of the globalization of enslavement. Finally, the last two chapters deal with personal points of view of the global, local, and glocal. *Grosso modo*, the contributors not only present their case studies, but attempt to demonstrate what insights and added-value explanations they gain from positioning their work vis-à-vis a broader "big picture."

Michael Zeuske's opening chapter, "Slavery and Slaves as 'Global and Globalizing'?", provides an overarching discussion of the global and globalizing character of slavery as it frames the main question contributors were expected to address: can a global approach advance our understanding of human enslavement and can a cross-continental and trans-hemispheric perspective help us interpret the history of slavery. Alternatively, should we discuss slaveries in the plural, where the divergences outweigh the convergences, and make regional comparative studies more insightful than global ones? Zeuske argues that some elements of slavery are truly global, while others are regional and local. Thus, he distinguishes between *structural* domination and the slave trade *system*, on the one hand, and the enslaved humans subjected to that organized and systematized practice, on the other. What is being referred to in recent scholarship as the Second Slavery turned enslavement in the Atlantic world from around 1800, mostly but not exclusively, into a massive, coercive, and race-driven exploitive agricultural "mode of production." At the same time, he adds, truly global and globalizing life histories of enslaved persons did not exist.

To Zeuske, "the only really global phenomena are biological (plants and some animals, viruses, diseases, pandemics – often bound to climatic factors), and elements of global value exchanges (silver, gold, sugar, tobacco, cotton)." Only nineteenth-century slave and coolie trades, imperial colonialisms, collective slaveries, slavery as capitalism

(Second Slaveries) in the Western hemisphere, colonial and local slaveries until around 1960 elsewhere, and global migrations are truly global phenomena.

Roberto Hofmeister Pich's "The Ideology of Black Slavery: Philosophical, Juridical, and Theological Accounts by Sixteenth and Seventeenth-Century Scholastic and Catholic Thinkers on the Justification for Enslaving People and the Continuation of Slavery Systems" gives a theoretical framework for black slavery in the early modern era. It considers the emergence of the ideology that supported the permanence of black slavery in the transatlantic area from the sixteenth to the nineteenth centuries, and its criticism. Exploring the little-known debate on Black slavery conducted by early modern scholastic thinkers, Hofmeister Pich highlights the role played by the Peruvian Jesuit master Diego de Avendaño, especially with regards to the connection the latter made between the doctrine of moral probabilism, the licitness of slavery, and the rising ideology that endorsed slavery as a trade system and a social institution. Against Avendaño's views Hofmeister Pich analyses the criticism of moral probabilism and black slavery made by Francisco José de Jaca O.F.M. Cap. and Epifanio de Moirans O.F.M. Cap., who formulated theses on slavery in the law of peoples and on the singular value of freedom as a natural right, rejecting moral probabilism.

In her chapter "Mobilization as Dependency: The Case of Mitimaes in the Inka State as a Hotspot of Early Glocalization," Karoline Noack examines mobilization and dependency both as an internal political power and an economic strategy of the Inka government. Considering the Inka Empire as a "mobilizing state," this chapter takes as a case study the policy of the Inka government on labor division in the central valley of Cochabamba (modern Bolivia). An analysis of the *mitimaes* as a socioeconomic institution of the Inka exemplifies the Inka's policy of mobilization and the dependency of local populations. The Inka rulers globalized this institution by systematically resettling families, groups, or even entire communities in new, strategic locations that became hotspots of state formation. The globalization of this institution enabled the Inka to use population mobilization and asymmetric dependency as complementary methods that became the means to organize and sustain the Inka state and act as an engine of expansion. Through multilayered interactions between the local and the global, multiple centers and changing peripheries became culturally and economically fragmentated and integrated simultaneously.

Moreover, the institution of the *mitimaes* led to "depersonalizing operations" for the requisition of foreigners following the European conquest. Indigenous peoples were enslaved across the Americas with catastrophic consequences, including the extermination of large populations, especially in the Caribbean. The Spanish legal basis for this approach was withdrawn after bitter ideological and religious disputes with the so-called New Laws of 1542. This process, in turn, paved the way for the growth of the African and Atlantic slave trade, which eventually provided the largest proportion of slaves across Latin America. Noack's analysis invites us to consider the *glocalization* perspective on the Inka state as an integral part of globalizing processes in "fragile states," and to connect modern world-systems to pre-Hispanic ones.

Adopting a regional perspective, Daniel Hershenzon's chapter, "Slavery and Religious Violence in the Early Modern Mediterranean: A Regional Perspective," explores seventeenth- and eighteen-century cases of religious violence against slaves in Iberia and the Maghrib. It argues first that outbursts of violence against slaves (such as forced baptisms or the desecration of slaves' bodies) seem to mark the religious Christian-Muslim divide, but in actual fact indicate notions regarding slaves' rights shared by both Christian and Muslim slaves and rulers. Hershenzon also argues that in the long run, violations of these rights led to their codification. Looking from a regional, Mediterranean perspective at the dynamics of violent challenge and response, Hershenzon shows how by regulating slaves' religious privileges (designed to prevent violence), negative reciprocity was transformed over time into positive reciprocity. Hence, he concludes that religious violence had regionalizing effects upon slaves and that such violence shaped the region in which it occurred.

Gül Şen writes about "Enslavement and Labor in the Early Modern Ottoman Navy," focusing on galley bondage. Although she argues that the employment of men on naval ships was a global phenomenon, her comparative study looks at the Mediterranean region, especially its eastern waters. All naval powers in these parts responded to the need to operate their war vessels by recruiting rowers, whom they employed with several forms of unfree labor, including legal enslavement. Despite the diversity of the workforce, all rowers and galley crews shared the same harsh living conditions. The chapter describes the networks of recruitment that straddled Eastern Europe, the Balkans, and the Mediterranean hinterlands, with Galata in Istanbul as the hub for the Ottoman Navy. It then delves into the labor market that developed during the off season, when naval forces were not out at sea waging battle. The city, the arsenal, the prison within its bounds, and the galleys all served as venues where mostly coerced laborers performed a variety of tasks and formed an integral part of a dependency-based economy. The engine that made all this operation work was the state.

Christoph Witzenrath's chapter, "Negotiating Early Modern Transottoman Slaving Zones: An Arab in Moscow," presents a transregional-comparative study in nature, but stresses semi-global, cross-imperial, and transottoman aspects. This is a micro-historical case study of a Greek Orthodox Arab-Ottoman from Jerusalem attempting to ransom two enslaved children held in Muscovy, the children of a woman who came into the Ottoman Empire as a captive. Witzenrath embeds the story at the crossroads of interpretative theories, at the heart of which lies Jeff Finn-Paul's slaving zones and the Bonn-developed notion of asymmetric dependencies. He positions the trip made by *khadzhi* Ivan (Mikhailov) in the web of trading routes encompassing the north-south Muscovite-Ottoman traffic in goods and humans and extending to the Silk Road routes brought together under the Mongol Empire.

This fascinating story features a manumitted female Russian slave in Jerusalem, who married a prominent member of the Greek community there, had two children, and, following her husband's death, converted to Islam. The children were tutored by a Greek Orthodox teacher, the brother of *khadzhi* Ivan, who placed them in a monastery

in Nazereth to avoid their conversion and education within the Ottoman Muslim system. The plot thickened when the brother got his family and himself entangled in heavy debt, incurred by a fine for trying to take control of the children. *Khadzhi* Ivan then set out to Russia to collect money and backing from top religious figures and highly placed members of the Muscovite elite.

Examining parish registers, census lists, and inheritance records (among other material), Douglas C. Libby's chapter, "Family Connections: Slaveholding among African and Afro-descendent Women in Eighteenth- and Nineteenth-Century Brazil," is part of the massive surge in women's and gender studies over the last few decades that has also impacted the field of enslavement studies. Libby explores the less researched phenomenon of Brazilian women as slaveholders in their own right. He argues that in a fully established slave society such as Brazil's, gender distinctions in slaveholding generated specifically feminine features in the prevailing slave society. Thus, women (especially Africans and those of African descent) seem to have encouraged family formation among their slaves, with the result of modest levels of natural increase that contributed to perpetuating small-scale slaveholdings. Moreover, evidence points to connections of enslaved families with those of their owners, above all by way of fictive kinship formed through godparenthood. These phenomena may gauge the effects of gender upon enslavement, slave ownership, and slave culture. And since similar phenomena are also witnessed in other societies, both ancient and modern, Libby's contribution calls for wider transregional comparative studies.

2. Slaveries and Similar Dependencies

2.1. Theoretical and Methodological Avenues

A Global-Historical Approach

Kate Ekama, Lisa Hellman and Matthias van Rossum. "Slavery and Labour Coercion in Asia: Towards a Global History," in *Slavery and Bondage in Asia, 1550–1850: Towards a Global History of Coerced Labour*, ed. Kate Ekama, Lisa Hellman and Matthias van Rossum (Berlin: De Gruyter, 2023): 3–16.

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Opening Thoughts

Kate Ekama, Lisa Hellman and Matthias van Rossum

Slavery and Labour Coercion in Asia – Towards a Global History

The study of slavery and coerced labour in a global perspective currently sparks new interest. The last years have shown how much we have to gain from wide-ranging comparisons and open-ended discussion about how coercion in the past should and could be understood.[1] In these new explorations of labour coercion and slavery where comparisons are made on a global scale, the world beyond the Atlantic, especially the Indian Ocean, Indonesian Archipelago, and East and Central Asia, has an important part to play in widening and enriching our understanding. Nevertheless, when discussing labour coercion, and slavery in particular, the dominant concepts and most commonly used examples are still derived from the Atlantic world and the histories of those societies seen as 'classic' slave-societies. For a long time, the history of coerced labour has suffered from a dual Eurocentric bias: Slavery has primarily brought to mind the images of Atlantic chattel slavery, and studies of work have either outright or implicitly been based on a model of the northern European wage labour.[2] This book constitutes an attempt to re-centre that story to Asia in order to explore how this can help us reassemble (global) histories of slavery and labour coercion.

On the cover of this volume we meet a woman.[3] From the detail with which her portrait was drawn we can see that she is an individual, her unique features recorded by the artist. Her portrait is part of a series of three, and from the details accompanying each portrait, we know their (given) names: Flora, Bietja, and Sara. Their portraits are marked by a clear tension. They show the three women as types, or moulds, depicted in profile with no context, and unrecognisable to today's viewers. The woman on the cover is someone, or anyone. Her likeness reminds us of the perhaps better-known silhouettes of African enslaved people, depictions that were

1 See for example: Michael Zeuske, "Historiography and Research Problems of Slavery and the Slave Trade in a Global-Historical Perspective," *International Review of Social History* 57 (2012): 87–111; Marcel van der Linden, "Global Labor History: Promising Challenges," *International Labor and Working-Class History* 84 (2013): 218–25; Hideaki Suzuki, *Abolitions as a Global Experience* (Singapore: NUS Press, 2015); Damian Alan Pargas and Felicia Roşu, *Critical Readings on Global Slavery*, 4 vols. (Leiden: Brill, 2017); Kostas Vlassopoulos, "Does Slavery Have a History? The Consequences of a Global Approach," *Journal of Global Slavery* 1, no. 1 (2016): 5–27; Matthias van Rossum, "Slavery and Its Transformations: Prolegomena for a Global and Comparative Research Agenda," *Comparative Studies in Society and History* 63, no. 3 (2021): 566–98.

2 Marcel van der Linden, "Dissecting Coerced Labor," in *On Coerced Labor: Work and Compulsion after Chattel Slavery*, ed. Marcel van der Linden and Magaly Rodríguez García (Leiden: Brill, 2016): 291–322.

3 Silhouette portraits of Flora, Bietja and Sara, by Jan Bandes (1780–85). Rijksmuseum, Amsterdam.

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part of Atlantic slavery's repertoire of domination.[4] As we know, however, these three women were named Flora, Bietja, and Sara, and at the time they were being sketched they lived as enslaved persons in Batavia, the headquarters of the Dutch East India Company in Asia, in the household of the artist who painted them. We think the portrait of this enslaved woman presents an interesting, and perhaps fruitful, set of tensions that run through the chapters in this book. Trying to make sense of histories of slavery, we are aiming to understand coerced mobilities, regimes and transformations through everyday experiences and practices, but are engaging with and trying to read against the grain of the sources of states, companies and other elites that all too often left out enslaved and other people, or referred to them as unnamed, elusive individuals. And while attempting to move beyond a multitude of dichotomies ('Asian' versus 'Atlantic' slavery; 'free' versus 'unfree' labour), we are continuously confronted with the lingering shadows of greyscale or even black-and-white analytical schemes that they produced. This edited volume aims to use these tensions in such a way that they can form the starting point for fruitful contributions to globalizing perspectives.

The histories of slavery, bondage and labour coercion in Asian worlds still occupy too peripheral a place in these global debates on coercion and labour. This does not mean that there is a lack of historical studies of coercion for these parts of the world, but it certainly says something about the studies of slavery and coercion, and how area studies centred on Asia have treated these topics. In order to rethink slavery and labour coercion, and to incorporate it into a global history, we need to move beyond the current fragmentation of the field, in which the work within area studies and within nationally oriented history are less than seamlessly integrated into comparative debates of coercion.[5] For this reason, the first challenge in creating a global history of labour coercion that includes Asia will be to build bridges between existing but to some degree separate historiographies, as well as to acknowledge both the value of such diverse historiographies and their current limitations. In traditional understandings of regimes of slavery and coerced labour, coercion in Asia has commonly been understood as being somehow softer and less brutal, or as a local or 'indigenous' phenomenon, compared to slavery in the Atlantic. This strand of thought can even be made to go so far as suggesting that it was somehow less disruptive to the societies involved than its supposedly European-driven counterpart in the maritime Atlantic world.

In the face of that view of Asian coercion, much can be gained by applying global historical approaches. We understand these as using comparisons as well as connections in order to see historical processes in a potentially different light.

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4 Agnes Lugo-Ortiz and Angela Rosenthal, eds., *Slave Portraiture in the Atlantic World* (Cambridge: Cambridge University Press, 2013).

5 Titas Chakraborty and Matthias van Rossum, "Slave Trade and Slavery in Asia: New Perspectives," *Journal of Social History* 54, no. 1 (2020): 1–14.

This is where this book fits in. Some of the facets of coercion thought to be specific to certain regions are not, other things thought to be general throughout the continent, or for slavery globally, might not be. In this book, therefore, while the studies pay attention to local developments of slavery, they also connect them to intercultural exchanges and contacts.

To date, area studies focusing on these regions rarely put the theme of coercion at centre stage. For a long time, coercion and slavery were either ignored, or seen as traditional parts of Asian societies, for example in perspectives on the centrality of bondage in state formation in Southeast Asia, or the emphasis on the role of coercion in 'oriental' or tributary modes of production in the historiography of South Asia. As we increasingly have come to understand, the slave trade and slavery not only transformed Africa and the Americas, but slavery and wider forms of bondage and labour coercion were not simply static, traditional or unchanging phenomena in Asia either. Instead, slavery and coerced labour were at the root of major transformations throughout the Indian Ocean, the Indonesian Archipelago and East and Central Asia: before, after and especially during European colonial expansion.[6]

In this context it might be helpful to remind ourselves not only of the presence of European colonialism, but also of the Asian empires that effected the transformation and the upholding of coercive regimes. However, only in recent decades have Asian empires been included in historical debates of empire and colonialism. The European colonial expansion, especially in the Indian Ocean and the Indonesian Archipelago, led to the increase of coerced human mobility, most notable in the form of slave trading and to the expansion of slavery and *corvée* labour regimes.[7] Slavery and coercion, however, were not limited to the European colonial spheres, and a one-sided emphasis on European regimes might lead to the danger of connecting slavery solely to European colonialism.[8] This volume aims to apply a broad perspective on the development and transformations of slavery and coerced labour, and therefore includes contributions that study Asian cases of human trafficking, enslavement and coerced labour as well as colonial ones. These histories contribute

6 Jeff Eden, *Slavery and Empire in Central Asia* (Cambridge: Cambridge University Press, 2018); Pamela Kyle Crossley, "Slavery in Early Modern China," in *The Cambridge World History of Slavery*, vol. 3, ed. David Eltis and Stanley L. Engerman (Cambridge: Cambridge University Press, 2011): 186–214; Angela Schottenhammer, "Slaves and Forms of Slavery in Late Imperial China (Seventeenth to Early Twentieth Centuries)," *Slavery & Abolition* 24, no. 2 (2003): 143–54.

7 See for example: Paul E. Lovejoy, *Transformations in Slavery: A History of Slavery in Africa* (Cambridge: Cambridge University Press, 2000); Richard B. Allen, *European Slave Trading in the Indian Ocean, 1500–1850* (Athens, OH: Ohio University Press, 2015). On the expansion of *corvée*, see for example: Matthias van Rossum and Merve Tosun, "Corvée Capitalism: The Dutch East India Company, Colonial Expansion, and Labor Regimes in Early Modern Asia," *Journal of Asian Studies* 80, no. 4 (2021): 911–32.

8 See for example Geoff Wade, ed., *Asian Expansions: The Historical Experiences of Polity Expansion in Asia* (Abingdon, NY: Routledge, 2015).

to better situate trajectories of slavery and labour coercion regimes in Asian histories, as well as to highlight how the inclusion of cases of Asian histories can advance and benefit the study of slavery globally.

This book represents a shift in the history of coercion: it is part of a general attempt to overcome the fragmentation in the studies of slaveries in Asia – a state that to some degree remains despite the important studies we have seen produced in the last decade.[9] This fragmentation has taken many shapes. There has been a geographic fragmentation in which certain regions – such as South Asia or the Western Indian Ocean – receive attention to the exclusion of inter-regional connections. There is a conceptual fragmentation, whereby e.g. slavery, serfdom, coolie trade and convict labour are treated separately and seen as unconnected phenomena. Finally, there is a fragmentation within the historiography based on temporal divides. Often driven by the different official timelines of formalisation and abolitions of slavery and other forms of coercion in specific places, the histories of different centuries have remained segmented.

Advancing the debates on slavery, coercion, and bondage it is vital to attempt to untangle some of the conceptual nuances. Although deeply connected, these are not the same, and in bringing together slavery, coercion and bondage within the scope of a single study and framework, it is not our intention thereby to conflate them. We regard slavery as a distinct social formation that is marked by a simultaneous claim over the bodies of enslaved individuals or groups (property rights) *and* over their actions and behaviour (usage right). Slavery as constituted by these two claims manifested itself in different ways, but was often accompanied by distinct, inferior social conditions in which enslaved people had fewer rights, or even none at all, than other segments of a society's population. In the 'classic' traditions of slavery, the claims and rights over enslaved people were formalized by legal frameworks and could be transferred through trade. This commodification of enslaved people was not limited to colonial contexts, but was certainly a central feature of colonial slavery and increased strongly with the expansion of European colonial empires across the globe. The subsequent abolitions of first the slave trade and later of legal slavery itself curbed the global expansion of legalized slave trading and slavery, but did not end the existence of slavery itself: it merely transformed its appearance.

9 Such works include Alessandro Stanziani, *Bondage: Labor and Rights in Eurasia from the Sixteenth to the Early Twentieth Centuries* (New York: Berghahn Books, 2014); Christoph Witzenrath, ed., *Eurasian Slavery, Ransom and Abolition in World History, 1200–1860* (Farnham, Surrey: Ashgate, 2015); Michael Zeuske, *Handbuch Geschichte der Sklaverei: Eine Globalgeschichte von den Anfängen bis zur Gegenwart*, 2 vols., 2nd ed. (Berlin: De Gruyter, 2020); and go back to early works including Anthony Reid, ed., *Slavery, Bondage, and Dependency in Southeast Asia* (St Lucia: University of Queensland Press, 1983).

In response to the waves of abolitions, old and new ways of coercing and binding labour were circulated, implemented, and expanded. Again, the role of Asian histories and developments are not to be ignored here. Long before being implemented in the Atlantic, the practice of indentured labour migrations developed in local and colonial contexts throughout South, Southeast and East Asia, with highly coercive contract forms that bound workers to employers, oftentimes through recruitment that was less than voluntary or through binding mechanisms rooted in debt relations. Simultaneously, *corvée* labour regimes were adapted and expanded under early European colonialism in Asia, for example in the seventeenth- and eighteenth-century Dutch East India Company empire, where it became key to the production of global commodities such as cinnamon and later coffee. These *corvée* systems, in which those coerced to work were considered not property but subjects, were copied and implemented by colonial powers in nineteenth-century Africa. Such other forms of coercive labour regimes thus existed alongside slavery and the slave trade in early modern Asia, and were marked by distinct but deeply interconnected developments. It is thus crucial to distinguish between slavery and other forms of coercion and bondage while understanding how they developed in their local contexts, in the wider contexts of global and long-distance connections and processes, and in the interconnections between different manifestations of labour coercion.

These specific social formations are all part of a wider spectrum of relations that are marked by coercion and bondage. Perhaps we can best consider these relations as located within a triangle in which the three points represent the relative degree to which the elements coercion, dependency and autonomy constitute these relations. Coercion as a mechanism to make people act (or not act) in specific manners by the use or threat of force has in the past (and present) manifested itself in a variety of ways. Slavery as a relation is defined to a high degree by coercion in the various ways in which people are compelled to work and are controlled, in the ways in which ownership is organized, and so on. But it might be clear that not all coerced labour is slavery (think of convict labour, *corvée* labour). Coercion and slavery are often mentioned together with bondage as a way to signify the existence of and to conceptualize wider coercive relationships. What distinguishes bondage, however, is not so much a different or deeper manifestation of the element of coercion, but rather a link with the element of dependency. The condition of having to rely on someone, and the subsequent subordination, can result not only from coercion, but also for example from precarity. Both coercion and dependency constrain the autonomy of people but, even when strongly limited, degrees of autonomy and agency can remain within the most coercive and dependent states of human being.

We propose that to analyse and consider these three different elements – coercion, dependency and autonomy – will help to further develop our understanding of slavery and other forms of labour coercion. In doing so, we cannot ignore the ways in which these intersected in the past, with each element appearing in different and overlapping manifestations. Moving away from understanding slavery and other

labour regimes within a dichotomy of 'free' and 'unfree' labour, it can perhaps be tempting to consider the different sides of such a coercion-dependency-autonomy triangle as separate spectrums. We would instead argue that these elements overlap and coexist, and reappear in every manifestation of slavery and other coercive labour relation.

This approach, rather than confining ourselves to strictly defined manifestations of slavery or other coercions, proposes that attempts at untangling these concepts are a necessary part of trying to overcome the fragmentation that has characterised past scholarship. Investigating how slavery, coercion and bondage relate to one another and manifested in the past – within, between and connecting empires and polities, and over time – is exactly the task taken up by the contributors to this volume.

This book spans the period of early globalization, roughly from the early sixteenth to the late nineteenth century, and ranges from Russia to Japan, from China down to different parts of Indonesia. It includes maritime links and connections with European actors such as the Portuguese and the Dutch, but also overland regimes such as that of Nepal. Spanning a broad temporal and geographical scope, the chapters show dramatic events, such as abolitions and massacres, as well as the enduring patterns of coercion that precede – and succeed – such shifts. The examples of this book offer a comprehensive view into coerced labour in the Indian Ocean, Indonesian Archipelago and East and Central Asian worlds, regions that also need to form part of the global history discussion of slavery and coercion. What is more, their differences and similarities in approaches and findings help contribute to a general understanding of how to study and understand coercion in the past.

First, the studies underline the current position that a narrow understanding of slavery as the antithesis to 'freedom' obscures as much of past relations of power and oppression as it would illuminate: the authors in this book use various contextual definitions of coercion, slavery and imprisonment, all depending on their temporal and spatial contexts, while highlighting the similarities and connections between these contexts – and bringing them out in comparative sections at the end of each chapter.

Second, the book's long chronological scope helps explore historical transformations across different types of coercion. Rather than considering any formal declaration of abolition, whether national, colonial or imperial, as the end of a regime of coercion, we are enabled to see how labour regimes and structures shifted and transformed, often preserving and remaking ethnic, racialised and gendered hierarchies of power, rather than abolishing them.

Third and finally, this book engages not only in a comparative exercise, but also takes connections into account. Connections are analysed in a regional, geographic sense, as well as in terms of identifying links and transfers between polities and across timeframes, for example through mercantile, cultural and discursive ties. Often these connections should also be considered as part of discursive means to understand and make sense of the self and the other, such as in the case of early missionaries in

Japan, or of the rulers of the Gorkhali state, who combined local and external norms to create something new. This could shape not only practices of coercion, but also the terms and concepts in which these were fashioned, or sometimes disguised. This is a book considering such connections between regions and regimes as much as it is offering thought-provoking comparisons; in both cases, it ties together cases and historiographies that have too often been considered separately.

1 A Global Approach to Slavery in Asia

In this volume, we hope to overcome geographical and conceptual fragmentation, as well as overly strict conceptual divides within the broad and elusive field of coercion in Asia. To bring together these past labour regimes, connections and transformations, we suggest a three-pronged approach that draws on the strengths of comparative research, the study of global connections and of (social) micro-historical approaches that understand slavery as a practice and explore historical developments and dynamics from the level of everyday interactions.

The chapters of this book explore three overlapping themes – coerced mobilities, regimes, and transformations – and interrogate how these play out and interact in different cases across time and space. Our approach to coerced labour thus comprises a dual path towards the definition of coercion itself, one that combines a thick local history, based on emic understandings and practices of coercion, with an entangled view of history, i.e. an understanding that interregional connections also change and shift historical developments.

To some extent this book is also an exercise in overcoming limitations generated by dominant trends in global history, limitations that include solely comparative studies, instead of studies that also explore connections between regions and systems, and top-down and institutionalist readings of history instead of moving to thick everyday levels and understandings of past historical realities.[10] In order to balance these limitations, this book suggests an approach to the history of coercion inspired by global micro-history. Micro-historical studies, especially such that are combined with a global approach, represent a way to analyse coercion that requires a balanced dealing with different historical layers, with the human and individual perspective in relation to structures, and between the micro, meso and macro levels of historical development. The history of labour coercion is one of the domains in

10 Some of these criticisms are put forward in Jorge Cañizares-Esguerra, "On Ignored Global 'Scientific Revolutions'," *Journal of Early Modern History* 21 (2017): 420–32; other of these critiques, as well as counter-arguments, can be found in Richard Drayton and David Motadel, "Discussion: The Futures of Global History," *Journal of Global History* 13, no. 1 (2018): 1–21.

which the historian is forced upon the crossroads between these levels of analysis, and thus makes for a good case to work them out.[11]

The authors in this book explore radically different contexts and understandings of coerced labour: some have been called slave labour, others not. Translation is a key and recognisably problematic part of the work of any scholar who examines slavery, coercion and bondage in their diverse manifestations in the past. How do we translate between different languages the labels given to practices, mechanisms and relationships in the past, whether they existed in the formal sphere of law or in the informal arena? The English language (as in this volume) has traditionally dominated the study and conceptual understanding of slavery and other forms of labour. To limit our study to a formally applied label of slavery might on the surface seem to produce coherency. Going into the thick local historical descriptions, however, such a limitation might actually obscure more than it reveals. For one thing, if we exclude everything that was not legally called slavery, we risk blinding ourselves to forms of coercion that might not neatly fit into the standard usage of that term. This would echo the biases in the study and definition of slavery that focus on its formal and 'chattel' form, but also often exclude female labour, reproductive labour, and specifically informal and female forms of coercion and exploitation.[12] To focus, as this book does, on the entire spectrum of coercion from plantation slavery in Banda to the ambiguous position of prisoners of war in the Dzungar Empire, allows also for a discussion of the limits, exit points and possible opportunities of systems of coercion. Most importantly, it sets the stage for a comparison of systems that might appear different, formally and legally, but that oftentimes produced similar practices.

Throughout this work, we use the term 'regime' to describe how coercion was organised in larger systems of joint conceptual understandings, and joint practices. This should not be understood as a parallel to a Wallersteinian world systems approach: rather, regimes of coercion are temporal as much as geographical, and could overlap – even be created by an overlap – in terms of polities involved, regions covered, or of the long and short-term historical developments they are used to describe.

Thereby, this book should be understood not only as an empirical contribution to the field of coercion in Asia, but also a methodological inspiration, demonstrating the importance and the value of both connecting different past labour regimes in Asia, and placing them side by side in a careful comparison. To do so brings with

11 This is well argued in Christian G. de Vito and Anne Gerritsen, "Micro-Spatial Histories of Labour: Towards a New Global History," in *Micro-Spatial Histories of Global Labour*, ed. Christian G. de Vito and Anne Gerritsen (Cham: Palgrave Macmillan, 2018): 1–28; Tonio Andrade, "A Chinese Farmer, Two African Boys, and a Warlord: Toward a Global Microhistory," *Journal of World History* 21, no. 4 (2010): 573–91; Mark Gamsa, "Biography and (Global) Microhistory," *New Global Studies* 11, no. 3 (2017): 231–41; Natalie Zemon Davis, *Trickster Travels: A Sixteenth-Century Muslim between Worlds* (London: Faber & Faber, 2006).

12 Van Rossum, "Slavery and Its Transformations."

it theoretical and methodological concerns, demanding a nuanced discussion. For this reason, our book starts with a reflection by Matthias van Rossum on how to carry out global studies of coercion, and the pitfalls and opportunities that await us there. This thread is then picked up by Claude Chevaleyre who highlights the problematic nature of how to translate terms in studying slavery and coercion in China, and how these themes have, or rather have not, been developed in the historiography. Together, the opening contributions highlight the difficulties in combining fields that have so long developed separately.

2 Three Themes of Coercion in Asia

The empirical chapters in this book are grouped around the key themes of coerced mobilities, regimes, and transformations. As will be evident, many of these chapters could easily have fallen into more than one of those categories. The themes are not meant to be conclusive, delineate boundaries or act as closed containers for certain debates: they serve to group chapters in order to bring them into dialogue with each other. For that reason, the choice of themes intentionally resists temporal and geographical homogeneity, to instead produce comparisons, tensions and juxtapositions between contexts, regimes and periods that are otherwise rarely put side by side. The similarities, ruptures and contradictions are highlighted in the final section of each paper, where the authors offer a comparative outlook with other contributions in this volume.

The themes of coerced mobilities, regimes, and transformations help underline the three main arguments that run through this book. First, that coercion is not best understood in terms of a binary opposition between slavery and freedom, but as a continuum on which a person's experience and understanding of their position can shift over time. Secondly, that it is more rewarding to trace transformations and shifts between types of coercion, showing both dramatic rifts and lingering norms, than to focus on set points of formal abolitions. Thirdly, this book undertakes deliberate comparisons between regions and regimes rarely considered side by side. It does, however, combine this comparative approach with the notion of connections, showing the importance of considering ties between both regions and regimes to explain seemingly emic developments.

2.1 Coerced Mobilities

The chapters in the first section question how coerced mobilities tie together different places and contexts, and how these connect, impact and transform slavery and coercive labour regimes. The chapters explore coerced mobilities in two ways. On

the one hand, focusing primarily on maritime connections, they address the routes along which coerced people were transported, both at a regional level, as outlined in Hans Hägerdal's contribution on the Banda islands, and over larger distances, as brought to the fore in Mònica Ginés-Blasi's work connecting China, the Philippines and Latin America. On the other hand, the chapters address the impact of those routes on the places from which coerced men, women and children were transported as well as on their places of unchosen arrival. Thereby, global coerced mobilities and human trafficking alike are put forward as driving historical change.

The chapters all begin from the understanding that not all coerced mobilities are the same and thus try to distinguish different forms and their particular dynamics in specific times and places. Sometimes such coerced mobility was a practice driven by the expansion of early modern colonial regimes, such as that shown by Samantha Sint Nicolaas in Batavia, or Hägerdal in Banda. As Ginés-Blasi shows for the case of the Iberian empire, however, coerced mobility was also used within – and to consolidate – modern imperial regimes. This section thus explores not only the coerced mobilities in and of themselves, but also how they connected different places and contexts. That makes it possible not only to relate coerced mobilities to intercultural connections, that is to show when one was part of the other, but also to consider the *role* played by the intercultural contact, and to what degree we can consider intercultural contacts as possible causes or effects of coerced mobility. Such a question also necessitates methodological considerations, such as whether intercultural contacts and language differences could obscure transformations in coercive regimes, and blur analytical understandings both for contemporaries and for present-day scholars trying to unravel the social relations and practices. In short, the chapters all present examples of how to study coercive regimes in a framework that allows for both unifying and differentiating analyses.

Based on a new dataset of ship arrivals at Batavia, Sint Nicolaas' chapter shows the shifting and changing patterns of maritime coercive mobilities. By analysing the details of enslaved people on board vessels arriving at the port of Batavia, Sint Nicolaas augments Markus Vink's circuits of Indian Ocean slaving with the regional routes and changing flows of forced migrants who entered the city. Her chapter demonstrates the potential of the ongoing database creation for Indian Ocean slave voyages.

Turning our view further east in the VOC world, Hägerdal's chapter investigates the interconnections of European and local slaving through the case study of the Banda Islands. Hägerdal traces the maritime slave routes that were used to supply the nutmeg plantations with enslaved labourers, and analyses the demographics of the enslaved. In particular, he highlights the issues of gender and age, and how to trace these in the sources. Based on his analysis of slave registers, company *dagregisters*, and ship captains' logs, Hägerdal reveals the importance of regional slave trade routes and elements of continuities between slaving before and after the VOC conquest of the Banda Islands.

Finally, Mònica Ginés-Blasi turns our attention to a slightly later point in time, namely nineteenth-century forms of coercion that succeeded the formal commercial flows of slavery. Tracing flows of coolie labour and their coercive contracts, her study demonstrates long-distance coerced mobility within the Iberian empire, and how this simultaneously was an imperial affair and connected Chinese and middle American labour regimes.

2.2 Regimes of Coercion

The second section of the book deals with coercive regimes through five in-depth analyses. The chapters are guided by three questions: how do coercive regimes function; how do coerced mobilities connect and impact coercive regimes; and how do coerced regimes connect, interact with and influence each other?

A particular challenge of studying coercive regimes is the nature of the surviving source material. For many coercive regimes the most accessible material is often the official or normative view, that is the reading of past coercion through legal, political, official documentation. In this section, the chapters demonstrate ways in which such sources can be used to get beyond the normative view. Sanjog Rupakheti for example demonstrates that an 1854 legislation in Nepal was a conscious use of the legal idea and practice of slavery to consolidate a state. This new legal code has been presented as a natural culmination of societal and religious developments over a long time, but might in effect be best understood as a part of a power struggle within a particular time and place. Having established the societal role of the legalisation of slavery, Rupakheti's paper brings up the various entry points into slavery, and the characteristics they share with those in Nepal and Ceylon, despite their different ruling authorities, legal frameworks and time periods, notably how coerced labour was legally linked with certain groups and places.

Kate Ekama's chapter is based on similarly official, legal sources through which she explores the idea of enslaveability in coastal Ceylon under Dutch East India Company rule. Her reading of the Company's ordinances reveals routes into a condition of slavery that was regulated by the Dutch, as well as those routes which the Company periodically tried to close off. Familiar mechanisms of enslavement – such as, for instance, an inherited legal status or via debt – come to the fore in varied and unevenly applied ways in the specific context of VOC Sri Lanka. Ekama presents a thick description of the coercive regime which the company established in its ordinances, at least as an ideal.

Another way to get around this problem is to use sources that, while normative, are not part of that particular regime of coercion. Lisa Hellman's chapter uses the accounts of Swedish prisoners of war in Russia to provide accounts from the experience of coercion itself. Following the way these prisoners moved between systems of coercion, and encountered and reflected on other coerced actors, provides an on-the-

ground view of not only the Russian regime of coercion for prisoners, but also regimes of slavery in Central Asian polities, and of forced mobility in the Qing Empire.

Such on-the-ground studies also carry the potential to reconsider general historiographical claims. As Vinil Paul explores practices of slavery in Southwest India, he shows the long historical roots of slavery in the region, and how these need to consider the social structure of the caste system. What is more, he demonstrates, not only how Portuguese and Dutch slavers made use of and continued these local practices when establishing their settlements, but also how these foreign interventions shifted how caste hierarchies related to practices of slavery.

The shift from one system of coercion to another was not necessarily a smooth, or a clear one. As James Fujitani shows, the Portuguese went through several legal iterations when establishing a system of coercion in Maluka. Their poor understanding of the local norms of payment and hierarchies within the coerced groups made the system falter both in terms of stability and in securing labour. Yet, the colonial regime did not acquiesce, but eventually established a system different both from the precolonial system of slavery, and from that initially conceived, demonstrating the ongoing transformation of regimes of coercion, and their intercultural conception.

2.3 Transformations

The final section of the book takes as its theme transformations. We have resisted the inclination to consider abolition as the idea around which these chapters cohere. The reason behind this gets to our understanding of the multiple abolitions which unfolded in Asia: these should be understood as processes, sometimes with long and complicated prehistories, rather than single and fateful events. Only then can we understand the ways and forms in which some practices of coercion persisted. While abolitions of the slave trade and of slavery could signal the end – at least from a legal point of view – of certain slaving regimes, labour coercion often shifted and transformed. The multiple abolitions of the slave trade and slavery thus interacted with continuities in coerced mobilities and transformations of coercive regimes.

In this section, the chapter authors ask what new and different regimes of coercive labour mobilization emerged or became more prominent in the context of post-abolition. How did these regimes relate to earlier and continuing forms of bondage and slaving practices? To what extent were emergent regimes in fact transformations of practices rather than something new? These questions tie the chapters into the two preceding sections precisely because it is the changing connections and regimes which are the focus of this third section.

The chapters focus on three closely related issues, namely how the multiple abolitions of slave trade and slavery impacted coerced regimes and connections between them. Providing examples from very different contexts, the chapters explore

how these multiple abolitions, ranging from the sixteenth to the nineteenth centuries, impacted both global dynamics and local situations and contexts. This approach allows us to think about informalization and regulation of labour coercion outside the spectrum of slavery or non-slavery, as neither the temporal nor the legal boundary pre- and post-abolition is completely clear-cut. As a result, it becomes possible to include the histories of other coercive labour forms, and of the transformation of one form of coercion into another.

There have been many moments of abolition, targeting slavery and the slave trade in different contexts at different points in time. Rômulo Ehalt directs our attention to sixteenth- and seventeenth-century Japan and its early abolishment of slavery. He ties this closely not only to the intervention by European missionaries and their discussion on the nature of slavery, but also to the Japanese connections with China and Japanese national concerns, showing how abolition was neither a result of an outside force changing the Japanese system, nor was it a completely endogenous development: it is through connecting these factors that we understand the cultural background to the coerced regime, and how it changed.

Nor is it easy to pinpoint a definitive date for the end of abolition. We are reminded of this, of course, by the informalization and continuation of slavery practices into 'modern slavery', but the meaning and impact of abolitions can also be studied from the perspective of wider forms of coercive labour relations. With a focus on poor relief in the form of emergency work contracts, Amal Shahid explores forms of coerced labour in postcolonial India. With the laws abolishing slavery duly in place, colonial regimes of coercion shifted to other forms, sparking the question to what degree the regime had been replaced by the abolition, or merely transformed in shape and name while retaining many of the same practices, justifications and a focus on the same groups of labourers.

3 Looking ahead

This book demonstrates the continued importance of regulations on coercion, coerced mobilities and the parallel and intertwined dynamics of regimes of coercion. As shown from the spread in time and colonial circumstances within this book, such regimes of coercion, human trafficking and slavery were enacted, supported and changed by local elites and colonial actors alike – they were neither something natural and unavoidable in each culture, nor something that came entirely from outside.

Taken together, the chapters help to break down any binary understanding of slavery or coercion, to show transformations as well as slow-changing norms in the regulations of labour, and not only compare regimes of coercion but also show connections between them. It is through these kinds of unifying studies that we can show the specificities of coerced mobilities and regimes of coercion within different

Asian historical contexts, as well as discussing how such mobilities and regimes fit into discussions of the global developments of the same.

All authors conclude their chapters with a general reflection, tying the findings of the local thick descriptions to the general themes of the book. These reflections highlight not only the great differences we need to acknowledge between different regimes in different regions and times, but also the many similarities, such as the role intermarriage has played to conserve a labour force, the importance ascribed to caste and kinship ties, and the way that interregional connections have underpinned and changed human trafficking.

It is in deliberate comparisons like the ones presented in this book, breaking through perceived natural historical divisions of space and time – such as the early nineteenth-century abolition movement – that scholars have the opportunity to overcome the fragmented historiographies of early modern Asian history. As Chevaleyre points out in his chapter, one of the challenges in integrating examples from Asia into a global discussion of slavery is that the field has been driven forward as much by researchers within area studies as within history, making the conversation more based on regional and linguistic fault lines than on historical contingencies. Conversely, there has been a perceived rather than an analysed qualitative difference between coercion in Asia and that in the Atlantic world, one that has led the field of slavery to primarily focus on the latter.

The field studying slavery and coerced labour from global perspectives stands on the shoulders of giants, but has itself only just left the starting blocks. In a promising development, the field now witnesses a quickly increasing number of studies taking seriously Asian regimes of coercion. With this edited volume, we hope to contribute to facilitating and furthering joint discussions, spanning large regions and overcoming traditional analytical divisions of empires, lands or seas, and allowing for a truly global discussion.

2. Slaveries and Similar Dependencies

2.1. Theoretical and Methodological Avenues

A Global-Historical Approach

Claude Chevaleyre. "Beyond Maritime Asia. Ideology, Historiography, and Prospects for a Global History of Slaving in Early-Modern Asia," in *Slavery and Bondage in Asia, 1550–1850: Towards a Global History of Coerced Labour*, ed. Kate Ekama, Lisa Hellman and Matthias van Rossum (Berlin: De Gruyter, 2023): 31–50.

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Claude Chevaleyre

Beyond Maritime Asia. Ideology, Historiography, and Prospects for a Global History of Slaving in Early-Modern Asia

1 A Decade of Significance

Ten years ago, I concluded my first publication with the following statement: 'Time has come to reintegrate the Chinese experience in the world history of bondage.'[1] One decade later, significant progress has been made in the fields of slavery and forms of coerced labour in early-modern Asia. An active network of (global) historians exploring the dynamics of slavery and slave trading across the Indian Ocean World and Eurasia has emerged. Milestone monographs have been added to the short list of studies published since the 1980s[2] – like Richard Allen's *European Slave Trading in Asia*, Tatiana Seijas' *Asian Slaves in Colonial Mexico*, Jeff Eden's *Slavery and Empire in Central Asia*, and Lúcio de Sousa's *The Portuguese Slave Trade in Early Modern Japan*, to name only a few.[3] In addition, collaborative research projects designed to further bridge the gaps in the history of slavery and coerced labour in early-modern Asia have been set in motion;[4] conferences and workshops have been organized worldwide; and several edited volumes and special issues have been published or are in preparation.[5] Noteworthy enough, early-modern Asia and the Indian

1 Claude Chevaleyre, "Acting as Master and Bondservant: Considerations on Status, Identities and the Nature of 'Bond-servitude' in Late Ming China," in *Labour, Coercion, and Economic Growth in Eurasia, 17th–20th Centuries*, ed. Alessandro Stanziani (Leiden: Brill, 2012): 272.

2 James L. Watson, ed., *Asian and African Systems of Slavery* (Berkeley: University of California Press, 1980); Anthony Reid, ed., *Slavery, Bondage, and Dependency in Southeast Asia* (St Lucia: University of Queensland Press, 1983); Georges Condominas, ed., *Formes extrêmes de dépendance. Contributions à l'étude de l'esclavage en Asie du Sud-Est* (Paris: Éditions de l'EHESS, 1998); Gwyn Campbell, ed., *The Structure of Slavery in Indian Ocean Africa and Asia* (London: Frank Cass, 2006).

3 Richard B. Allen, *European Slave Trading in Asia, 1500–1850* (Athens, OH: Ohio University Press, 2014); Tatiana Seijas, *Asian Slaves in Colonial Mexico: From Chinos to Indians* (Cambridge: Cambridge University Press, 2014); Jeff Eden, *Slavery and Empire in Central Asia* (Cambridge: Cambridge University Press, 2018); Lúcio de Sousa, *The Portuguese Slave Trade in Early Modern Japan: Merchants, Jesuits and Japanese, Chinese, and Korean Slaves* (Leiden: Brill, 2018).

4 E.g., "Exploring Slave Trade in Asia" (Amsterdam: International Institute of Social History), https://iisg.amsterdam/en/research/projects/slave-trade-asia. Samantha Sint Nicolaas, Matthias van Rossum, and Ulbe Bosma, "Towards an Indian Ocean and Maritime Asia Slave Trade Database: An Exploration of Concepts, Lessons and Models," *Esclavages et Post-Esclavages* 3 (2020), https://doi.org/10.4000/slaveries.2192.

5 Gwyn Campbell, ed., *Bondage and the Environment in the Indian Ocean World* (Cham: Palgrave McMillan, 2018); Alicia Schrikker and Nira Wickramasinghe, eds., *Being a Slave: Histories and Legacies*

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Ocean World have made their way into historical handbooks of world slavery (like the *Cambridge World History of Slavery* and the recently-published *Les mondes de l'esclavage*),[6] while East Asian studies seem to progressively acknowledge the necessity to engage with the questions raised by this emerging trend.[7]

Over the past decade, historians have thus shone new light on the ubiquity of slavery across the Indian Ocean World and Asia, and on its transcontinental connections; they have started to map and to quantify trades in enslaved people that may well have been numerically as important as the transatlantic slave trade;[8] they have underlined the role of individual and private actors, in addition to states and companies; and they have singled out the multidirectionality of slave trading networks, as well as the complex articulations between the diverse regimes of coercion that these networks connected. By 'provincializing Europe'[9] and the Atlantic, they also have significantly contributed to questioning the centrality of modern Europe (its experience and categories) as a universal reference for analysing slavery and coerced labour in a global perspective.

In light of the progress recently achieved, questions arise as to the directions that historians should take to further develop research on slavery and other forms of coercion in early-modern Asia. From my perspective as a historian of early-modern China (by training) with one foot in global slavery and labour history (by chance), the principal challenge will be the capacity to broaden the perspective beyond the spatialities and the temporalities shaped by the European presence. To obtain a truly global overview of the history of slavery and coerced labour in early-modern Asia requires that historians also investigate these dynamics in Asia before, beyond, and alongside the European presence. What is at stake is our ability to understand

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of European Slavery in the Indian Ocean (Leiden: Leiden University Press, 2020); Titas Chakraborty and Matthias van Rossum, "Slave Trade and Slavery in Asia. New Perspectives," *Journal of Social History* 54, no. 1 (2020): 1–14.

6 Volumes 3 and 4 of the *Cambridge World History of Slavery* (Cambridge: Cambridge University Press, 2011 and 2017), for instance, include chapters on early-modern and modern Indian Ocean World, India, China, East and South-East Asia. Paulin Ismard, Benedetta Rossi, and Cécile Vidal, eds., *Les mondes de l'esclavage. Une histoire comparée* (Paris: Seuil, 2021). See also Gwyn Campbell and Alessandro Stanziani, eds., *The Palgrave Handbook of Bondage and Human Rights in Africa and Asia* (Cham: Palgrave McMillan, 2019).

7 Johanna Ransmeier's *Sold People: Traffickers and Family Life in North China* (Cambridge, MA: Harvard University Press, 2017) is one of the rare publications engaging with the issue of slavery in modern China to have been published in the past years. More recently, the *Harvard Journal of Asiatic Studies* endeavored to dedicate a special issue to the topic of slavery in Asia (vol. 81, forthcoming 2022).

8 Matthias van Rossum, "Towards a Global Perspective on Early Modern Slave Trade: Prices of the Enslaved in the Indian Ocean, Indonesian Archipelago and Atlantic worlds," *Journal of Global History* 17, no. 1 (2021): 1–27, https://doi.org/10.1017/S1740022821000139.

9 Dipesh Chakrabarty, *Provincializing Europe: Postcolonial Thought and Historical Difference. New Edition* (Princeton: Princeton University Press, 2008).

not only the complexity of the networks of human trafficking and the multiplicity of coercion regimes that pre-existed and continued to exist alongside European networks, markets, and sites of coercion, but also the ways in which pre-existing and more distant regimes of coercion actually connected to, interacted with, were influenced by, and in return influenced European-driven dynamics. What is at stake, ultimately, is the chance of truly 'decentering' Europe by operating a further translation movement (in the Latin sense of *translatio*): to look at European history from an Asian perspective (and thereby contribute to properly recontextualize Europe and 'unthink' the universal categories inherited from its modern history).[10]

At an individual level, such a project may be utopian at best. At a collective level, however, it can serve as a guideline and an incentive to increase our engagement with other historiographies and with historians investigating 'non-European' slaving contexts – in particular through translations, closer collaborations, and sustained dialogue. Doing so also requires us to investigate the reasons for the relative absence of 'non-European' Asian contexts in the current trend of research about slavery in Asia. Why are Chinese regional and local contexts, for instance, so absent from the narrative, despite the salient presence of Chinese actors all across maritime Asia – not only as enslaved and coerced workers, but also as entrepreneurs, as slave-owners, and as middlemen and facilitators?[11]

2 Ideology and Slavery in Early-Modern East Asian Historiography

The lack of 'local' sources only partly explains this situation. In some contexts, slavery and other forms of coercion are mainly documented by the massive paper trails produced by European companies, courts, and individual actors in the process of acquiring, exchanging, transporting, and using enslaved people. Yet, despite the many losses in primary documentation (due to destruction and the passage of time), historical archives from early-modern China still abound. One difference with European archives, though, is that data on enslavement remains scattered and fragmentary. The illicit nature of the commercial trade in human beings (which must be distinguished from the legitimate transactions which were at the core of the reproductive strategies of the Chinese family, like marriage and adoption) makes the identification of relevant information highly contingent on cases surfacing unpredictably in judicial archives

10 Christian G. de Vito, Juliane Schiel, and Matthias van Rossum, "From Bondage to Precariousness? New Perspectives on Labor and Social History," *Journal of Social History* 54, no. 2 (2020): 644–62, https://doi.org/10.1093/jsh/shz057.

11 E.g., Adam Clulow and Fei Si-yen, "The Slaves of Widow Tsieko: Chinese Slave Owners and the Enslaved in the Dutch Empire," *Harvard Journal of Asiatic Studies* 81 (forthcoming 2022).

and other sources. Despite such differences and limitations, preliminary research demonstrates that reconstructing networks of human trafficking in early-modern China is possible, and that among the most far-reaching of these networks some were probably more directly connected to European slave-trading activities than is usually acknowledged.[12]

Another factor explaining the relative absence of 'non-European' contexts in the emerging trend of research about slavery in early-modern Asia might be sought in what Moses Finley called 'ideology'.[13] The recent eastward expansion of slavery studies has undoubtedly been made possible by an increased availability of European archives, in particular in digitized form. It is also an outcome of the flourishing field of global history, of which slavery and labour studies have been two major driving forces. But it is also undeniably a response and a contribution to current societal and political debates on the legacies of early-modern European expansionism.[14] From this perspective, it is hardly surprising that the history of European slavery in (maritime) Asia has received little attention in societies less dramatically and less directly affected by European colonialism and slave trading (all things being relative). One cannot be surprised, for instance, that the topic is nowadays of lesser concern to Chinese historians and to the Chinese public than, for instance, the exactions committed on Chinese soil in the first half of the twentieth century by Japan's military expansionism (which included the forced mobilization of workers, prisoners of war, and women for sexual exploitation). This, however, does not explain why research on early-modern 'local' forms of slavery and coercion remains so unprolific. One wonders, for example, why no large-scale comparative study of slavery accross early-modern East Asia has been published so far – despite the crucial conceptual role that categories like 'slaves' (奴婢: read *nubi* in Chinese transliteration, *nuhi* in Japanese, and *nobi* in Korean) and 'debased people' (賤民: *jianmin*, *senmin*, *cheonmin*) played at different times and levels in the organization, the justification, and the perpetuation of the social hierarchies that allowed the slavery-like exploitation of individuals and communities in China, Japan, and Korea.

Ideological factors continue to play a significant role in overshadowing research about slavery in early-modern East Asia. Joy Kim perceptively demonstrated that Japanese ideologues manipulated references to slavery in the Chosŏn period (1392–1910) to legitimize the colonization of Korea, and that this manipulation contributed to the long 'silencing' of a historical phenomenon of major social and

12 Claude Chevaleyre, "Human Trafficking in Late Imperial China," in *Slavery and Bonded Labor in Asia, 1250–1900*, ed. Richard B. Allen (Leiden: Brill, 2021): 150–77.

13 Moses I. Finley, *Ancient Slavery and Modern Ideology* (New York: The Viking Press, 1980): chap. 1.

14 For instance, the acknowledgment that slavery in the Dutch colonial period (including Asia) 'is an integral part of the history of the Netherlands' was at the core of the 'Slavery' exhibition organized by the Rijksmuseum in Amsterdam in 2021: https://www.rijksmuseum.nl/en/whats-on/exhibitions/slavery (accessed 2 June 2021).

economic significance.[15] Contemporary China has a different 'problem with slavery', to borrow a catchphrase recently used by Michael Zeuske (and before him by Eduard Erkes).[16] Simply put, the debate about the importance of slavery in Chinese history was locked in the 1950s with the adoption of the Stalinist five-stage model of development as the historiographical doxa of the People's Republic of China (PRC). The 'slavery theory' spearheaded by historian and politician Guo Moruo (1892–1978)[17] made 'slavery' a necessary stage in China's linear development path toward modernity and socialism, and thereby an exclusive feature of pre-imperial times, as illustrated in the introduction to a general *History of Slavery* published in 1973:

> The slave-owning system is the first social mode of production established on class antagonisms. [It] developed into the feudal serfdom system, and the feudal serfdom system developed into the capitalist wage-labour system, which are the three successive forms of exploitation in the development path of class societies. [. . .] History is entirely a history of class struggles, and the slave society is the starting point of the history of class struggles. [. . .] The slave society is a necessary stage in the development of human societies. [. . .] The idea [. . .] that there was no slave society in China, is an anti-Leninist and anti-Maoist thought.[18]

Intrinsically tied to a 'mode of production', a 'stage', or a 'system', slavery could be of no significance in an imperial period characterized by 'feudal' relations. At best, one could recognize 'remnants of slavery' (*nulizhi canyu* 奴隸制殘餘) in early-modern China, but relations of 'exploitation' (*boxue* 剝削), 'class contradictions' (*jieji maodun* 階級矛盾), 'class struggles' (*jieji douzheng* 階級鬥爭), and 'peasant movements' (*nongmin zhanzheng* 農民戰爭) – which historians studied extensively in the second half of the twentieth century[19] – were perceived as being in essence of a feudal nature. As a consequence, and despite ongoing debates about the nature of Chinese feudalism,[20] there was and still is no place for 'slavery' in early-modern China, either as a social reality or as an abstraction.

15 Joy Sunghee Kim, "Representing Slavery: Class and Status in Late Chosŏn Korea" (PhD diss., Columbia University, 2004): 38–60.

16 Eduard Erkes, *Das Problem der Sklaverei in China* (Berlin: Akademie-Verlag, 1952); Michael Zeuske, "Versklavte und Sklavereien in der Geschichte Chinas aus global-historischer Sicht. Perspektiven und Probleme," *Dhau. Jahrbuch für außereuropäische Geschichte* 2 (2017): 25.

17 Guo Moruo, *Nulizhi shidai* (Shanghai: Xinwenyi Chubanshe, 1952).

18 Shi Xing, *Nuli shehui* (Shanghai: Shanghai renmin chubanshe, 1973): ii. The 'slavery theory' has been contested since the late 1970s, in particular by the 'no-slave' (*wunu*) historiographical school. See Huang Xianfan, *Zhongguo lishi meiyou nuli shehui* (Guilin: Guangxi shifan daxue chubanshe, 1981).

19 E.g., Gu Cheng, *Mingmo nongmin zhanzheng shi* (Beijing: Zhongguo shehui kexue chubanshe, 1984).

20 Cf. Feng Tianyu, *Fengjian kaolun* (Wuhan: Wuhan Daxue chubanshe, 2006).

3 The 'Problem' with Slavery

To be clear, I am not arguing in favour of recklessly transposing the master narrative of slavery 'as an institution' onto every historical context where extreme forms of human subjugation can be observed. On the contrary, I would be more inclined to follow Joseph Miller's exhortation to radically 'historicize' slavery and to pay greater attention to the contextualized dynamics of 'slaving' as a process, rather than to infinitely expand the scope and meaning of slavery as an abstract category (even for the purpose of broader global comparison).[21] As a historian of bondage and servitude in early-modern China, I know only too well the inevitable distortions that the stereotypes conveyed by the invocation of 'slavery' introduce in contexts where it was not previously recognized (like early-modern China), whatever the degree of contextualization. I am also familiar with the utterly undesirable effects that avoiding such a central and paradigmatic analytical framework produces (among which are the risks of perpetuating unintelligibility, cultural relativism, and the marginalization of those same contexts within the field of global slavery studies). In this regard, my own attitude has often shifted from one position to the other, without finding satisfaction in any, but with a growing sense that the categories that we have learned to consider universal are historical constructs rooted in the recent past of the world-dominating West.

Nevertheless, in the case of early-modern China, the ideologically driven and unquestioned rejection of 'slavery' has led to a somewhat schizophrenic position. Despite their insistent reluctance to translate the above-mentioned *nubi* category as 'slaves', many historians still implicitly define *nubi* in reference to archetypal 'slaves', that is as saleable persons subjected to extreme social and legal discrimination, over whom masters exercised rights tantamount to 'property' for the sole purpose of their exploitation. Besides being the main cause for the relative absence of China from global narratives, this a priori rejection of the interpretative framework of 'slavery' has not only obliterated its heuristic value as a potentially fertile ground for critical debate and comparison. It has also hampered research on phenomena usually considered to be features of slavery.

To take one example, in the introduction to his comparative study of ancient 'slave societies' across the world (entitled 'The slave-owning system is a necessity in the historical development of human societies'), the influential ethnologist and historian Hu Qingjun asserted that the fundamental difference between a slave and a feudal society is that the former mobilizes labour through the 'abduction of people', while the latter

21 Joseph C. Miller, *The Problem of Slavery as History: A Global Approach* (New Haven, CT: Yale University Press, 2012): chap. 1, esp. 4–10.

'usually does not resort to the abduction and the selling of people'.[22] As anachronistic 'remnants of the slave system', the abduction, trading, and trafficking of human beings in early-modern China have been deemed historically insignificant and have received only limited attention. Approaching *nubi* bondage through the prism of slavery – as distorting as it can be – would nonetheless have led historians to inquire about the existence of human trafficking, about its specific meaning in the imperial context, and about its possible connections with the wider Eurasian and Indian Ocean World slaving web.

The progressive opening and liberalization of the PRC since the 1980s has undoubtedly led to a relative toning down of the Marxian-inspired doxa in historical research which, combined with the increased availability of central and local archives, has permitted a revival of research on bondage in early-modern China (both in China and abroad). Numerous studies on local forms of bondage in Huizhou prefecture (Anhui province) have been published since the 1980s, thanks to the exceptional preservation of hundreds of thousands of 'Huizhou documents'.[23] Bonded women in the early-modern period (concubines and maidservants in particular) have been the topic of important and innovative studies.[24] Human trafficking has also been explored, in more retrospective ways, by legal historians attempting to trace the evolution of the legal framework of the struggle against trafficking since the Chinese abolition of slavery in 1910.[25] Despite such progress, the weight of the feudal paradigm still seems to prevail in Chinese early-modern historical studies. Historians have not yet begun to address issues such as the dynamics of trafficking, let alone its global entanglements. Interest in social relations of exploitation and coerced labour also seems to have weakened in recent years, especially compared to the times when economic and social historians fully engaged with the (Marxian) study of class struggles as an historical driving force.

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22 Hu Qingjun and Zhou Yongyi, "Nuli zhanyouzhi shi renlei shehui lishi fazhan de biran," in *Zaoqi nuli shehui bijiao yanjiu*, ed. Hu Qingjun (Beijing: Zhongguo shehui kexue chubanshe, 1996): 4.

23 Harriet T. Zurndorfer, *Change and Continuity in Chinese Local History. The Development of Huichou Prefecture 800 to 1800* (Leiden: Brill, 1989); Joseph P. McDermott, *The Making of a New Rural Order in South China*, vol. 2, *Merchants, Markets, and Lineages, 1500–1700* (Cambridge: Cambridge University Press, 2020). On the 'Huizhou documents', see Li Bian "One Thousand Years of Historical Relics: The Huizhou Documents," *Journal of Modern Chinese History* 10, no. 2 (2016): 248–68.

24 Wang Xueping, *16–18 shiji binü shengcun zhuangtai yanjiu* (Harbin: Heilongjiang daxue chubanshe, 2008); Li Qingrui, *Qianlong nianjian Sichuan guaimai furen anjian de shehui fenxi* (Taiyuan: Shanxi jiaoyu chubanshe, 2011); Bao-hua Hsieh, *Concubinage and Servitude in Late Imperial China* (Lanham: Lexington Books, 2014); Matthew H. Sommer, *Polyandry and Wife-Selling in Qing Dynasty China: Survival Strategies and Judicial Interventions* (Berkeley: University of California Press, 2015); Wang Xueping, *Mingdai binü qunti yanjiu* (Beijing: Renmin chubanshe, 2019).

25 Liu Xianquan, *Daji guaimai renkou fanzui de falü duice* (Shanghai: Shanghai renmin chubanshe, 2003); Bonny Ling, "Human Trafficking and China: Past and Present" (PhD diss., National University of Ireland, Galway, 2014).

This being said, if the next step is to move beyond Europe in the study of slavery in early-modern Asia, it is necessary to carefully evaluate the recent contributions of Chinese scholarship in this domain. Since the accession of Xi Jinping to the highest office of General Secretary of the Chinese Communist Party (CCP) in 2012, the PRC has entered a 'New Era' marked by new ideological paradigms emphasizing the 'great rejuvenation of Chinese culture' and the prevalence of 'socialism with Chinese characteristics'. Chinese historians have unambiguously been called on to take part in the project of society designed and steered by the Party.[26] The question is thus whether the new ideological context is likely to boost or to impede research on slavery in early-modern China.

4 Slavery and Coercion in Recent Chinese Historiography (2011–2020)

To help answer this question, I attempted to evaluate the level of engagement of recent Chinese-language scholarship with the fields of slavery and coerced labour in China, Asia, and the Indian Ocean World by surveying articles published in PRC history journals between 2011 and 2020.[27] Although Chinese historians are in a crucial position to help fill important data gaps, their research seldom appears in international publications on global slavery. It is therefore important to try and understand whether this was the result of a lack of mutual communication or of diverging interests.

This extensive keyword-based survey revealed a very rich and lively scholarship. As a community, Chinese historians regularly engage with current historiographical debates and frequently report on leading publications in world and global history (mainly from the English-speaking academic world). Their research often resonates with societal and political concerns,[28] and shows a flourishing interest for world and global history (almost thirteen percent of the surveyed articles were attached to keywords relating to 'global', 'world', and 'transnational' history).

26 Xi Jinping, "Xi Jinping zhi Zhongguo shehui kexueyuan Zhongguo lishi yanjiuyuan chengli de hexin," *Lishi yanjiu* 1 (2019): 2.

27 This survey was based on a keyword search of the content of Chinese-language history journals published between 1 January 2011 and 31 December 2020 and referenced by the *China National Knowledge Infrastructure* (CNKI, 'most comprehensive gateway of knowledge' in the PRC): https://global.cnki.net/index/Support/en/Introduction.html (accessed 6 June 2021). The sample surveyed contained 29,265 articles and the research was conducted by using 171 different keywords. I intend to publish detailed results in a later article.

28 The year 2020 witnessed a surge of publications on pandemics and medicine history. Articles on the First World War (especially on the role of Chinese workers in the conflict) abound in a decade marked by centenary commemorations, as do articles on the history of anti-poverty policies (the eradication of poverty by 2020 being a major commitment of the CCP in the past decade).

However, according to this survey their interests seem to lie elsewhere than in slavery and coerced labour in early-modern Asia.

From the handful of articles published in the past decade on the 'East India companies', for instance, one would hardly learn anything about the early-modern trade in Asian slaves. Instead, Chinese historians working on European companies are much more concerned with the first economic globalization, European colonialism, and the early-modern trade in global commodities (opium, sugar, coffee, salt, spices, cotton, silk, and most importantly tea). Their production is particularly committed to 'decentring' Europe and putting China back at the centre of world history, both as a major actor of global trade and as a dominant vector of cultural influence across Eurasia and the Indian Ocean World long before the modern period (thanks to the maritime and continental 'silk roads').[29]

One salient result of this survey was that even to Chinese scholarship, labour history is still predominantly a history of modern and contemporary Europe (three quarters of the surveyed articles on 'labour' dealt with the period between the nineteenth and the twenty-first centuries; one half was about labour in European history – versus 20 percent about Chinese history). Once narrowed down to publications on the pre-twentieth century era, the 'labour' sample hardly revealed any renewed interest in the study of forms of coerced labour in early-modern China and in continental and maritime Asia more widely. With very few exceptions (like an article exploring the transformations of the forced labour market throughout the Pacific between 1863 and 1911 and several papers dealing with premodern times),[30] most articles touched upon labour only in relation to incomes and GDP reconstructions, or endeavoured to compare China's long development path with various countries (like England, Japan, and Holland).

Despite the use of numerous keywords, the survey proved surprisingly unsuccessful to unearth even a small body of literature on slavery and coerced labour in early-modern China and Asia. 'Debt', for instance, returned no result at all. Other keywords related to 'coercion', 'dependency', and more specific categories of bonded workers returned very few relevant results – among which were articles on the Dutch *cultuurstelsel* (forced cultivation system) in nineteenth-century Indonesia,[31] on 'tenants' and 'serfs' in 'Ancient' China (often in a comparative perspective),[32] on enslavement in the

29 As an example, see Zhu Lixia, "Haishang sichou zhi lu yu Zhonghua wenming zaoqi chuanbo," *Remin luntan* 11 (2020): 142–44.

30 Wang Hua, "Nan Taipingyang daomin qiangzhi laogong maoyi de fazhan, tedian he yingxiang," *Shijie lishi* 3 (2018): 72–84.

31 Li Cong, "Helan zai Yinni qiangpo zhongzhi dui Huaren de yingxiang," *Xiandai jiaoji* 12 (2017): 163–64; Ban Xiang, "Heshu Dong Yindu Gongsi," *Sixiang zhanxian* 37, no. 1 (2011): 17–20.

32 E.g., Yu Jianing, "Qianxi Zhong-Xi fengjian shehui zhong diannong yu nongnu de tongyi," *Wenhua xuekan* 2 (2019): 236–38.

Korean Koguryŏ period (37 BCE–668 CE),[33] and on the transformations of labour regimes in the *tusi* system (the 'native chieftaincies' used as proxies of indirect rule on China's borders) in the Qing period (1644–1911).[34] 'Slaves' and 'slavery' did return a more substantial number of articles, albeit unsurprisingly focused in their great majority on the transatlantic slave trade and on slavery in the New World and in the Mediterranean world. The topic of slavery in Asian history represented almost ten percent of the 'slavery' sample. However, it showed an overemphasis on the premodern period (mostly on pre-imperial and medieval China, but also on premodern Japan and Korea, 'feudal' Vietnam, and the central Asian slave trade in the second half of the first millennium CE).

More surprising was the fact that idioms and categories of common use in early-modern China returned very few results. Usual expressions for 'self-sales', such as 'enslavement contract', 'commendation', 'pawning', and 'trafficking' returned no result at all; neither did the commonplace dyads 'honourable-mean' and 'master-slave'. Interestingly enough, the term 'mean people' brought forth only one article on *yamen* servants in Qing China,[35] but pointed to several articles on *burakumin* in late-nineteenth and twentieth-century Japan, on the *yangban* (ruling) elite in Chosŏn Korea, on 'slaves' (*nuhi*) and 'household people' (*iejin*) in Heian Japan (794–1185), and on castes in India.

Browsing through the relatively small number of articles published on *nubi* led to similarly mixed results. Besides several articles using the term to speak of bondspeople in ancient Rome, Greece, and medieval Europe, I found six articles on its early-modern Korean equivalent (*nobi*), three on premodern Japanese *nuhi*, and one devoted to demonstrating how slavery developed within the Vietnamese 'feudal' society.[36] As for China, the term was foregrounded in eight articles on premodern history (from early Antiquity to the Song period), but only once in the early-modern context – in a study on the persistence of human sacrifices up to the late imperial period.[37] This manifest interest for the history of slavery in Korean and Japanese (and Vietnamese) history is a welcome development that could pave the way for comparative studies across Eastern Asia. The apparent decline of interest for this category in early-modern China, on the other hand, sounds like a significant step away from a formerly vivid research field.

The results of this brief exploration of recent Chinese-language scholarship demonstrated that, overall, coercion and coerced mobilities still hold an important

33 Liu Ju and Dong Jian, "Gaogouli youren yanjiu," *Shehui kexue zhanxian* 12 (2017): 126–33.
34 Gong Yin, "Guanyu Zhongguo tusi zhidu yuanyuan fazhan yanjiu de shige wenti," *Qinghai minzu yanjiu* 24, no. 1 (2013): 111–18.
35 Xie Jianping, "Gudai bukuai. Yiren congye, sandai buxu canjia keju," *Wenshi tiandi* 5 (2013): 93.
36 Yu Junjun and He Anshun, "Yuenan zaoqi de shehui xingzhi he tedian yanjiu," *Sixiang zhanxian* 39, no. 2 (2013): 203–5.
37 Li Ling, "Zhongguo gudai de renxunzhi," *Shuwu* 7 (2012): 9–16.

place in it, especially for the modern period (where women, captives, and indentured workers appear constantly on the move on a Eurasian and global scale). As for the early-modern period, coercion is still a significant issue but one that remains subsumed in a paradigm that addresses it more in terms of regimes of immobilization and oppression of a peasant workforce tied to the land than in terms of forced mobilities and slavery-like exploitation. Pre-mid-nineteenth-century mobilities of enslaved people and captives within China and across continental and maritime Asia hardly ever surface in the surveyed corpus. Does this mean that there is no trafficking to look for in early-modern China? that there was no market for captives and trafficked people? and that transnational slaving networks stopped at the borders of China? In the next section, we shall see that early-modern Chinese sources point to the contrary.

5 A Case of Harbouring Traffickers and Runaways

In his *Peregrinations to the North*, Zhejiang historian Tan Qian (1593–1657) briefly describes the 'market of human beings' (*renshi* 人市) in Beijing as a place where buyers and sellers openly carried out transactions in people.[38] Tan Qian provides little detail about the ways in which people were brought to the market, their origins, and the transactions held in Beijing in the first years of the Sino-Manchu dynasty. One court record held in the No. 1 Historical Archives of China can help flesh out his depiction.[39] Entitled 'Memoir on a case of harbouring traffickers and runaways', this 5,881-character long document not only gives detailed information about one particular trafficking network. It also provides insights into the dynamics of trafficking in Northern China, possible wider entanglements, and the ways in which the introduction of Manchu slavery created opportunities for traffickers.

Drafted on 25 September 1656 by Udari (Ch. Wudali 吳達禮), Manchu Vice-President of the Office of Arrests (the *dubu yamen* 督部衙門, subordinate to the Board of War), the memoir contains more than 30 statements of cross-examinations held successively by the Beijing Southern Police Patrol (*nannying* 南營) and by the Office of Arrests.[40] At the centre of the case was a man by the name of Pi Si 皮四, accused with several others of harbouring two fugitive bannerwomen (named Er Jie 二姐 and Da Jie 大姐) and of abducting one man (named Yu Er 於二). Despite the

38 Tan Qian, *Beiyou lu* [ca. 1660] (Beijing: Zhonghua Shuju, 2006): 386.

39 "Wudali ti yinni guaifan taoren shi ben," in *Qingdai dang'an shiliao congbian*, ed. Zhongguo diyi lishi dang'anguan (Beijing: Zhonghua shuju, 1984): vol. 10, 107–15.

40 On the Office of Arrests and early-Qing regulations on runaways, see Hu Xiangyu, "The Juridical System of the Qing Dynasty in Beijing (1644–1900)" (PhD diss., University of Minnesota, 2011): chap. 6.

contradictions they contain, these statements allow us to reconstruct the ways in which Pi Si's trafficking network operated.

6 Running Away from the Banners in Early-Qing Beijing

In the beginning, the case had nothing to do with trafficking, but with the escape of a woman (Da Jie) from the Beijing Banner garrison – an issue that Manchu authorities took very seriously and against which harsh regulations had been promulgated in 1654.[41] According to the statements, Da Jie – the 'household slave' (*jiaren* 家人) of a bannerman widow[42] – had run away from the Beijing garrison in August 1654. Arriving in Tongzhou, a few miles east of Beijing, she met the shop owner Pi Si, who 'took her with him' (*daihuo* 帶伙) and soon became her lover. One month later, Da Jie was recognized on the streets of Tongzhou by the corporal (Man. *bošokū*, Ch. *boshiku* 撥什庫, also known as *lingcui* 領崔) of her mistress' company (Man. *niru*, Ch. *niulu* 牛錄). As a fugitive slave, Da Jie was arrested, brought to the Office of Arrests, eventually granted a pardon ('I was not beaten', she said), and sent back to her mistress in Beijing. 'Unwilling' to abandon her, Pi Si sold his business a few months later and moved to the capital to commend himself (*tou* 投) to Da Jie's mistress (at the request of the mistress, according to Pi Si's statement) – as many non-banner commoners seeking protection or opportunities did in the first decades of the Qing dynasty despite repeated prohibitions. After discovering that he was of 'commoner' status, Pi Si was expelled from the household. What happened next is not wholly clear, due to contradictory statements.

In his statements, Pi Si claims that he had bought Da Jie in 1655 from her mistress' 'little uncle' (presumably a brother of the mistress' deceased husband and rightful heir to her late husband's property) at the price of 24 taels. In order to do so, he claimed, Pi Si borrowed money and used one of his associates (Jin Chengyuan 金成元) as a middleman. Since leaving the banner system was prohibited, a member of the Bordered Yellow Banner named Li Fengchun 李逢春 was also used as a figurehead:

41 Xiangyu Hu, "The Juridical System of the Qing Dynasty in Beijing (1644–1900)": 218–25. The Eight banners were the backbone of the Manchu social and military organization (which was also composed of Han Chinese, Mongols, and Koreans). A large number of bannermen were stationed in the 'inner city', also known as the 'Tartar city'. See Mark C. Elliot, *The Manchu Way: The Eight Banners and Ethnic Identity in Late Imperial China* (Stanford: Stanford University Press, 2001).

42 In the context of the Eight banners, the term *jiaren* (lit. 'household person') is a polysemic one. It can refer to members of a household in general and to enslaved people in particular – also named 'banner slaves' (*qixia nupu* 旗下奴僕). See Guo Runtao, "Qingdai de jiaren," *Ming–Qing luncong* 1 (1999): 376–95.

His name was recorded on the Banner registers as the rightful purchaser of Da Jie. After the widow remarried (on 22 February 1656), her new husband asked Pi Si to commend himself to him. Upon refusing, Pi was punched, insulted, and sent away.

The widow, however, had a very different version of the events (which was later confirmed). On the verge of being sent away to her birth family by her late husband's relatives, she had entrusted Jin Chengyuan with 24 taels to purchase Da Jie from her 'little uncle'. Once she had remarried, Pi Si visited Da Jie and her mistress with the intention of commending himself to the widow's new husband. The new husband refused and sent Pi Si away, on the grounds that he was not a member of the Banners. Eventually, Da Jie ran away on 16 June 1656 to join Pi Si. The couple then hid in a vagrants' house (*qiliusuo* 棲流所) near Dongbian Gate (east of Beijing), where Pi Si's younger brother Pi Er 皮二 had taken residence with another fugitive bannerwoman named Er Jie. There, the Pi brothers and their associates carried on with their trafficking business for a little more than ten days until they were arrested.

7 The Business of Human Trafficking

Pi Si's statements provide various details about his activities as a trafficker (*guaifan* 拐販). He apparently started to make a profession of trafficking people (*guaimai renkou* 拐賣人口) after selling his shop. His first victim earned him 18 taels, which he allegedly spent on purchasing Da Jie. From then onward, Pi Si regularly obtained people procured by a network of associates who 'specialized in abducting people everywhere' (*zhuan zai gechu guairen* 傳在各處拐人). His role in the organization was that of a receiver: He paid a fixed price of 4 taels per captive (approx. 150 grams of silver), whom he resold at an average price of 8 taels to Jin Chengyuan. Jin in turn resold the captives at prices varying from 16 to 30 taels. Between early 1655 and early 1656, Pi Si acknowledged the trafficking of a hundred persons whose names he couldn't all remember. For the first six months of 1656, he was nonetheless able to give the particulars of the 'trafficked' persons (*guailai* 拐來). His initial statement records the names and origins of 17 individuals procured by his associates from various locations. Among them, 12 were from Zhili province (i.e., from around Beijing); three from Zhejiang province; and two from Jiangsu. In addition, Pi confessed to having abducted two persons by himself: An 'old mother' from Tongzhou; and the fugitive bannerwoman Er Jie (abducted in the north of Beijing and given to his younger brother as a wife). His associates also reported the abduction of another individual from Yongping (also in Zhili province) and one from Huguang province (Tab. 1).

Tab. 1: List of the 21 persons funnelled into Pi Si's trafficking network in 1656, according to the information recorded in the case.

Victim Name	Origin	Abductor(s)	Outcome
Mrs. Sun 孫	Tongzhou 通州 (Zhili); an old lady (老媽媽, 老婆子)	Pi Si 皮四	Sold to banner carpenter named Li, in fact Li Fengchun
Bao'er 保兒	Huguang province 湖廣; a 'little child' (*xiaozi* 小子)	Pi Er 皮二 (?)	Given to Jin Chengyuan
Chen Si 陳四	Jinhua 金華府 (Zhejiang)	Lan Yigui 藍一貴	Given to Jin Chengyuan
Er Jie二姐	Abducted near Houzai Gate (Beijing); a fugitive enslaved woman, plain yellow banner	Pi Si 皮四	Given to Pi Er as wife
Hu Da 胡大	Kaiping 開平 (Zhili)	Lan Yigui 藍一貴	Given to Jin Chengyuan
Ma Da 馬大	Yangcun 楊村 (Zhejiang)	Liu Si 劉四, Ma Er 馬二	Given to Jin Chengyuan
Si'er 'the cripple' 四兒 (瘸子); also Xiao Si'er 小四兒	Leting 樂亭 (Zhili)	Lan Yigui 藍一貴	Given to Jin Chengyuan; sold (16 taels) in Guandong 關東
Song Da 宋大	Caiyu 采育 (Zhili)	Lan Yigui 藍一貴	Given to Jin Chengyuan
Song Er 宋二	Kaiping 開平 (Zhili)	Lan Yigui 藍一貴	Given to Jin Chengyuan
Wang Da 王大	Suzhou 蘇州 (Jiangsu)	Lan Yigui 藍一貴	Given to Jin Chengyuan
Wang Er 王二	Hexiwu 河西務 (Zhili)	Liu Si 劉四, Ma Er 馬二	Given to Jin Chengyuan
Xiao Erdi小二弟	Luanzhou 灤州 (Zhili)	Liu Si 劉四, Ma Er 馬二	Given to Jin Chengyuan
Xiao Erzi 小二子	Sanhe 三河縣 (Zhili)	Liu Si 劉四, Ma Er 馬二	Given to Jin Chengyuan
Xiao Ma'er 小馬兒	Yanjiao 煙角 (?)	Liu Si 劉四, Ma Er 馬二	Given to Jin Chengyuan
Xiao Run'er 小潤兒	Suzhou 蘇州 (Jiangsu)	Liu Si 劉四, Liu Huzi 劉胡子, Zhu Er 朱二, Ma Er 馬二	Given to Jin Chengyuan

Tab. 1 (continued)

Victim Name	Origin	Abductor(s)	Outcome
Xiao Si'er 小四兒	Sanhe 三河縣 (Zhili)	Liu Si 劉四, Liu Huzi 劉胡子, Zhu Er 朱二, Ma Er 馬二	Given to Jin Chengyuan
Yu Er 於二	Sanhe 三河縣 (Zhili); abducted in Tongzhou	Lan Yigui 藍一貴	Given to Jin Chengyuan; too old, remained at Jin's service
Zhang Da 'the bald' 張大 (禿子)	Baodi 寶坻 (Zhili)	Liu Si 劉四, Liu Huzi 劉胡子, Zhu Er 朱二, Ma Er 馬二	Given to Jin Chengyuan; sold (18 taels) to nomads (*sao dazi* 騷達子) 'beyond the passes'
Zhang Er 張二	Yongping 永平府 (Zhili)	Lan Yigui 藍一貴	Given to Pi Si
Zhang San 張三	Luanzhou 灤州 (Zhili)	Liu Si 劉四, Liu Huzi 劉胡子, Zhu Er 朱二, Ma Er 馬二	Given to Jin Chengyuan; sold (18 or 22 taels) to a bannerman in Beijing
Zhu Da 朱大	Ningbo 寧波府 (Zhejiang)	Lan Yigui 藍一貴	Given to Jin Chengyuan

Most of the victims therefore appear to have been from the wider area of the capital city (as far as Kaiping district, a hundred miles to the east). Six out of 21 were nonetheless described as coming 'from' distant locations, such as 'Chen Si from Jinhua' (*Jinhua ren* 金華人), 800 miles south in Zhejiang province. From the victims' origins (which might simply refer to their places of residence), one can hardly conclude that Pi Si's men travelled long distances to acquire people. Their victims may well have been travellers abducted near Beijing, like Yu Er 'from Sanhe district' (thirty miles east of Beijing), who was seized in Tongzhou (less than ten miles away). We nonetheless observe that the captives from southern provinces were mainly brought by the same traffickers, like Lan Yigui 藍一貴, who alone procured Pi Si with one person from Jiangsu and two from Zhejiang. Although this is not sufficient evidence to conclude that they actually 'abducted people everywhere', two elements suggest that Pi Si and his suppliers were probably links in a far-reaching commodity chain.

First, we know that the victims were not only men (like Yu Er) and women (like Er Jie and an 'old mother' surnamed Sun 孫), but also, and perhaps mostly, children, who might have been easier to control over long distances than adults. At least six of these captives can be identified as children by their nicknames (they are

called 'Little . . . ', like Xiao Erdi 小二弟). A seventh one (named Bao'er 保兒) is unambiguously identified as 'a little child' (*xiao zi* 小子). The testimonies provided by the traffickers also make it clear that 'older' people were difficult to sell. Yu Er, for instance, is described as 'too old' to be sold: After 'taking him to the market to be sold three or four times' (*daizhi shishang maile san si ci* 帶至市上賣了三四次), Jin Chengyuan was left with no other choice, he said, than to keep him in his own service. From these elements, it can be inferred that there was an important proportion of children among the victims (at least one third). If Pi Si's men did not travel long distances to kidnap children themselves, they probably acquired them from other traffickers.

Secondly, although the victims were often sold locally in or nearby Beijing, the reseller Jin Chengyuan admitted to selling people 'anywhere' (*fanmai qu gechu* 販賣去各處), and he provides two examples. 'Little Four' (Xiao Si'er 小四兒) from Leting (Zhili province) was for instance sold 'to people from Guandong' (*zhuanmai yu Guandongren* 轉賣與關東人) or 'in Guandong' (*mai zai Guandong* 賣在關東), meaning that the child probably ended up somewhere East of Shanhai Pass, in Manchuria. One Zhang Da 'the bald' (*tuzi Zhang Da* 禿子張大) was for his part sold to 'rancid Tatars' (*saodazi* 騷達子, i.e., to nomad Mongols) 'beyond the walls' (*zai qiangwai* 在牆外) or 'beyond the passes' (*zai kouwai* 在口外), which could mean anywhere north of the Great Wall, most likely in Mongolia. Thus, the picture that emerges places Pi Si and his associates at the centre of a regional market in captive men, women, and children, itself embedded in a wider web of coerced mobilities that reached as far as Jiangnan in the South and Mongolia in the North.

Unfortunately, the text says very little about the techniques and the level of violence involved to make the victims submit and accept their fate. All are simply said to have been 'abducted' (*guai* 拐). However, 'abduction' is as much a description of the actions taken to funnel people into trafficking as a legal incrimination.[43] In addition to kidnapping people, Pi Si and his associates resorted to 'decoying', as in the case of the fugitive enslaved bannerwoman Er Jie, whom Pi Si allegedly 'seduced' (*hongguai* 哄拐) away from the capital city before handing her over to his brother as a wife. They also resorted to deceit. The old lady Sun from Tongzhou was apparently sold by her husband willingly because of poverty (at the low price of 2.5 taels). According to her statement, Pi Si talked the husband into selling his wife on the pretence of marrying her himself (which was already illicit despite being a common practice). Yet, as she would later discover, the contract had been forged: Unstamped, it named a person other than her husband as the seller, and it made no mention of marriage. The case of Yu Er also illustrates the uses traffickers made of

43 I have attempted to clarify the distinction between legal transactions in people (marriages, adoptions, and enslavement) and what was regarded as trafficking in early-modern China in another book chapter. See Claude Chevaleyre, "Human Trafficking in Late Imperial China."

debt to trap their victims. En route to the capital, Yu Er fell ill in Tongzhou, where Lan Yigui 'lured' (*hong* 哄) him into accepting money to buy lifesaving medicine and food. Recovered but unable to pay off his debt, Yu Er was brought by Lan Yigui to the capital city and sold to Jin Chengyuan.

Finally, an interesting point can be made as to how their organization operated. Pi Si had become Jin Chengyuan's sworn brother and partner in early 1655. As a 'person of the household' (*jiaren*) of a banner officer (also named Jin), Chengyuan was an essential component in their lucrative business. Besides finding ultimate purchasers, his main function was that of a 'launderer' for their human merchandise. His connections within the banners' administration gave him access to population registers (*dangzi* 檔子), on which the trafficked persons were 'falsely recorded' (*jiachong* 假充) under the names of actual banner officers. The process – which also involved the payment of the relevant taxes to the Sales Tax Office (*shuikesi* 裡稅課司) – made the ownership of illicitly acquired people look genuine (although under the name of a figurehead owner) and their resale lawful. It ultimately allowed Jin Chengyuan to bring them 'to the market' (*shangshi* 上市) – maybe the same market described a few years earlier by Tan Qian – where they were sold legally.

The case of Pi Si and his associates is only one in a growing 'China Human Trafficking and Slaving Historical Database' project.[44] It demonstrates that available sources can be fruitfully mobilized to (partially) reconstruct the dynamics of human trafficking in early-modern China. It also gives an illustration of the wide-ranging, multidirectional, and potentially transnational dynamics of a phenomenon that flourished before the arrival of European traders and that persisted far into the twentieth century by adapting and taking advantage of the evolutions of the socio-normative environment. Association with a member of the Eight banners was clearly a facilitating factor in Beijing in the 1650s. Therefore, this case reminds us that the necessary expansion of the study of 'slavery in early-modern Asia' requires a fine-grained understanding of the various markets and changing contexts connected by slaving networks.

'Human trafficking' in late imperial China should not be conflated with 'slave trading' as we usually comprehend it and as European operators practiced it in the Indian Ocean World at the same period. As it already was to their Ming (1368–1644) predecessors, trafficking was a 'serious violation of the law' (*dagan faji* 大幹法紀) to the new Manchu authorities – who brought their own tradition of enslavement with them – and even more so when practiced in the 'restricted area of the capital city' *(Jingshi jindi* 京師禁地). Yet in a context where enslaveability was regulated by the law and where saleability (especially of women and children) was socially constitutive of the productive and reproductive strategies of 'transactional families',[45]

44 "China Human Trafficking and Slaving Database" (Lyon: Institut d'Asie Orientale, CNRS), https://iao.cnrs.fr/recherche/projets-de-recherche-2/china-human-trafficking-and-slaving-database/.

45 See Johanna Ransmeier, *Sold People*: 2–20.

trafficking took on a particular significance. 'Trafficking' did not encompass all transactions in human beings, nor was it restricted exclusively to transactions in slaves. Trafficking was the narrower, illegal side of a commonplace 'market' in people. It flourished within the interstices of a society that had a constant demand for people for a wide variety of purposes, and where selling people was a crucial part of survival and wealth strategies.

Without increased efforts to (re)contextualize 'slaving', the diverse manifestations of slavery and the variety of coerced labour regimes at the scale of maritime *and* continental Eurasia, no truly global history of slaving in early-modern Asia is likely to emerge. The task is nonetheless daunting. It does not simply require scholars to collect relevant sources and documentation. It also calls on us to reconsider dominant narratives, question current ideologies, and sometimes to think outside the boxes of universal categories and national historiographies. Bearing all of this in mind, early-modern China could be a promising field for the study of 'slaving' dynamics (as defined by Joseph Miller) rather than 'slavery', as the case study presented above suggests. Despite its richness and the diversity of the research questions it addresses, recent Chinese historiography, as a whole, does not seem to be on the brink of taking on the challenges raised by the growing field of research about slavery in early-modern Asia. As a last example, as of 14 July 2021, the *China National Knowledge Infrastructure* referenced no review of Joseph Miller's *Slavery as History* in any Chinese history journal and only referenced one review for Johanna Ransmeier's *Sold People* (written in English by Japanese scholar Kishimoto Mio).[46] There are even good reasons to assume that exploring the wider continental entanglements of maritime slavery does not fit with the narratives that Chinese historians are increasingly called on to support in order to sustain the development of 'socialism with Chinese characteristics'.[47] This should nonetheless be taken as an incentive for historians of slavery in Asia to increase their engagement with (East-)Asian historiographies and historians. The time has come to bring Asian history fully into a dialogue with the world history of slavery.

46 Kishimoto Mio 岸本美緒, "Review: Sold People: Traffickers and Family Life in North China, by Johanna S. Ransmeier," *Zhongguo wenhua yanjiusuo xuebao* 67 (2018): 307–15.

47 See the discourse pronounced in January 2019 by Xi Jinping to celebrate the foundation of the Institute of History of the Chinese Academy of Social Sciences: Xi Jinping, "Xi Jinping zhi Zhongguo shehui kexueyuan."

2. Slaveries and Similar Dependencies

2.2. Regions and Epochs

Introduction

Due to the wide range of the BCDSS' expertise, the center is ideally suited for engaging in a transcultural and diachronic comparison and for finding answers to the questions associated with the social and cultural constellations outlined above.

2. Slaveries and Similar Dependencies

2.2. Regions and Epochs

Ancient China

Susanne Adamski. "Indefinite Terms? Social Groups in Early Ancient China (ca. 1300–771 BC) and 'Strong Asymmetrical Dependency'," in *Slavery and Other Forms of Asymmetrical Dependencies: Semantics and Lexical Fields*, ed. Jeannine Bischoff and Stephan Conermann (Berlin: De Gruyter, 2022): 283–331.

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Susanne Adamski

Indefinite Terms? Social Groups in Early Ancient China (ca. 1300–771 BC) and "Strong Asymmetrical Dependency"

In this paper,[1] I am going to explore the question whether social relations of "strong asymmetrical dependency" can be identified during the earliest historical periods of ancient China: the late Shāng 商 (ca. 1300–ca. 1045 BC) and Western Zhōu 西周 (ca. 1045–771 BC). Although many cultural, social, paleographic, and linguistic features of later "China" originate in them, and important social and political processes beginning under the Western Zhōu eventually led to the formation of the Chinese empire in 221 BC, society in these periods differs to some extent from that of later periods. I will therefore look for examples of "strong asymmetrical dependency" in epigraphic sources, paying particular attention to designations of social groups. This entails, in a first step, a re-evaluation of previous scholarship regarding the presumed existence of "slaves" in early Chinese antiquity, because ancient China often has been regarded as a so-called "slave society" in certain historical stages, thus problematizing the usage of later social terminology for far earlier social phenomena.[2] In a second step, I am going to look at possible cases of "strong asymmetrical dependency" in ancient inscribed texts: How can they be identified? And finally, I shall consider alternative

1 I am very grateful to Maxim Korolkov for valuable comments on this paper that helped to improve it, and to Chai Jianhong, John Gillingham, Matthias Richter, Anne Sapich, Christian Schwermann, and Alain Thote for their helpfulness; I also express my thanks to Zhonghua Book Company for permission to reproduce inscription rubbings. An earlier and narrower version of this paper was presented under the title "On the Problem of Identifying 'Slavery' in Early Bronze Age China (ca. 1300–771 BC)" at the international workshop "Cumulative Chinese Culture and the Study of Early China," July 6–7, 2019, at the Ludwig-Maximilians-Universität München. I would like to thank all the participants of that workshop for a stimulating discussion and helpful comments, and Armin Selbitschka and Yitzchak Jaffe for their kind invitation. My further thanks go to the editors of this volume for inviting me to the workshop "Semantics and Lexical Fields of Slavery and Other Forms of Asymmetrical Dependency" at the Bonn Center for Dependency and Slavery Studies (BCDSS), and to the workshop's participants for their fruitful remarks. Any shortcomings are my own.

2 In doing so, this paper follows the methods of conceptual history in a wider sense. This seems justified by the words of Reinhart Koselleck, who underscores the intimate link between conceptual and social history: "[W]elche Geschichte gäbe es, die nicht als solche begriffen werden müßte, bevor sie zur Geschichte gerinnt? Die Begriffe und deren sprachliche Geschichte zu untersuchen gehört so sehr zur Minimalbedingung, um Geschichte zu erkennen, wie deren Definition, es mit menschlicher Gesellschaft zu tun zu haben." Reinhart Koselleck, "Sozialgeschichte und Begriffsgeschichte," in *Begriffsgeschichten: Studien zur Semantik und Pragmatik der politisch-sozialen Sprache*, auth. Reinhart Koselleck, Ulrike Spree, and Willibald Steinmetz (Frankfurt am Main: Suhrkamp, 2006): 9.

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approaches to the study of the relevant epigraphic sources with regard to social relations of dependency.

Indigenous sources, in particular from the late Shāng, are unearthed divination inscriptions on oracle bones or turtle shells, as well as commemorative inscriptions cast in or on bronze vessels, especially from the Western Zhōu.[3] I will look at other finds of manuscripts written on bamboo, wood or silk, with administrative, legal, philosophical, religious or other content from the Eastern Zhōu 東周 (770–221 BC) and early imperial periods (beginning 221 BC), with regard to extant analyses and research. I argue that "strong asymmetrical dependency" cannot be proved within the early Chinese epigraphic record that has been discovered and published so far.

My aim is not criticism, but fruitful discussion.

1 "Slavery" in Scholarship on Early Chinese Epigraphy

1.1 State of Research

Both transmitted and excavated texts of late pre- and early imperial China reveal information on the lowest social strata. For example, some legal statutes from the first imperial dynasty Qín 秦 (221–206 BC) relate to "convicts" and "slaves."[4] However, epigraphic texts of the earlier Shāng and Western Zhōu dynasties (ca. 1300–771 BC) are largely non-descriptive of these social groups. In fact, we need to question the degree to which they are mentioned at all.

During the twentieth century, modern historians influenced by Marxist-Leninist stage theory tried to prove that ancient Chinese society was slave-based.[5] Most

3 Although transmitted textual sources in some instances date back to the Western Zhōu period, such as parts of the classic "Book of Songs" (*Shī jīng* 詩經), a collection of early poetry, or of the collected royal speeches, dialogues and announcements in the "Book of Documents" (*Shū jīng* 書經 or *Shàng shū* 尚書), about half of which are considered forgeries (cf. Edward Shaughnessy, "*Shang shu* 尚書 (*Shu ching* 書經)," in *Early Chinese Texts: A Bibliographical Guide*, ed. Michael Loewe [Berkeley: The Society for the Study of Early China, 1993]: 376–89), these works were edited during the far later Hàn 漢 dynasty (206 BC–220 AD). Since changes may have been made to the structure and wording of these texts, their information should not be unthinkingly mixed with that of the indigenous Shāng and Western Zhōu textual sources.

4 See, for instance, Robin D.S. Yates, "Slavery in Early China: A Socio-Cultural Approach," *Journal of East Asian Archaeology* 3, no. 1–2 (2001): 283–331.

5 Adherents to historical materialism as developed by Karl Marx identify an initial stage of "primitive society" also in ancient China, followed by a "slave society," "feudal society," and further stages in social development. Endymion Wilkinson remarks that there is, however, no consensus on the timing of the transitional phases: "[T]he transition to slave society [. . .] varies according to

influential in this respect was Guō Mòruò 郭沫若 (1892–1978), who in his *Study of Ancient Chinese Society* (*Zhōngguó gǔdài shèhuì yánjiū* 中國古代社會研究) from 1930 cited several Western Zhōu bronze inscriptions mentioning people given as a "gift" and people being "sold" or put under the authority of others. Without much further analysis, he concluded that these people were "slaves."[6] In the late Western Zhōu Bù Qí *guǐ* 不其簋 inscription (*Jíchéng* #4328)[7] for instance, *chén* 臣 are given to the official Bù Qí, along with other items, for his merits in battle: "(I) bestow on you a bow, a bundle of arrows, five families of *chén*, (and) ten fields." 賜汝弓一矢束臣五家田十田.[8] Epigraphic terms designating apparently "unfree" people mainly are: *chén* 臣, *pú* 僕, *yù* 馭, *rénlì* 人鬲, *qiè* 妾, *shùrén* 庶人, or *zhòng* 眾, most of which already occur in late Shāng oracle-bone inscriptions. Some of these have also been lexicalized as denoting "slaves." During the past decades, scholars with a focus on Shāng and Western Zhōu social stratification have either confirmed this view, understanding some or all of these terms as referring to "slaves," for instance Yīn Wéirén 殷伟仁 1983 and Yīn Jìmíng 殷寄明 1990;[9] some generally argued for the existence of an ancient slave society (such as Dǒng Lìzhāng 董立章

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the historian from different periods of the Longshan culture (third millennium BC), the Xia, or the Shang dynasties. The end of slave and the beginning of feudal society [. . .] are variously placed in the Western Zhou, the Spring and Autumn, the Warring States, the Qin unification, the Later Han, or the Wei-Jin periods." Endymion Wilkinson, *Chinese History: A Manual. Revised and Enlarged*, Harvard-Yenching Institute Monograph Series 52 (Cambridge, MA: Harvard University Asia Center, 2000): 8. For a summary and discussion of different related theories in China since the 1980s, see Guō Shànbīng 郭善兵, "Èrshí shìjì bāshí niándài yǐlái dàlù xuéjiè xiān Qín shèhuì xìngzhì wèntí yánjiū shùpíng 二十世紀八十年代以來大陸學界先秦社會性質問題研究述評," *Zhōngguó shǐ yánjiū* 中國史研究 73 (2011): 283–302.

6 "Zhōu period slaves really were an important kind of property!" 周代的奴隸, 正是一種主要的財產! Guō Mòruò 郭沫若, *Zhōngguó gǔdài shèhuì yánjiū* 中國古代社會研究 (n.p.: n.p., 1930; Reprint, n.p.: Rénmín Chūbǎnshè 人民出版社, 1954): 229.

7 Bronze inscriptions within the text are cited, unless otherwise indicated, with their number in the standard reference work *Yīn Zhōu jīnwén jíchéng* 殷周金文集成, abbreviated *Jíchéng* (Shànghǎi 上海: Zhōnghuá Shūjú 中华书局, 1984–1994).

8 Example taken from line nine of the inscription. Punctuated transcription from the concordance *Jīnwén yǐndé* 金文引得: *Yīn Shāng Xī Zhōu juàn* 殷商西周卷 (Nánníng 南宁: Guǎngxī Jiàoyù Chūbǎnshè 广西教育出版社, 2001): no. 5054, 326; cf. transcription and rubbing in *Yīn Zhōu jīnwén jíchéng shìwén* 殷周金文集成释文, vol. 3 (Hong Kong: Xiānggǎng Zhōngwén Dàxué Zhōngguó Shèhuì Kēxuéyuàn Kǎogǔ Yánjiūsuǒ 香港中文大學中國社會科學院考古研究所, 2001): no. 4328, 463. Compare the citation in Guō Mòruò, *Zhōngguó gǔdài shèhuì yánjiū*: 227.

9 Yīn Jìmíng 殷寄明, "Jiǎ, jīnwén zhōng de núlì míngchéng kǎolüè 甲、金文中的奴隶名称考略," *Jiāngxī jiàoyù xuéyuàn xuébào* 江西教育学院学报 1990, no. 2: 25–27, argues for a great variety of "slave" designations in oracle-bone and bronze inscriptions, due to building principles of ancient Chinese characters, sex differentiation etc., relying on both inscriptions and traditional texts; Yīn Wěirén 殷伟仁, "'Cì . . . rénlì, zì yù zhìyú shùrén' jiě '锡 . . . . . 人鬲, 自驭至于庶人'解," *Rénwén zázhì* 人文杂志 (*The Journal of Humanities*) 1983, no. 6: 70–71, discusses the terms *rénlì* 人鬲 (in his view a coordination of *rén* 人 and *lì* 鬲), *yù* 馭 and *shùrén* 庶人 in line fifteen of the Dà Yú *dǐng* 大盂

2000);[10] or found evidence to refute the identification of one or more specific terms as "slaves," often rejecting the idea of an early "slave society" as seen mainly from the Shāng or Western Zhōu epigraphic texts, for example David Keightley 1969 and 2012,[11] Shī Wěiqīng 施伟青 1987,[12] Raimund Kolb 1991,[13] Huáng Wǔqiáng 黄武強 1994,[14] Huáng Xiànfán 黄现璠 2015,[15] Susanne Adamski

鼎 inscription (*Jíchéng* #2837, see *Yīn Zhōu jīnwén jíchéng shìwén*, vol. 2, no. 2837, 410–11), arguing rather unconvincingly for their inverted sequence in the sentence, and identifies *yù* as "slaves" (*núlì* 奴隶).

10 Dǒng Lìzhāng 董立章, "Xī Zhōu bìng fēi shíxíng zhǒngzú núlì zhì 西周并非实行种族奴隶制," *Journal of South China Normal University* 华南师范大学学报 2000, no. 6: 61–66 argues against the "traditional doctrine" of "ethnic" slavery in particular during the Western Zhōu (for instance by way of "enslaving" the overthrown Shāng), mostly using transmitted texts. According to Dǒng, the dynasties prior to the Eastern Zhōu only had "slaves" who were prisoners of war – these, however, he reckons to have been quite numerous. He thereby distinguishes "ethnic" from "common" slavery, the former still prevailing wrongly "in both university and school textbooks."

11 David N. Keightley, "Public Work in Ancient China: A Study of Forced Labor in the Shang and Western Chou" (PhD diss., Columbia University, 1969), analyzes oracle-bone and bronze inscriptions of the Shāng and Western Zhōu, and David N. Keightley, *Working for His Majesty: Research Notes on Labor Mobilization in Late Shang China (ca. 1200–1045 B.C.), as Seen in the Oracle-Bone Inscriptions, with Particular Attention to Handicraft Industries, Agriculture, Warfare, Hunting, Construction, and the Shang's Legacies*, China Research Monograph 67 (Berkeley: Institute of East Asian Studies, University of California, 2012), in particular the oracle-bone evidence from the late Shāng.

12 Shī Wěiqīng 施伟青, "'Lì' fēi núlì biàn '鬲'非奴隶辩," *Xiàmén dàxué xuébào* 厦门大学学报 1987, no. 3: 72–76, argues against identifying bronze inscriptional *lì* 鬲 as "slaves."

13 In his study of the early Chinese infantry, Raimund Kolb argues against the identification of all of the above-mentioned epigraphic terms as "slaves" – following the definition by Moses I. Finley, in his book *Ancient Slavery and Modern Ideology* (London: Chatto & Windus, 1980) –, in Shāng oracle-bone corpora and Western Zhōu bronze inscriptions published until the end of the 1980s. See Raimund Theodor Kolb, *Die Infanterie im alten China*: *Ein Beitrag zur Militärgeschichte der Vor-Zhan -Guo-Zeit*, AVA Materialien 43 (Mainz: Philip von Zabern, 1991); compare also his review article "Bemerkungen zu Ulrich Lau: *Quellenstudien zur Landvergabe und Bodenübertragung in der westlichen Zhou-Zeit*," *Oriens Extremus* 42 (2000/2001): 191–206.

14 Huáng Wǔqiáng 黄武強, "Xī Zhōu Chūnqiū shèhuì xíngtài xīntàn 西周春秋社会形态新探," *Guǎngxī shèhuì kēxué* 广西社会科学 1994, no. 1: 51–60. Huáng refutes Guō Mòruò's interpretation of bronze inscriptional evidence regarding "slaves" by contextual analysis of the terms *chén* 臣, *zhòng* 眔, *yù* 馭, *lì* 鬲 and *rénlì* 人鬲, concluding that none of these were "slaves." However, in moving the phase of slave society to the previous Xià 夏 (according to traditional Chinese historiography) and Shāng dynasty instead, he sees even stronger support for the Marxist-Leninist stage theory and for the existence of "slaves" in Chinese antiquity.

15 Huáng Xiànfán 黄现璠 (1899–1982, birth name Gān Jǐnyīng 甘锦英) had long finished and revised his book "There was no Slave Society in Chinese History: Combined Discussion of the World's Ancient 'Serfs' and Social Formations" (Huáng Xiànfán, *Zhōngguó lìshǐ méi yǒu núlì shèhuì – jiānlùn shìjiè gǔdài nú jíqí shèhuì xíngtài* 中国历史没有奴隶社会––兼论世界古代奴及其社会形态 [Guìlín 桂林: Guǎngxī Shīfàn Dàxué Chūbǎnshè 广西师范大学出版社, 2015]) in 1981, shortly after the reform, but it was only recently published in full length. Huáng makes a thorough study of the ancient Chinese

2017b,[16] or Chén Mínzhèn 陈民镇 2017.[17] Leaving aside the different aims and scopes of these works, they found that the "giving" (*fù* < **p(r)o-s* 付)[18] or "providing" (*cì* < **s-lek-s*

terms identified by Guō Mòruò as "slaves" (*núlì* 奴隶), as well as of relevant Sumerian, Babylonian, ancient Indian, and ancient Greek and Latin terms regarding their semantic ranges. Based on his findings, he argues against the equation of ancient Chinese terminology with the modern concept "slave," rejecting the highly persistent idea of an ancient Chinese "slave society." Terminologically, Huáng differentiates between historically documented *nú* 奴, who are found in a great variety throughout Chinese history in transmitted pre-imperial and imperial texts (perhaps best understood as "servant, menial, serf"), in different areas of obligations and of various origins, and *núlì* 奴隶, "slave," a foreign concept having only been adopted during the process of China's modernisation, and which he defines as "a living, speaking tool, without an independent human personality, any freedom or rights, having lost all means of production and subsistence. Slaves are one of the most important producers within a slave society [. . .]" 奴隶是一种活着的没有独立人格、没有任何自由和权力, 又丧失了一切生产资料和生活资料的会说话工具. 奴隶属于奴隶社会的主要生产者 [. . .] Huáng Xiànfán, *Zhōngguó lìshǐ méi yǒu núlì shèhuì*: 195–96. Huáng emphasizes the difference in Marxist terminology between "serfs"/"serfdom" (*nóngnú* 农奴/*núyìzhì* 奴役制) and "slaves" (*núlì*), the latter having been used in "domestic slavery" (*jiātíng núlìzhì* 家庭奴隶制) since ancient times, while "slaves" in a "slave society" are a peculiarity that only appeared in later ancient Greek and Roman societies (termed "classical ancient labor slavery" [*gǔdiǎn gǔdài láodòng núlìzhì* 古典古代劳动奴隶制] by Marx and Engels) (Huáng Xiànfán, *Zhōngguó lìshǐ méi yǒu núlì shèhuì*: 197). He thinks that "slaves" (*núlì*) in human history were mostly prisoners of war, acquired via slave trade, or coastal settlers captured by pirates (the Barbary corsairs), or could also be born into slavery; but "as far as those *nú* ['servants, menials'] in ancient society are concerned who had sold themselves or had been convicted etc., those belonged to [the category of] *núbì* 奴婢 ['male and female servants/serfs/menials'], and were not *núlì* ['slaves']." 之余古代社会的卖身为奴、罚罪为奴等一类奴，当属奴婢，而非奴隶. Huáng Xiànfán, *Zhōngguó lìshǐ méi yǒu núlì shèhuì*: 208 (my insertions). Dealing primarily with Guō's argumentation and focusing on the Marxist concept of a "slave society," Huáng almost naturally follows a structuralist conception of society too, and concludes that "most ancient societies did not go through a stage of slave society, but from primitive society directly entered into feudal society" 世界各国古代历史绝大多数都没有经过奴隶社会，而是从原始社会直接进入封建社会 (Huáng Xiànfán, *Zhōngguó lìshǐ méi yǒu núlì shèhuì*: 583). Huáng could not include archaeological evidence found and subsequently published since the 1970s, such as Warring States and early imperial bamboo manuscripts, and newly excavated oracle-bone corpora or bronze inscriptions.

16 See Susanne Adamski, "Sklave oder Dienstmann? Einige Überlegungen zum Status von *chén* 臣 in der West-Zhōu-Zeit (1045–771 v.Chr.)," in *Rechtsdenken und Gerechtigkeitssinn in China*, Jahrbuch der Deutschen Vereinigung für Chinastudien 11, ed. Kerstin Storm and Jonas Polfuß (Wiesbaden: Harrassowitz, 2017).

17 Chén Mínzhèn 陈民镇, "Núlì shèhuì zhī biàn – chóngshěn Zhōngguó núlì shèhuì jiēduàn lùnzhēng 奴隶社会之辩 – 重审中国奴隶社会阶段论争," *Lìshǐ yánjiū* 历史研究 2017, no. 1: 159–78. Chén approaches the structuralist view of Chinese history that has been so influential in scholarship, re-examining the classification of the Shāng period as a "slave-holding society" as well as the identification of *zhòng* and *mín* as "slaves" in excavated and transmitted sources, including the newly published Qīnghuá 清华 bamboo manuscript "Shāng shū" 商書 dating from the Zhànguó 戰國 (481–221 BC) period. All in all, he argues for studying Chinese history primarily from the indigenous sources instead of using an overarching theoretical framework.

18 In the present paper, Old Chinese reconstructions (marked by an asterisk) follow, if not otherwise mentioned, William H. Baxter and Laurent Sagart, *Baxter-Sagart Old Chinese reconstruction*,

賜) of people, usually from the king or sometimes the head of a lineage to another élite member, which we often find in Western Zhōu bronze inscriptions, cannot be tied to a "slave" status, because they clearly included members of the nobility. The famous Dà Yú *dǐng* 大盂鼎 inscription (*Jíchéng* #2837) dated to the early Western Zhōu period states that "four Firstborns (*bó* 伯) who govern the *bāng* 邦-territories" 邦𤔲(司)四伯, along with over six hundred and fifty charioteers and other personnel, were given to the official Yú 盂 of the Nángōng 南宫 lineage.[19] These "Firstborns" or "Elders" often were or became the leaders of their lineages, and in this case already were in an administrative capacity.

Further, an example of the "redemption" (*yù* < **luk* 賣 or **[l][iw]k* 儥) or "employement" (*yòng* < **loŋ-s* 用) of individual *fū* 夫 ("men, individuals"), *rén* 人 ("men"[20]) or *chén* 臣 in the well-known Hū *dǐng* 曶鼎 inscription, dated to the middle Western Zhōu period, cannot be securely identified as referring to "slaves" or "bondservants," due to the lack of certain information.[21] We will come back to this specific case in part two of this paper. Therefore, because a) no specific term can be securely identified as "slave" according to recent definitions of the term, and b) there is still no real consensus on the social status of the people denoted by these particular terms, we must conclude that "slaves" cannot be found within the Shāng and Western Zhōu epigraphic texts that have been published so far.

Nonetheless, both Chinese and Western scholars in general believe in the existence of such a "class" or social status in earliest China. For instance, Zhāng Yàchū 張亞初 and Liú Yǔ 劉雨 1986 conclude that those Western Zhōu *pú* 僕 and *yípú* 夷僕 who served in a military capacity "seem to differ from those *pú* who are slaves" (以上诸器铭文中的僕、夷僕与奴隶之僕似有所不同).[22] David N. Keightley in 2012 stated that "[t]he Shang certainly had some slaves – mainly prisoners of war – but were not a slave economy."[23] He does not provide an inscriptional example of a "slave," nor does he explain how we can identify prisoners of war as such. His statement that the Shang "certainly had some slaves" seems to be based on assumptions. As a third example,

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version 1.1 (September 20, 2014), http://ocbaxtersagart.lsait.lsa.umich.edu/BaxterSagartOCbyMandarinMC2014-09-20.pdf [accessed 17.05.2022].

19 For this example, compare Adamski, "Sklave oder Dienstmann": 28. For rubbing and transcription see *Yīn Zhōu jīnwén jíchéng shìwén*, vol. 2, no. 2837, 410–11, as well as the transcription in *Jīnwén yǐndé*, no. 4024, 253–54. A partial translation of the Dà Yú *dǐng* inscription can be found in Li Feng, *Landscape and Power in Early China: The Crisis and Fall of the Western Zhou 1045–771 BC* (Cambridge: Cambridge University Press, 2006): 127.

20 The Chinese term is gender neutral, already in early inscriptions referring to men and women alike.

21 Issues in identifying the individual's status as "slave" have been problematized in Adamski, "Sklave oder Dienstmann": 21–24. See also 2.1.1 below.

22 Zhāng Yàchū 張亞初 and Liú Yǔ 劉雨, *Xī Zhōu jīnwén guānzhì yánjiū* 西周金文官制研究 (Běijīng: Zhōnghuá Shūjú, 1986): 55.

23 Keightley, *Working for His Majesty*: 65.

an inscribed Western Zhōu bronze vessel excavated in 2005, the so-called "Sù *yǒu*" 肅卣, has been interpreted as evidence for a class of "bondservants" or "slaves" by Dǒng Shān 董珊 in 2014: "The inscription recorded a rare case of degrading the social class of *shuren* (common people). This case hinted that in the Western Zhou Dynasty, the common people had personal freedom."[24] The "Sù *yǒu*" inscription, dated early mid-Western Zhōu, contains two terms we know from later textual sources, *pú* 僕 and *shùrén* 庶人, and was interpreted by Dǒng Shān as recording the social degradation of six families of "free men," *shùrén*, to *pú*, which according to his reading of certain graphs were recorded in a special "register" (*jí* < **[dz]Ak* 籍), from which they were "erased" after successful "remonstration" (*jiàn* < **kˤranʔ(-s)* 諫).[25] From the article it transpires that Dǒng understands *pú* 僕 to mean "bondservants" or "slaves," in Chinese *núpú* 奴僕 (simplified: 奴仆). This chain first occurs in Hàn 漢 dynasty (206 BC–220 AD) texts such as the "History of the Hàn" (*Hàn shū* 漢書), completed around 110 AD, or the argumentative socio-critical text "Comments of a Recluse" (*Qiánfū lùn* 潛夫論) by the Later Hàn scholar Wáng Fú 王符 (82–167 AD),[26] and is commonly used in the modern Chinese lexicon.[27]

In modern Chinese, *nú* 奴 or *núlì* 奴隶 is defined as "a person suppressed, exploited, and being used, without personal freedom or other political rights" (旧社会中受压迫、剥削、役使而没有人身自由等政治权利的人),[28] in English: "a slave,"[29] and *pú* 僕, being short for *púrén* 僕人, means "servant" or "attendant."[30] The composite *núpú* is also lexicalized as "people formerly carrying out various tasks in a master's home (generic term)" (旧时在主人家里从事杂役的人(总称)), as in the modern Chinese dictionary *Xiàndài Hànyǔ Cídiǎn* 现代汉语词典 of 2002.[31] The term *nú* does not yet occur in the epigraphic sources of the Shāng and Western Zhōu published so far, and neither does the composite *núpú*.[32]

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24 See Dǒng Shān 董珊, "Shānxī Jiàng xiàn Héngshuǐ M2 chūtǔ Sù yǒu míngwén chūtàn 山西绛县横水M2出土肃卣铭文初探," *Wénwù* 文物 2014, no. 1: 50–55 (quote from the English abstract).

25 See Susanne Adamski, "The 'Sù *yǒu* 肅卣' Inscription and the Debate on Western Zhōu Social Dependence (1045–771 B.C.)," in *n.n.*, ed. Enno Giele, Christian Schwerman and Kerstin Storm (Munich: Iudicium, forthcoming).

26 The search was performed using the Chinese Ancient Texts (CHANT) database Pre-Han and Han 先秦两汉, of the Research Centre for Chinese Ancient Texts, Chinese University of Hong Kong (http://www.chant.org, accessed August 30, 2020 via CrossAsia [https://crossasia.org/]).

27 See *Xiàndài Hànyǔ Cídiǎn* 现代汉语词典 (Běijīng: Shāngwù Yìnshūguǎn 商务印书馆, 2002): 937.

28 *Xiàndài Hànyǔ Cídiǎn*, 937.

29 Cf. for example *Xīn Hàn Dé Cídiǎn* 新汉德词典 (Běijīng: Shāngwù Yìnshūguǎn, 1996): 597: "Sklave; Knecht."

30 "People employed to fulfill various tasks and services in a household" 指被雇到家庭中做杂事、供役使的人 (*Xiàndài Hànyǔ Cídiǎn*, 987).

31 *Xiàndài Hànyǔ Cídiǎn*, 937.

32 As stated by David N. Keightley for the Shāng period, "[a]ttempts to assign a slave status to particular groups recorded in the inscriptions, or to read a particular oracle-bone graph as *nu* 奴,

As presented elsewhere in more detail, Dǒng Shān's interpretation of the "Sù *yǒu*" inscription has influenced several other interpretations that followed shortly after Dǒng's article, none of them doubting that the term *shùrén* 庶人 denotes "free men," most of them following the interpretation of *pú* as *núpú* – "bondservants" or "slaves," except for Lǐ Kǎi 2018, who also scrutinizes the inscriptional term *pú*, but relies completely on Dǒng Shān's transcription.[33] The "Sù *yǒu*" inscription poses several paleographic and epigraphic issues, in particular, a) interpreting the bronze graph *xī* 昔 as a loan for *jí* 籍, "register," is an assumption; b) other crucial graphs

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'slave', have generally involved more theoretical assertion than paleographic demonstration" (Keightley, *Working for His Majesty*: 57). For instance, an interpretation of the incomplete graph on bone fragment *Héjí* #22462 (see *Jiǎgǔwén héjí* 甲骨文合集, vol. 7 (Běijīng: Zhōnghuá Shūjú, 1999): no. 22462, 2925) as *nú* 奴, so given in the Ancient Chinese Texts (CHANT) Jiaguwen 甲骨文 database, is not seen in the reference work *Jiǎgǔwén héjí shìwén* 甲骨文合集释文, ed. Hú Hòuxuān 胡厚宣, vol. 2 (Běijīng: Zhōngguó Shèhuì Kēxué Chūbǎnshè 中国社会科学出版社, 1999): no. 22462. Before the 1980s, having discussed the earliest graphic forms and usages of *nú* and *núpú* as well as different scholarly interpretations of them, Huáng Xiànfán already noted that neither they nor the early imperial *núbì* 奴婢 (traditionally interpreted as "slaves") fall under the category of being completely "owned" by another person, as was the case in classical Greece and Rome, and that oracle-bone inscriptions and transmitted sources provide no evidence as to whether there existed any Shāng dynasty "slaves" in the Marxist definition (Huáng Xiànfán, *Zhōngguó lìshǐ méi yǒu núlì shèhuì*: 444; see also: 10–15 for *nú*, 24–31 for *núpú*). The absence of *nú* 奴 from oracle-bone inscriptions has not changed since publication of the more recent corpora excavated from the Yīnxū 殷墟 site at Huāyuánzhuāng Locus East (*Yīnxū Huāyuánzhuāng dōngdì jiǎgǔ* 殷墟花園莊東地甲骨) as well as from the center and south of Xiǎotún Village (*Yīnxū Xiǎotún cūnzhōng cūnnán jiǎgǔ* 殷墟小屯村中村南甲骨), cf. the concordances *Yīnxū Huāyuánzhuāng dōngdì jiǎgǔ kècí lèizuǎn* 殷墟花園莊東地甲骨刻辞類纂 (Běijīng: Xiànzhuāng Shūjú 綫裝書局, 2011); *Yīnxū Huāyuánzhuāng dōngdì jiǎgǔwén lèizuǎn* 殷墟花園莊東地甲骨文類纂 (Fúzhōu 福州: Fújiàn Rénmín Chūbǎnshè 福建人民出版社, 2016); and *Yīnxū Xiǎotún cūnzhōng cūnnán jiǎgǔ kècí lèizuǎn* 殷墟小屯村中村南甲骨刻辞類纂 (Běijīng: Zhōnghuá Shūjú 中華書局, 2017). However, the graph 奴 in itself clearly has a history. So far it appears on several bronze weapons and vessels of the early Chūnqiū 春秋 (771–481 BC) and Zhànguó periods (481–221 BC), as part of a personal name. For example, on the Fú Nú Fù *dǐng* 弗奴父鼎 vessel (*Jíchéng* #2589), excavated in 1972 in Zōu 鄒 county, Shāndōng 山东 Province (see *Yīn Zhōu jīnwén jíchéng shìwén*, vol. 2, no. 2589, 278). Here the graph clearly consists of the two components 女, "woman," and 又, "hand," as in the seal script character given in the second century AD character dictionary *Shuōwén jiězì* 說文解字; it is also already seen in the donor's name of the Western Zhōu bronze vessel Sī Nú bǎo *yǎn* 奴寶甗 (*Jíchéng* #851): , the only Western Zhōu epigraphic occurrence so far, of which, however, only the transmitted rubbing exists (see *Yīn Zhōu jīnwén jíchéng shìwén*, vol. 1, no. 0851, 576). Compare the seal character form and epigraphic evidence given in Zāng Kèhé 臧克和 and Wáng Píng 王平, eds., *Shuōwén jiězì xīndìng* 說文解字新訂 (Běijīng: Zhōnghuá Shūjú, 2002): 819. The etymology of the word *nú* < $^{*}n^{ʕ}a$, according to Axel Schuessler, is uncertain: while possibly "cognate to TB-Mru *nar* 'servant'," the word has been related "to nǔ$_1$ 'woman'; this has semantic parallels, especially among foreign loans," or to a word form "with the basic meaning 'tense' (incl. nǔ$_1$ 弩, nǔ$_2$ 努), hence 'press into service'" (Axel Schuessler, *ABC Etymological Dictionary of Old Chinese* (Honululu: University of Hawai'i Press, 2007): 404).

33 Cf. Adamski, "'Sù *yǒu* 肅卣' Inscription," providing an alternative transcription and translation, leaving unclear graphs unidentified, and taking into consideration several possibilities of translation.

are as yet unidentifiable (such as [illegible]), having been transcribed and interpreted quite differently, making their normalization even more precarious (e.g. the reading of the graph [illegible] as 隸 and its normalization to *lì* 隸, "subordinate, slave," or the interpretation of [illegible]/芟 as "erase"); c) the bronze inscriptional term *pú* 僕 quite clearly is no status term, since several bronze inscriptions strongly indicate a military function of the people it denotes; d) while *shùrén* is either a status term or generic designation of a broader social category during the early imperial period, there is so far no clear earlier Western Zhōu epigraphic evidence to read *shùrén* as a status term either, and thus the inscription cannot be said to record the degradation of status.[34]

These examples show that the question of the existence of "slavery" is either not an issue in contemporary scholarship on early China, or not within the author's focus. With regard to the extant epigraphic material, we thus find two assumptions in early China scholarship, a) "slavery" was an institution of high social and/or economic significance that can be identified in the contemporary sources;[35] or b) if not identifiable in contemporary terminology, "slavery" was a social phenomenon of no obvious social and/or economic importance, but existed all the same.[36] But if there is no real evidence for "slaves" in the indigenous texts, did the Shāng and Western Zhōu have "slaves" at all? Obviously, this leads to the question of defining "slavery," which is often circumvented.

34 See Adamski, "'Sù *yǒu* 肅卣' Inscription."

35 As prominently argued by Guō Mòruò, *Zhōngguó gǔdài shèhuì yánjiū*.

36 Cf., for instance, Li Feng, "The Western Zhou State," in *Routledge Handbook of Early Chinese History*, ed. Paul R. Goldin (London: Routledge, 2018): 101: "[. . .] *Renli* 人鬲[. . .] probably meant 'slaves.' We still do not know their exact status, but it is likely they were war prisoners brought into Zhou society during the great early Western Zhou expansion." Raimund Kolb also considers the possibility that slaves existed in ancient China: "Da die *zhong-ren* keine Sklaven waren und die Wirtschaft des Shang-Yin-Staates auf ihren Schultern ruhte, kann nicht von einer Sklavenhaltergesellschaft gesprochen werden, womit jedoch nicht behauptet werden soll, es hätte keine Sklaven gegeben" (Kolb, *Die Infanterie im Alten China*: 48); "Bei den *li* könnte es sich mithin sowohl um Sklaven als auch um Kriegsgefangene gehandelt haben" (61); "Die Qualität der Produkte der Manufakturen der WZ [= Western Zhōu] spricht für herausgehobene Handwerker; Sklaven könnten für Hilfsarbeiter beschäftigt gewesen sein" (114). Huáng Xiànfán, who also worked with a clear definition of "slaves" (*núlì*), did not reject the possibility of their existence particularly in Shāng China, but reasonably pointed out that aside from the lack of clear evidence, it would be crucial to know their exact numbers in order to be able to decide whether they may have constituted a social class in the Marxist sense (compare Huáng Xiànfán, *Zhōngguó lìshǐ méi yǒu núlì shèhuì*: 446); further, as to "slaves" bought via the slave trade, he states that these "are almost not seen" in Chinese preimperial history (for his discussion of slave trade in general, see 203–7).

1.2 Definition of "Slavery"

As we are aware, there is no scholarly consensus on a precise meaning of the terms "slave" and "slavery." Lexicalizations, such as for example in the *Encyclopaedia Britannica*, commonly state that

> [t]he slave was a species of property; thus, he belonged to someone else. In some societies slaves were considered movable property, in others immovable property, like real estate. They were objects of the law, not its subjects. [. . .] The slave usually had few rights and always fewer than his owner, but there were not many societies in which he had absolutely none. [. . .] The slave was removed from lines of natal descent. Legally, and often socially, he had no kin.[37]

But to define the boundaries of the term is no easy matter. As the historian Michael Zeuske points out in his 2013 global history of slavery *Handbuch Geschichte der Sklaverei*, it is hard to define and differentiate "slavery" and other terms such as "serfdom," because there seem to be several gradations of these phenomena at different times in different societies all over the world.[38] He therefore speaks of "slaveries" in the plural.[39] Due to such difficulties, it seems to be a good idea to go beyond traditional terms, as the Cluster of Excellence 2036 "Beyond Slavery and Freedom" does, taking "'strong asymmetrical dependency' as a new key concept" in the study of pre-modern societies, in which "slavery" seems to be understood as

37 Richard Hellie, "Slavery," *Encyclopaedia Britannica Online*, last updated August 17, 2020, http://www.britannica.com/EBchecked/topic/548305/slavery [accessed 17.05.2022].

38 For the terminological diversity of the concept "servitude, serfdom," German *Leibeigenschaft*, see also the concise summary by Anne-Marie Dubler, "Leibeigenschaft," *Historisches Lexikon der Schweiz (HLS)*, June 13, 2012, https://hls-dhs-dss.ch/de/articles/008967/2012-06-13/ [accessed 17.05.2022]: "Die Bezeichnungen für leibherrl. Abhängigkeit sind vielfältig bei z.T. umstrittener Bedeutung. Die Sklaven der Antike (Sklaverei) wurden als Sache behandelt und waren rechtlos. Dagegen genossen die *servi (mancipii*, *ancillae)* des Früh- und HochMA und später die Leibeigenen als Personen beschränkte Rechte. Der vom vieldeutigen mittelhochdt. *eigen* abgeleitete Begriff des 'Eigenmanns' bezeichnete den Unfreien schlechthin; dem dt. 'Eigenleute' entsprechen franz. *hommes propres* und ital. *uomini propri* (lat. *homines proprii*). Mit der spätma. Aufspaltung der Herrschaftsrechte in grund-, gerichts- und leibherrl. Rechte drängte sich zur Unterscheidung des leibherrl. Anspruchs vom grundherrl. Eigen am Boden (Grundbesitz) eine Präzisierung auf: mit dem *lib eigen* oder leibeigen. Der Begriff 'Leibeigener' wurde im dt. Sprachraum erst um 1500 gebräuchlich; bis ins 16. Jh. wurden persönlich Abhängige in der Deutschschweiz noch häufiger als 'Eigenleute' denn als 'Leibeigene' bezeichnet. Rechtssprachl. Schöpfungen, keine Quellentermini sind die Begriffe 'Unfreie' für unterschiedl. Formen der Unfreiheit, 'Hörige' ('Grundhörige') für schollengebundene Bauern der Grundherrschaft und 'Halbfreie' für Leute unterschiedlichen minderen Rechts, z.B. Freigelassene."

39 See Michael Zeuske, *Handbuch Geschichte der Sklaverei. Eine Globalgeschichte von den Anfängen bis zur Gegenwart* (Berlin: Walter De Gruyter, 2013): especially 108–15. A second, enlarged edition of this work was published in 2019.

the "most extreme" form of "human bondage and coercion."[40] However, if we want to know how to find out if "extreme forms of dependency" such as "slavery" existed particularly in late Shāng and Western Zhōu China, we should be clear about what we mean by these forms in this specific historical context. In short, we need to define what we are looking for.

While "slavery" has traditionally been defined within concepts of "ownership" or the "means of production," as in extant lexicalizations, such attempts were rejected by Orlando Patterson in 1982 in his comparative study *Slavery and Social Death*, because, a) "Proprietary claims and powers are made with respect to many persons who are clearly not slaves."[41] This fact had already been shown by Max Weber, who wrote on the concept of *Herrschaft* ("authority") that, for example, a family head according to ancient Roman law could even legally kill or sell his wife or children, or rent them out.[42] b) The terms "free" or "unfree" equally cannot be applied to define "slavery,"

40 Cf. the cluster's website (Bonn Center for Dependency and Slavery Studies [BCDSS], "Research," https://www.dependency.uni-bonn.de/en/research [accessed 17.05.2022]): "Despite the many different forms that human bondage and coercion have taken over time, academic debates in the modern West primarily focused on the most extreme one: slavery [. . .] This is why we decided to employ a more neutral terminology, and so move beyond the binary opposition of 'slavery versus freedom'. Instead, we suggest 'asymmetrical dependency' – or, more precisely, 'strong asymmetrical dependency' as a new key concept, which includes debt bondage, convict labor, tributary labor, servitude, serfdom, and domestic work as well as forms of wage labor and various types of clientage and patronage." The difficulty of avoiding established concepts such as "slavery" is shown in their continued use in the description of research areas, which "approach the phenomenon of slavery and other types of strong asymmetrical dependencies," or "enslavement and other forms of asymmetrical dependencies" (see Bonn Center for Dependency and Slavery Studies, "Semantics – Lexical Fields – Narratives," https://www.dependency.uni-bonn.de/images/pdf-files/research-areas/semantics_lexical-fields_narratives.pdf, and "Embodied Dependencies," https://www.dependency.uni-bonn.de/images/pdf-files/research-areas/embodied-dependencies.pdf [both accessed 17.05.2022]).

41 Orlando Patterson, *Slavery and Social Death: A Comparative Study, With a New Preface* (Cambridge: Harvard University Press, 2018): 21. He regards "all attempts to define slavery in modern legalistic terms" as erroneous, because "this does not really specify any distinct category of persons" (21).

42 "Gerade die primitiv patriarchale Auffassung behandelt vielmehr [. . .] die Hausgewalt durchaus eigentumsartig: die Kinder aller in der Hausgewalt eines Mannes, es sei als Weib oder als Sklavin, stehenden Frauen gelten ohne Rücksicht auf physische Vaterschaft, sobald er es so will, als 'seine' Kinder, wie die Früchte seines Viehs als sein Vieh. Neben Vermietung (in das mancipium) und Verpfändung von Kindern und auch Weibern ist der Kauf fremder und Verkauf eigener Kinder noch entwickelten Kulturen eine geläufige Erscheinung. Er ist geradezu die ursprüngliche Form des Ausgleichs von Arbeitskräften und Arbeitsbedarf zwischen den verschiedenen Hausgemeinschaften. [. . .] Daneben dient der Kindeskauf anderen speziell religiösen Zwecken (Sicherung der Totenopfer), als Vorläufer der 'Adoption'." Max Weber, *Grundriss der Sozialökonomik,* vol. 3, *Abteilung: Wirtschaft und Gesellschaft* (Tübingen: J.C.B. Mohr, 1922): 680 (on "Patrimonialismus"). Compare the English paraphrase in Richard Swedberg, *Principles of Economic Sociology* (Princeton and Oxford: Princeton University Press, 2003): 267: "The power of the house father extends with only

because "[i]n almost all non-Western slaveholding societies there was no such status in law as a 'free' person."[43] Instead, Patterson defines slavery within the framework of power and powerlessness, "on the level of personal relations: slavery is the permanent, violent domination of natally alienated and generally dishonored persons."[44] According to Patterson, "slaves," although physically alive, are *socially dead*: "Alienated from all 'rights' or claims of birth, [the slave] ceased to belong in his own right to any legitimate social order."[45] While this definition of a "slave" is certainly useful for the examination of "asymmetrical" social relations in historical sources, it has been criticized as a sociological abstraction, for example by Joseph C. Miller 2012, because it "excludes historical context by definition," resulting in a decontextualized, static "master-slave dyad."[46] I shall return to this issue in part three of this paper.

1.3 "Slavery" in Ancient China

Patterson's characterization of slaves as "socially dead" has however been applied to Qín and Hàn China by Robin Yates, focusing on the "nature" of ancient Chinese slavery.[47] By analyzing Qín legal statutes excavated from a tomb at Shuìhǔdì 睡虎地, Húběi 湖北 province, in 1975 as well as transmitted Hàn imperial sources, he shows that at this period of time several terms clearly denote the lowest social strata and also apply to the concept of "slaves" as defined by Patterson. These terms are: *rénnú* 人奴, as a general term,[48] *rénchén* 人臣 or *chén* 臣 for male "slaves," *rénqiè* 人妾 or *qiè* 妾 for female "slaves," as well as *rénnúchén* 人奴臣; and within Hàn 漢 law *nú* 奴 and *bì* 婢, denoting male and female "slaves."[49]

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ritualistic limitations to the execution, or sale of the wife, and to the sale of the children or to leasing them out to labor." Also compare Patterson, *Slavery and Social Death*: 24, n. 27.

43 Patterson, *Slavery and Social Death*: 27.

44 Patterson, *Slavery and Social Death*: 13; cf. Yates, "Slavery in Early China": 298.

45 Patterson *Slavery and Social Death*: 5. He further states: "Because the slave had no socially organized existence outside of his master, he became a social nonperson. [. . .] Not only was the slave denied all claims on, and obligations to, his parents and living blood relations but, by extension, all such claims and obligations on his more remote ancestors and on his descendants. He was truly a genealogical isolate."

46 Cf. Joseph C. Miller, *The Problem of Slavery as History* (New Haven: Yale University Press, 2012): 20.

47 Yates, "Slavery in Early China."

48 Yates, "Slavery in Early China": 297.

49 Yates, "Slavery in Early China": 303–4. Yates explicitly focuses on these terms, leaving "several other terms of lesser importance" aside (303–4). While stating that "the Han term for female slave (*bi* 婢) does not occur" in the Qín legal sources (304), Yates adds in a more recent essay that, "however, it does appear in several documents published in volume one of the complete Liye documents, but not in the context of a statute or ordinance" (Robin D.S. Yates, "The Changing Status of Slaves in the Qin-Han Transition," in *Birth of an Empire: The State of Qin Revisited*, ed. Yuri Pines,

The lowest social strata in Qín and Hàn law were "slaves" and "convicts" (*tú* 徒), the latter term however only rarely used in this sense in Qín legal documents.[50] Yates provides evidence by analyzing excavated Qín law, as well as phrases from the transmitted political "Discourses on Salt and Iron" (*Yántiě lùn* 鹽鐵論) and the Warring States history *Zuǒ zhuàn* 左傳, that the people referred to were considered "not human" (*fēi rén yě* 非人也)[51] and socially dead because: "A slave and a criminal in early traditional China lost his rights and obligations and relations to his family, both his parents and his children. He was a socially dead person."[52] As illustrated in Fig. 1,

Gideon Shelach, Lothar von Falkenhausen, and Robin D.S. Yates (Berkeley: University of California Press, 2014): 211). With regard to terminological differences, he tentatively concludes "that the early Han changed or refined the legal nomenclature of slaves, possibly in 202, when the 'Statutes on Male and Female Slaves' might have been enacted, as suggested above" (Yates, "The Changing Status of Slaves": 211). There is also some terminological confusion as to the categorization of other terms. Yates states that "the county government also bought and sold slaves known as *tuli* 徒隸 on the open market" (212), while at the same time translating *túlì* 徒隸 as "bonded laborers" (223), also drawing attention to the fact that "[i]t is to be noted that there were statuses between slaves and free commoners, as indicated in the statute quoted above." (212). Yates is certainly aware of these issues: "Regardless of the identity of these workers, what is to be noted is that they were of such low slavelike status that the government could buy them on the open market, on the one hand, and, on the other, that Sima Qian uses this term *tuli* to identify many of the workers who constructed the First Emperor's mausoleum," and "there must have been a very large market for slavelike workers in the Qin" (223).

50 Yates, "Slavery in Early China": 303–4.

51 Literally "to be something that is not human." The expression *fēi rén yě* 非人也, albeit in quite a different context, is also attested in Qín Shuìhǔdì bamboo slips (dated 217 BC), namely in the "daybook" manuscript *Rìshū* A (*Rìshū jiǎzhǒng* 日書甲種), a compilation of hemerological manuals concerned with spirits and demons, in the section "Spellbinding" ("Jié" 詰). Here, in a prescription for how to act when the well of a household has become bloody, it is used in its literal sense: "Fill it with sand and make another well; feed from it with steamed rice, drink hoarfrost and dew, and after three days you will be human. If you fail to do so, (continue to) drink from it [i.e. the old well] and depend on it for about three months, then you will no longer be human, but become a skeleton." 以沙墊之, 更為井, 食之以噴, 飲以爽(霜)路(露), 三日乃能人矣. 若不, 三月食之若傅之, 而非人也, 必枯骨也. Punctuated transcription from *Shuìhǔdì Qín mù zhújiǎn* 睡虎地秦墓竹简 (Běijīng: Wénwù Chūbǎnshè 文物出版社, 1990): 216, slips no. 53 *verso* (3) – no. 55 *verso* (3). My translation follows the editor's notes given in *Shuìhǔdì Qín mù zhújiǎn* and thus also closely Hu Baozhu, *Believing in Ghosts and Spirits: The Concept of* Gui *in Ancient China*, Monumenta Serica Monograph Series 71 (London: Routledge; Monumenta Serica Institute, 2021): "Appendix 3 Investigation: Annotated Translation of the 'Jie 詰' Section," no. 70, https://doi.org/10.4324/9781003110040 [accessed 17.05.2022]. The search was done using the Chinese Ancient Texts (CHANT) Jianbo Database 竹简帛書 1.

52 Yates, "Slavery in Early China": 299. In contrast to Orlando Patterson's more global definition of "slavery," which has been criticized for apparently treating "slaves" – socially interacting living human beings – as if in complete social isolation (see for example Miller, *The Problem of Slavery as History*: 31–32), Yates sees "social death" in the specific context of ancient China: "Humans are humans because they are tied into a network of kin relationships which constitute the world of social life and which define their social being, and in China humans are humans because of the direct

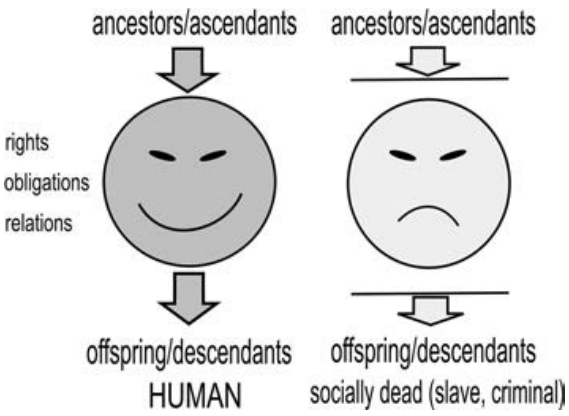

Fig. 1: Social death in ancient China after Yates, "Slavery in Early China."

a "human," socially alive, has relations and obligations. He or she is certainly not "free" to do as he or she likes; a slave or criminal, however, is cut off from any of his or her natural human relations.

Yates sees evidence for this hypothesis, for example in the fact that under Qín law "children who were considered 'not whole' (*buquan* 不全) could be killed with impunity" by their parents,[53] and that, as is known from transmitted sources, a male child with a disability "cannot serve at the ancestral altars" and therefore could not fulfil his obligations as an heir.[54] Within this lowest social stratum of socially dead persons, slaves can further be distinguished from convicts according to Yates, because their bondage was perpetual, while the bondage of convicts was limited to a set period of years.[55] However, differentiation of "slaves" and "convict" laborers in Qín and early Western Hàn is far less clear-cut than implied by Yates in 2001: as Maxim Korolkov recently summarizes the "decades-long" scholarly debate after the publication of

line and link between themselves and their ancestors or ascendants and their offspring or descendants." Yates, "Slavery in Early China": 299. Indeed, Patterson does not seem to deny that "slaves" were interacting human beings or had any social relations at all, but rather argues that they were deprived of something inherently human: "Slaves differed from other human beings in that they were not allowed freely to integrate the experience of their ancestors into their lives, to inform their understanding of social reality with the inherited meanings of their natural forbears, or to anchor the living present in any conscious community of memory." Patterson, *Slavery and Social Death*: 5.

53 Yates, "Slavery in Early China": 297.

54 Yates, "Slavery in Early China": 300. Yates refers to a case recorded in the *Zuǒ zhuàn* 左傳, chapter "Lord Zhāo 昭公 seventh year (535 BC)" ("Zhāo Gōng qī nián 昭公七年"), "in which a lame elder brother is barred from inheriting his father's rank for precisely the same reason: he is not human (*fei ren ye* 非人也), or considered a member of the clan [. . .] and so cannot serve at the ancestral altars [. . .]" For the original as well as annotated translated passage see Stephen Durrant, Wai-yee Li and David Schaberg, trans. and introd., *Zuo Tradition / Zuozhuan* 左傳*: Commentary on the 'Spring and Autumn Annals'* (Seattle and London: University of Washington Press, 2016): 1432–1435.

55 Yates, "Slavery in Early China": 301.

excavated Qín legal manuscripts, increasing evidence for life-long labor sentences, the fact that "slaves" could actually be purchased by the government from private individuals as laborers and "conversely, [the government] leased convicts out to private users, invite the question of whether or not convict laborers should be properly described as state-owned slaves."[56] Thus, there remains the issue whether, and how, privately and state-owned "slaves" and/or other "bondservants" and unfree laborers are actually distinguishable as to their "nature."[57]

Nevertheless, Robin Yates' analysis and understanding of "slavery" in late Warring States and early imperial China as encompassing social death is, in my view, very insightful, and seems to be applicable to these periods, although constant (re-) evaluation of the growing number of manuscript corpora is needed. However, just like other scholars, Yates assumes the existence of "slaves" in Shāng and Western Zhōu China without addressing the issue of how they are to be identified:

> In China from the Neolithic to the late Western Zhou 西周 and early Eastern Zhou 東周 periods, there was no strict separation in status between the lowest members of society and the highest. All members were to a certain extent unfree, and it was only in the middle of the Spring and Autumn period that a market economy really developed. I am not claiming that there were no slaves at all in early times. Rather, I wish to argue that there was a radical change in the nature of slavery in the middle of the Eastern Zhou period [. . .], when slaves for the first time came to be bought and sold.[58]

What, then, was their "nature" in early times? Is it possible to determine an early social category of "slaves," or any other low stratum, before the Eastern Zhōu period?

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56 Maxim Korolkov, "Empire-Building and Market-Making at the Qin Frontier: Imperial Expansion and Economic Change, 221–207 BCE" (PhD diss., Columbia University, 2020): 308. My insertion. For a thorough discussion of the extensive Qín system of unfree labor and its importance within the state economy and for the empire's construction projects, see the fourth chapter "Between command and market: the economy of convict labor" (307–427). The relationship between institutional and private dependency in Qín is further discussed in Maxim Korolkov, "Between Command and Market: Credit, Labour, and Accounting in the Qin Empire (221–207 B.C.E.)," in *Between Command and Market: Economic Thought and Practice in Early China*, ed. Elisa Sabattini and Christian Schwermann (Leiden: Brill, 2021): 162–243.

57 Yates also further revised his analysis in 2014, after examination of the newly published Qín bamboo manuscripts excavated at Lǐyè 里耶, Húnán Province, as well as the early Hàn Zhāngjiāshān 張家山 bamboo manuscripts excavated from Tomb 247 (see Yates, "The Changing Status of Slaves"). There, he states: "It is clear that we still have a long way to go to understand the exact nature of the many statuses among the lower orders of the Qin and early Han and how they may have changed over time and political and military circumstances." (223.)

58 Yates, "Slavery in Early China": 287–88.

2 Looking for "Strong Asymmetrical Dependency" in Epigraphic Sources: Social Groups

Let us consider the new concept "strong asymmetrical dependency." According to the webpage of the Cluster of Excellence "Beyond Slavery and Freedom," this means "human bondage and coercion,"[59] including "debt bondage, convict labor, tributary labor, servitude, serfdom, and domestic work as well as forms of wage labor and various types of clientage and patronage," and what is described as their "most extreme" form: "slavery." Thus, "strong asymmetrical dependency" is a generic term for specific social phenomena of "human bondage and coercion," known from particular societies at particular times. If looking for them within a given society such as ancient China, we first need to define what "human bondage and coercion" are: either we a) base our search on extant definitions of all these social phenomena just quoted in different historical contexts, or b) look for forms of human "bondage" and "coercion" which, however, need to qualify as being "strong," based on extant definitions of these two words in English or another modern language. To simplify our search, we shall therefore first look for "bondage," which according to the Merriam-Webster dictionary was first used during the fourteenth century in the sense of "the tenure or service of a villein, serf, or slave,"[60] and, in the same contexts, for

59 In the late 1860s, Karl Marx translated "bondage" as "Hörigkeit" (see Karl Marx, *Das Kapital: Kritik der politischen Oekonomie*, vol. 1, *Der Produktionsprocess des Kapitals*, 2nd ed. (Hamburg: Verlag von Otto Meissner, 1872): 602). In the modern English lexicon, "bondage" seems to be treated as synonymous with other concepts such as "enslavement, servility, servitude, slavery, thrall, thralldom, yoke" as given by the online *Merriam-Webster dictionary*, s.v. "bondage," https://www.merriam-webster.com/dictionary/bondage [accessed 17.05.2022], while German "Hörigkeit" (*bondage*), with the synonyms "Abhängigkeit, Unmündigkeit, Unselbstständigkeit," seems to be treated as a hyperonym of different phenomena such as "Sklaverei" (*slavery*), which in turn constitutes another synonym group: "Knechtschaft, Leibeigenschaft, Sklaverei, Unfreiheit." See *Digitales Wörterbuch der Deutschen Sprache*, s.v. "Hörigkeit" and "Sklaverei," https://www.dwds.de/wb/H%C3%B6rigkeit and https://www.dwds.de/wb/Sklaverei [both accessed 17.05.2022]. The greatest variety of translations of "bondage" and seeming overlaps or synonymy of different concepts is to be found in the online *Linguee Wörterbuch*: "Bondage, Knechtschaft, Gefangenschaft, Zwang, Sklaverei, Leibeigenschaft, Unfreiheit, Hörigkeit, Zwänge, beengender Zwang"; "Knechtschaft" in turn being translated as "slavery, servitude, bondage, subjugation, thraldom, serfdom" (see *Linguee Wörterbuch*, s.v. "bondage," https://www.linguee.de/deutsch-englisch/search?source=englisch&query=bondage and s.v. "Knechtschaft," https://www.linguee.de/deutsch-englisch/search?source=auto&query=Knechtschaft [both accessed 17.05.2022]). Thus "bondage," taken as an overarching concept, nevertheless points to specific social phenomena.

60 *Merriam-Webster dictionary*, s.v. "bondage," https://www.merriam-webster.com/dictionary/bondage [accessed 17.05.2022].

identifiable forms of "coercion," a word first used during the fifteenth century in the sense "to restrain or dominate by force."[61]

2.1 The Problem of Dependent Labor during the Late Shāng and Western Zhōu Periods

Within a given society, severe forms of human bondage and coercion should be the most asymmetrical of all social relations. When looking for them, it might be helpful to scrutinize society's lowest end. However, the Shāng and Western Zhōu inscriptions are largely non-descriptive of the lowest social strata. They are no normative texts; they do not *explain* social status. Nevertheless, we shall first consider social groups involved in possible cases of forced or dependent labor.

This has already been done to some extent. In the West, David N. Keightley has studied certain groups of people in oracle-bone and bronze inscriptions who were "mobilized" to fulfil tasks in construction, agriculture, handicraft, warfare and hunting – these groups were *zhòng* 衆 and *rén* 人, but also *chén* 臣 and others.[62] In his dissertation *Public Work in Ancient China: A Study of Forced Labor in the Shang and Western Chou* of 1969, Keightley stated that "under both dynasties, ancient China was a forced-labor society in which the king's work was performed by forced laborers of various status, permanently or intermittently attached to the ruling elite in a hierarchy of servitude,"[63] mainly focusing on the problem of their identification as slave societies. After careful re-evaluation of the evidence, published in 2012 under the title *Working for His Majesty: Research Notes on Labor Mobilization in Late Shang China*, he concluded more or less explicitly that labor mobilization during the late Shāng dynasty cannot be understood as "forced":

61 *Merriam-Webster dictionary*, s.v. "coercion," https://www.merriam-webster.com/dictionary/coercion [accessed 17.05.2022]. While these terms certainly arose during the medieval period in England and their semantic range is confined to these specific contexts, specificity applies to every single term for social phenomena under scrutiny of the present volume, because a given society naturally has temporal, geographical and other boundaries that make it identifiable and tangible. Any study in social history is therefore comparative in the sense that historians, if I may borrow the words of Joseph C. Miller "live in historical contexts of their own, and so they always add the perspective of the historian trying to make sense of them." (Miller, *Problem of Slavery as History*: 6.) However, historians by necessity not only work with historical material, but also with terms and concepts, including those of their own time, which they should be careful not to project onto other or earlier societies. As Miller pointedly states, "Being in the present does not exclude constructive engagement with the past; rather, the historian must merely avoid conflating the two." It should be added and pointed out that, while comparing phenomena in different societies at different times and in different languages, "two" easily becomes "many."

62 See Keightley, "Public Work in Ancient China": as well as *Working for His Majesty*.

63 Keightley, "Public Work in Ancient China": abstract.

> There was no phrase in ancient Chinese to express the idea of dependent labor or public work; the unifying concept was the responsibility, shared generally by the king's subjects and diffused downward through the patrimonial and patriarchal political and social ranks, to serve the king and lineage heads. Though there was certainly a fundamental social cleavage between those who benefited from the work and those who labored to provide it, there was also an acknowledged continuum of obligation that required all, high and low alike, to serve their superiors. [. . .] The concept of servitude, in fact, seems to have been generally accepted by people at all positions on the social spectrum.[64]

Because of new finds and developments in Western Zhōu epigraphy since 1969, Keightley left out the Western Zhōu evidence. He was a specialist for the late Shāng. Indeed, epigraphic evidence from the Western Zhōu is not easy to interpret.

2.1.1 The Hū *dǐng* 曶鼎 Inscription: "Slavery," "Bondage" or What?

The long and famous Hū *dǐng* 曶鼎 inscription (*Jíchéng* #2838), dated to the middle Western Zhōu period (before around 957 BC), has been understood as an example of "slavery" or some other kind of dependency.[65] Some graphs in the rubbings are unreadable or missing, which has led to different understandings. Unfortunately, the vessel was irretrievably lost.[66] The inscription consists of three parts (see Fig. 2). Part one is a "typical" description of Hū's 曶 investiture as hereditary official. Parts two and three each document a court case.

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64 Keightley, *Working for His Majesty*: 240.

65 For different translations and/or discussions of the Hū *dǐng* inscription see Chou Feng-wu (Zhōu Fèngwǔ) 周鳳五, "Hū dǐng míngwén xīnshì 曶鼎銘文新釋," *Gùgōng xuéshù jìkān* 故宮學術季刊 / *The National Palace Museum Research Quarterly* 33, no. 2 (2015): 1–18; Ulrich Lau, *Quellenstudien zur Landvergabe und Bodenübertragung in der westlichen Zhou-Dynastie (1045?–771 v. Chr.)*, Monumenta Serica Monograph Series 41 (Nettetal: Steyler Verlag, 1999): 368–83; Lutz Schunk, "Dokumente zur Rechtsgeschichte des alten China: Übersetzung und historisch-philologische Kommentierung juristischer Bronzeinschriften der West-Zhou-Zeit (1045–771 v.Chr.)" (PhD diss., Westfälische Wilhelms-Universität Münster, 1994): 139–65; Laura A. Skosey, "The Legal System and Legal Tradition of the Western Zhou (ca. 1045–771 B.C.E.)" (PhD diss., University of Chicago, 1996): 98–101 and 346–59; Laura A. Skosey, "Hu *ding* 曶鼎," in *A Source Book of Ancient Chinese Bronze Inscriptions*, Early China Special Monograph Series 7, ed. Constance A. Cook and Paul R. Goldin (Berkeley: The Society for the Study of Early China, 2016): 129–35. For a discussion of epigraphic issues and doubts as to the inscription's authenticity, see Keightley, "Public Work in Ancient China": 197–99, n. 1. For the discussion below of parts 2 and 3 of the inscription regarding the identification of social status, compare Adamski, "Sklave oder Dienstmann": 21–24.

66 For the circumstances and transmission of the rubbing, see Keightley, "Public Work in Ancient China": 197–99, n. 1; Skosey, "Legal System and Legal Tradition of the Western Zhou": 346, n. 90 and Skosey, "Hu *ding*": 129.

The first centered around five men. They had been "redeemed" or "bought" by Hū, at the "price" of a horse and a bolt of silk. But Hū had not received them, thus taking legal action.

Fig. 2: Rubbing of the Hū *dǐng* 曶鼎 inscription. From *Yīn Zhōu jīnwén jíchéng* 殷周金文集成 (Shànghǎi 上海: Zhōnghuá Shūjú 中华书局, 1985), vol. 5, no. 2838A, 243. Reproduced with permission. Due to two vertical columns partly left blank, the three parts of the inscription can be made out rather clearly.

The verb used is [illegible] ([illegible], [illegible]), which should be transcribed as 賣, often normalized as later *shú* 贖, "to redeem, to ransom," but possibly an early epigraphic occurrence of *yù* 賣, or variant of epigraphic *yù* 儥, in the sense "to buy" or "to redeem."[67] According to the

67 For the paleographic issues and reasons for this identification, see Adamski, "Sklave oder Dienstmann": 22, n. 37. Chou Feng-wu states that the graph should be understood in the sense of an "exchange" (*jiāoyì* 交易, *jiāohuàn* 交换), rather than in the later sense "to buy" (Chou Feng-wu, "Hū dǐng míngwén xīnshì 曶鼎銘文新釋": 5). Kolb, *Infanterie im alten China*: 118, refers to this transaction as "trade" (*Handel*).

verdict, Hū received the five men, who are each mentioned by name. Following one reading, they were to return to "their settlement(s)" (*jué yì* < **kot q(r)[ə]p* 氒邑) and "their fields" (*jué tián* < **kot lˤiŋ* 氒田),[68] probably meaning those they formerly used to live in and work on, normally, and most likely, affiliated to a certain lineage. They may even have returned to their family "property." However, according to another reading, the pronoun *jué* 氒 does not refer to the five men.[69] It may thus be that either the five individuals themselves had been "bought" or "redeemed," or, as Laura Skosey 1996 and 2016 suggests, only their labor. Further, the pronoun *jué* here can not even be seen in the transmitted rubbing – which apparently misses characters at the end of several lines –[70] but is merely an emendation, paralleling the preceding chain *jué yì* 氒邑.[71] In any case, the individuals in question were objects of the law, not its subjects. They seem to have been "dependents" of either Hū or his lineage, or the opposing party's lineage. They are not referred to by a specific term designating any social group: the text simply refers to "men" (*rén* < **ni[ŋ]* 人), or "individuals" (*fū* < **p(r)a* 夫). Since we lack information on their working and living conditions, their exact status – if there were such differentiations within the non-aristocratic population – cannot be determined.

Part three of the inscription describes another lawsuit, involving, again, Hū. Ten bushels of grain had been stolen from him during a year of famine. The thieves were either the élite member Kuāng 匡 together with twenty of his *chén* 臣, or twenty *chén* of Kuāng's.[72] These *chén* are translated variously as "slaves",[73] "servants",[74] or "*chen*-servants."[75] Hū sought compensation, in the form of grain, before the judge Dōnggōng 東宮. But neither Kuāng nor his men were able to replace the grain. Instead, he offered Hū altogether seven fields and five men, three of them

68 Skosey, "Legal System and Legal Tradition of the Western Zhou": 356; Lau, *Quellenstudien*: 372 and 382. Compare Adamski, "Sklave oder Dienstmann": 24, n. 39.

69 This interpretation can be found in Schunk, *Dokumente zur Rechtsgeschichte*: 147.

70 These are lines 1–4, 7–8, 10–15, and 19–23. Compare the emended transcription in *Yīn Zhōu jīnwén jíchéng shìwén*, vol. 2, no. 2838, 414.

71 Cf. also Schunk, "Dokumente zur Rechtsgeschichte": 161, n. 91.

72 According to another reading, the twenty *chén* acted on behalf of Kuāng's *zhòng* 眔 (**tuŋ-s*), denoting a social status or function and thus referring to an individual under Kuang's authority (translated as "commoner" (*Gemeiner*) by Lau, *Quellenstudien*: 372, or "servant" (*Knecht*) by Schunk, "Dokumente zur Rechtsgeschichte": 148), while Laura Skosey applies the meaning "masses" ("Legal System and Legal Tradition of the Western Zhou": 357) or "multitudes" ["Hu *ding*": 134]), apparently referring to Kuang's "people" in general. By contrast Keightley, "Public Work in Ancient China": 197–99, n. 1, interprets the inscriptional graph 眔 as a scribal error for the conjunction 眔 (*tà* < **m-rˤəp*).

73 Lau, *Quellenstudien*: 372.

74 Schunk, "Dokumente zur Rechtsgeschichte": 148.

75 Skosey, "Legal System and Legal Tradition of the Western Zhou": 357 as well as "Hu *ding*": 134–35.

chén 臣,[76] each also mentioned by name. The verb used is *yòng* 用, "to use." Due to several epigraphic issues, either Kuāng "used" the fields and *chén* to compensate Hū, that is, giving them to Hū, or Hū was going to "use" their labor and the agricultural yield until his loss was compensated. In this case, both fields and *chén* would have remained those of Kuāng.[77]

Because of this apparent "transaction," as well as their "gift-giving" in other inscriptions, *chén* 臣 has been understood as a status term, denoting "slaves," or at least a social "class" of "servants." However, as I have discussed elsewhere, the individual contexts to the various *chén* mentioned in bronze inscriptions point to a great difference in their respective social standing, which makes it likely that this was neither a status term nor descriptive of a specific function, but a general term for *subordination*, from which other compounds denoting more specific functions may have developed. This is consistent with the Shāng evidence as presented by Keightley 2012, with similar Western Zhōu findings made by Raimund Kolb 1991, Vassilij Krukov 1997 or Wáng Jìnfēng 王进锋 2011, and with the contextual use of *chén* in later Warring States sources as studied by Robert Gassmann in 2006.[78] The individuals named in the Hū *dǐng* inscription were in a relation of asymmetrical dependency in the sense that they were objects of an exchange and served others. But we have no proof of any "force" used on them. Definitions of "serfs"[79] or "villeins"[80] are also too specific: They presume the existence of a determinable social class and require delineating the individuals' "freedom" or "unfreedom" in relation to other social strata. It

76 "Fields, seven, and men, five." 田十(七)[田]人五夫.

77 Compare the different readings in Lau, *Quellenstudien*: 372, 382–83; Schunk, "Dokumente zur Rechtsgeschichte": 142–43, 148–50; Skosey, "Legal System and Legal Tradition of the Western Zhou": 98–99, 357–59; Skosey, "Hu *ding*": 133–35.

78 Compare Adamski, "Sklave oder Dienstmann"; see the works by Vassilij M. Krjukov, *Ritualnaja kommunikacija v drevnem Kitae* (Moscow: Institut Vostokovedeniya RAN, 1997): 62, and Wáng Jìnfēng 王进锋, "Hǔchén yǔ cì chén 虎臣与赐臣," *Sìchuān wénwù* 四川文物 5 (2011): 47–52; see also his more recent book-length study of *chén*, *xiǎochén* and society in the Shāng and Western Zhōu dynasties: Wáng Jìnfēng, *Chén, xiǎochén yǔ Shāng Zhōu shèhuì* 臣、小臣与商周社会 (Shànghǎi: Shànghǎi Rénmín Chūbǎnshè 上海人民出版社, 2018). Raimund Kolb, whose *Die Infanterie im alten China* had previously been unavailable to me, very judiciously discusses *chén* of the Shāng and Western Zhōu on pages 48–50 and 115.

79 According to the *Merriam-Webster dictionary*, a "serf" is defined as "a member of a servile feudal class bound to the land and subject to the will of its owner," its first known use attested for the year 1611 (see *Merriam-Webster dictionary*, s.v. "serf," https://www.merriam-webster.com/dictionary/serf [accessed 17.05.2022]).

80 A "villein" is defined as referring to "a free common villager or village peasant of any of the feudal classes lower in rank than the thane", "a free peasant of a feudal class higher in rank than a cotter", and "an unfree peasant standing as the slave of a feudal lord but free in legal relations with respect to all others." The word's earliest occurrence in the first sense is not attested until the fourteenth century. See *Merriam-Webster dictionary*, s.v. "villein," https://www.merriam-webster.com/dictionary/villein [accessed 17.05.2022].

remains unclear whether the men, or their families, "owned" the fields they worked on or returned to. The peasant population of the Western Zhōu was normally tied to the land, under jurisdiction of royal lineages or "regional rulers." So far, the Hū *dǐng* documentation of a transfer of *specific* persons along with fields as the result of a lawsuit is singular. We cannot say that *chén* "in general" could be "bought" or exchanged in commerce.

To further complicate our evidence base, David Keightley 1969 has argued against the genuineness of the inscription, based on character errors and inconsistencies in the alleged provenances of the inscription's rubbings.[81] We must at least consider this possibility.[82]

2.1.2 Indefinite Terms? Problems in Searching for Social Status

There are other terms that are sometimes identified as denoting "slaves" or other subordinate "classes," such as *rénlì* 人鬲.[83] We need more information on these people than the mere fact that they were personnel "given" to élite members. This is, for the reasons I have given, not sufficient grounds to assign any specific status to them. So far, it is not easy to make out any specific "strata" or "classes" of people denoted by specific epigraphic terms in early ancient China.[84] Some terms are

81 See Keightley, "Public Work in Ancient China": 197–99, n. 1.

82 Another general reason for paleographic and epigraphic irregularities in inscriptions might be the use of blueprint manuscripts on perishable materials in the process of inscription making, as was recently shown by Škrabal for Western Zhōu bronzes (see Ondřej Škrabal, "Writing before Inscribing: On the Use of Manuscripts in the Production of Western Zhou Bronze Inscriptions," *Early China* 42 (2019): 273–332).

83 Such an identification can be found in quite recent studies, for instance in Li Feng, "The Western Zhou State": 101, as already cited; see also Li Feng, *Landscape and Power*: 127, where *rénlì* is directly translated as "slaves." Also compare its lexicalization as "captives or slaves" 俘虜或奴隸 in *Jīnwén chángyòng zìdiǎn* 金文常用字典 (Xī'ān 西安: Shǎnxī Rénmín Chūbǎnshè 陕西人民出版社, 2004): 766.

84 As an aside, "class" and "stratum" are modern social concepts that developed in nineteenth-century Europe while estate-based society dissolved; according to Reinhart Koselleck, the traditional German concept *Stand* ("estate, degree") in 1807 in Prussia, for instance, comprised a vast array of meanings, while the rather new term *Klasse* seems to have been defined mostly by economical and legal criteria; neither being a clear-cut concept: "Der Begriff des Standes enthielt um die damalige Jahrhundertwende unendlich viele Bedeutungsstreifen politischer, wirtschaftlicher und rechtlicher Art, so daß aus dem Wort selber keine eindeutige Zuordnung abzuleiten ist. [. . .] Der Begriff 'Klasse' enthielt damals ebenso mannigfaltige Bedeutungen, die sich streckenweise mit dem von 'Stand' überlappten. Immerhin kann für den deutschen, speziell den preußischen Sprachgebrauch der Bürokratie gesagt werden, daß damals eine Klasse eher durch wirtschaftliche und verwaltungsrechtliche Kriterien bestimmt wurde als durch politische oder gar geburtsständische Kriterien." Reinhart Koselleck, "Begriffsgeschichte und Sozialgeschichte," in *Historische Semantik und Begriffsgeschichte*, ed. Reinhart Koselleck (Stuttgart: Klett-Cotta, 1978): 22. According to the

obviously used as official titles; some seem to denote certain functions, and may then have been used as so-called "official titles," too.

To give an example of the broad social connotations of Shāng and Western Zhōu terms, I should like to make some additional comments on two terms which are known throughout the pre-imperial and imperial written sources: *chén* 臣, commonly in the sense of "minister" or "servant," and *qiè* 妾, meaning "spouse" in the earliest inscriptions, and "concubine" in later historical sources.[85] These terms were often used together, already in the early Western Zhōu period, implying a close connection of the two. As a compound, *chén qiè* 臣妾 is lexicalized as male and female "slaves" already for early periods in Chinese history, for example in the comprehensive Chinese language dictionary *Hànyǔ dà cídiǎn* 汉语大词典 (2006), or in the dictionary of commonly used bronze inscriptional characters *Jīnwén chángyòng zìdiǎn* 金文常用字典 of 2004.[86] As we have seen so far, and as has been criticized by Huáng Xiànfán already prior to the 1980s,[87] such an identification should be questioned for the earliest Chinese periods.

Merriam-Webster dictionary, the English noun "class" is first attested for 1583 in the meaning "a group, set, or kind sharing common attributes," and not yet in the sense of "a group sharing the same economic or social status" or "social rank" (*Merriam-Webster dictionary*, s.v. "Class," https://www.merriam-webster.com/dictionary/class#h1 [accessed 17.05.2022]). The first known use of "stratum" was in 1599 in the sense "a bed or layer artificially made" (*Merriam-Webster dictionary*, s.v. "Stratum," https://www.merriam-webster.com/dictionary/stratum [accessed 17.05.2022]). The term "class" (French *classe*, German *Klasse*) was first used in the biological classification of plants, "[a]ls Konzept zur Analyse der Gesellschaft tauchte er erstmals bei den Physiokraten im 18. Jh. auf (Physiokratie). In ähnlicher Weise übernahm ihn zu Beginn des 19. Jh. Claude Henri de Saint-Simon zur Bezeichnung der einzig produktiven industriellen Klasse. Für Karl Marx, der den modernen Begriff der Klasse prägte, war der Besitz an den Produktionsmitteln das entscheidende Kriterium, das in der bürgerlichen Gesellschaft die Zuordnung zur Arbeiter- oder Kapitalistenklasse bestimmte" (Ruedi Brassel-Moser, "Klassengesellschaft," June 13 2012, in *Historisches Lexikon der Schweiz (HLS)*, https://hls-dhs-dss.ch/de/articles/015984/2012-06-13/ [accessed 17.05.2022]). The word was borrowed from Latin *classis*, "fleet, class, division," there also denoting "a class, into six of which Servius Tullius devided the whole Roman people" (see John Relly Beard, *Cassell's Latin dictionary, by J.R. and C. Beard* (London: John Cassell, 1854): 66), compare Wolfgang Pfeifer, "Klasse," in *Digitales Wörterbuch der deutschen Sprache (DWDS)*, https://www.dwds.de/wb/Klasse [accessed 17.05.2022].

85 See also the earlier discussion of the two in Huáng Xiànfán, *Zhōngguó lìshǐ méi yǒu núlì shèhuì*: 16–17. For semantics of the term *qiè* in early and later imperial sources, see Griet Vankeerberghen, "A Sexual Order in the Making: Wives and Slaves in Early Imperial China," in *Sex, Power and Slavery*, ed. Gwyn Campbell and Elizabeth Elbourne (Athens, OH: Ohio University Press, 2014): 121–39.

86 *Jīnwén chángyòng zìdiǎn*: 349. See also the comprehensive Chinese language dictionary edited by Luó Zhúfèng 罗竹凤, *Hànyǔ dà cídiǎn* 汉语大词典, vol. 8 (Shànghǎi: Hànyǔ Dà Cídiǎn Chūbǎnshè 汉语大词典出版社, 2006): 720.

87 In the collocation *chén qiè*, Huáng sees a clear distinction of "male" and "female" in transmitted texts, where it appears to have denoted poor, ordinary servants, or poor and common people, and

While this composite can already be found in Western Zhōu bronze inscriptions, it does not yet occur in excavated oracle-bone corpora from the last Shāng capital Yīn 殷.[88] However, some divination inscriptions prove that *chén* 臣 and *qiè* 妾 were already correlated, such as piece *Huādōng* 409 (27), belonging to a corpus of oracle-bones and turtle shells excavated in 1991 at Huāyuánzhuāng 花园庄 village, Hénán 河南 province, which was published in 2003:

> 己卜: 叀 臣又妾禦子馘妣庚.[89]

> Cracks made on *jǐ* 己(-day): It should be captive *chén* 臣 and *qiè* 妾 to make the exorcism rite for prince Guó 馘 (to) ancestress Gēng 庚.[90]

Another example is *Héjí* 629 (2):

> 貞今庚辰, 夕用甗小臣三十, 小妾三十于帚. 九月.[91]

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within some contexts referred to the conquered and captured populace in war; according to him, its predominant notion as "male and female slaves" and as a status term is therefore a modern misinterpretation of old commentaries. Compare Huáng Xiànfán, *Zhōngguó lìshǐ méi yǒu núlì shèhuì*: 19–20.

88 For this paper, I consulted the following oracle-bone corpora: *Jiǎgǔwén héjí* (abbreviated *Héjí* 合集), 13 vols. (Běijīng: Zhōnghuá Shūjú, 1999); *Xiǎotún nándì jiǎgǔ* 小屯南地甲骨 (abbreviated *Túnnán* 屯南), 2 parts (5 vols.) (Běijīng: Zhōnghuá Shūjú, 1983); *Yīnxū Huāyuánzhuāng dōngdì jiǎgǔ* 殷墟花园庄东地甲骨 (abbreviated *Huādōng* 花东), 6 vols. (Kūnmíng 昆明: Yúnnán Rénmín Chūbǎnshè 云南人民出版社, 2003); and *Yīnxū Xiǎotún cūnzhōng cūnnán jiǎgǔ* 殷墟小屯村中村南甲骨 (abbreviated *Túnzhōngnán* 屯中南), 2 vols. (Kūnmíng: Yúnnán Rénmín Chūbǎnshè, 2012), as well as their respective concordances: *Yīnxū jiǎgǔ kècí lèizuǎn* 殷墟甲骨刻辞类纂, 3 vols. (Běijīng: Zhōnghuá Shūjú, 1989); *Yīnxū Huāyuánzhuāng dōngdì jiǎgǔ kècí lèizuǎn* (Běijīng: Xiànzhuāng Shūjú, 2011); *Yīnxū Huāyuánzhuāng dōngdì jiǎgǔwén lèizuǎn* (Fúzhōu: Fújiàn Rénmín Chūbǎnshè, 2016); *Yīnxū Xiǎotún cūnzhōng cūnnán jiǎgǔ kècí lèizuǎn* (Běijīng: Zhōnghuá Shūjú, 2017). I did not consider collections that date back to before academic excavations, in particular those in the Royal Ontario Museum and the British Library, since forgeries are not securely identifiable in every single case.

89 See rubbing in *Yīnxū Huāyuánzhuāng dōngdì jiǎgǔ*, vol. 3, no. 409, 820 (the inscription can be found on the upper left side of the turtle shell, the graphs running from right to left, then downwards, and again from left to right). Transcription follows *Yīnxū Huāyuánzhuāng dōngdì jiǎgǔwén lèizuǎn*, 95. Also see *Yīnxū jiǎgǔwén móshì quánbiān* 殷墟甲骨文摹释全编, vol. 10 (Bějiīng: Xianzhuang Shūjú 线装书局, 2010), 5670 and Adam Craig Schwartz, *The Oracle Bone Inscriptions from Huayuanzhuang East: Translated with an Introduction and Commentary*, Library of Sinology 3 (Boston and Berlin: De Gruyter Mouton, 2019): 341 (HYZ 409), both of which transcribe the graph as "Ěr" 而; I follow Schwartz, however, in reading it as "Guó" 馘 in the Huādōng corpus (for the identification see: 81, n. 18).

90 Cf. the translation by Schwartz, *The Oracle Bone Inscriptions from Huayuanzhuang East*: 341 (HYZ 409).

91 See rubbing in *Jiǎgǔwén héjí*, vol. 1, no. 629, 150. Transcription follows *Jiǎgǔwén héjí shìwén*, vol. 1, no. 00629.

> Divined: This *gēngchén* (day), in the evening (we) use as sacrificial offering thirty minor *chén* (and) thirty minor *qiè* to (the king's deceased) wife.[92]

A parallel structure in *Héjí* 630 (1) indicates that *qiè* could refer to "women" in general, because it contains both *chén* and *nǚ* 女, "woman":

> 癸酉卜, 鼎(貞): 多匕(妣)甗小臣三十, 小女三十[于]帚(婦).[93]

> Cracks made on (day) *guǐyǒu*, divined: (To) the many ancestresses offer thirty minor servants [小臣] (and) thirty minor women [小女], or: girls to the (king's deceased) wife.

Thus, *qiè* 妾 seem to be female equivalents of the male *chén* 臣, which would explain their later collocation. During the 1950s there was already some debate among scholars about the social status of *qiè* in oracle-bone inscriptions: Most believed that *qiè* obviously accompanied the king, apparently being wives and concubines and not slaves; others held that those *qiè* who were not referred to as the king's wives could be killed like cattle, and were sacrificed together with animals, and thus certainly were "slaves."[94] Because the term *chén* had a very broad range and could even refer to high-ranking officers or "officials," sometimes even translated as "ministers," it stands to reason that the word *qiè* 妾 is also used in a broad sense. Although it was sometimes synonymous to *qī* 妻, "wife," I would suggest a translation as "female servants" in the Shāng context, wherever the meaning "wife" is unclear.[95] But we know nothing about their living conditions except the fact that some *qiè* and some *chén* were offered as human sacrifices. This, however, was an important argument in their identification as "slaves," for example by Wáng Chéngshào 王承昭 1955, which is only seldom disputed.[96] We also often find the assumption that all victims of human sacrifice must have been of "low status" and "humble origin."[97] But human

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92 Cf. the translation by Christian Schwermann and Wang Ping 王平, "Female Human Sacrifice in Shang-Dynasty Oracle-Bone Inscriptions" (unpublished manuscript, September 29, 2014): 63.

93 See rubbing in *Jiǎgǔwén héjí*, vol. 1, no. 630, 150. Transcription following *Jiǎgǔwén héjí shìwén*, vol. 1, no. 00630. Compare translation in Schwermann/Wang, "Female Human Sacrifice": 54.

94 For example Wáng Chéngshào 王承昭, "Shìlùn Yīndài '*xī*', '*qiè*', '*fú*' de shèhuì shēnfèn 试论殷代'奚'、'妾'、'𠬝' 的社会身份," *Běijīng dàxué xuébào* 北京大学学报 1955, no. 1: 114–21; for quotes of this and other works see Yú Xǐngwú 于省吾 vol. 1, ed., *Jiǎgǔwénzì gǔlín* 甲骨文字詁林 (Běijīng: Zhōnghuá Shūjú 中華書局, 1999): no. 0428, 453.

95 Compare other translations, for example "maid-servants", in Schwermann/Wang, "Female Human Sacrifice": 17–19.

96 See Wáng Chéngshào, "Shìlùn Yīndài '*xī*', '*qiè*', '*fú*'." Aside from Huáng Xiànfán, *Zhōngguó lìshǐ méi yǒu núlì shèhuì*, on the respective Shāng terminology (see especially 16–24), cautious treatment of Shāng and Zhōu epigraphic social terms can be found in Kolb, *Die Infanterie im Alten China*, and Kolb, "Bemerkungen zu Ulrich Lau."

97 For example, the reference work "History of the Shāng-Yīn Period" (*Yīn Shāng shǐ* 殷商史) published in 2003 classifies the archaeologically excavated remains of Shāng human sacrifice and accompanying-in-death as clearly belonging to a class of "slaves," identifying them in the epigraphic record as well (in particular *chén qiè* 臣妾); an entire chapter of the book is dedicated to "slaves"

victims need not automatically be of low status.[98] This fails to consider various possible motives of Shāng sacrifice that still need to be studied in detail.

Bronze inscriptions also mention *chén* and *qiè* in connection: In Western Zhōu evidence, *chén qiè* occurs six times as a collocation, once in an early (before ca. 957 BC) and five times in late Western Zhōu bronze inscriptions (ca. 857–771 BC).[99] From the contexts, we can make out *chén qiè* as subordinate people that are in some way dependent:

In the short Fù Zuò Fù Yǐ *zūn* 复作父乙尊 inscription (*Jíchéng* #5978), the "regional ruler" of Yàn 燕 bestowed on Fù 复: "a cap, an overcoat, *chén qiè* 臣妾, and cowry shells" 冂衣臣妾貝 as gifts.[100] These kinds of gifts are known from early

(Chapter 8, "Núlì zāoyù 奴隶遭遇"; see Hú Hòuxuān 胡厚宣 and Hú Zhènyǔ 胡振宇, eds., *Yīn Shāng shǐ* 殷商史 (Shànghǎi: Shànghǎi Rénmín Chūbǎnshè, 2003): 149–211). This assumption is mainly based on the fact that many of these victims seem to have been captives from non-Shāng tribes.

98 In ancient China, we have transmitted accounts of high-ranking officials being buried together with their lord, for instance the three brothers Zǐchē (or: Zǐjū) Yǎnxī 子車奄息, Zǐchē Zhòngháng 子車仲行, and Zǐchē Zhēnhǔ (or: Qiánhǔ) 子車鍼虎, who in 621 BC followed Duke Mù 穆公 of Qín into the grave (purportedly among altogether 177 victims), their deaths being lamented in the well-known poem "Yellow Bird," or "Oriole" ("Huáng niǎo" 黄鳥), which is included in the "Book of Songs" (Ode #131 in the Máo 毛 tradition). See *Zuǒ zhuàn*, chapter "Lord Wén sixth year (621 BC)" ("Wén Gōng liù nián 文公六年"), which states disapprovingly: "All were good men of Qin." 皆秦之良也. See text and annotated translation in Durrant, Li and Schaberg, *Zuo Tradition / Zuozhuan* 左傳: 490–91. See also the interesting analysis by Griet Vankeerberghen, "'Yellow Bird' and the Discourse of Retainer Sacrifice in China," in *Sacrifices humains: Perspectives croisées et représentations. Human Sacrifice: Cross-cultural Perspectives and Representations*, Religions 2, ed. Pierre Bonnechere and Renaud Gagné (Liège: Presses universitaires de Liège, 2013): 175–203. Although strictly speaking, these "accompaniers-in-death" (*rénxùn* 人殉) differ somewhat from the "human sacrifices" (*rénjì* 人祭) found in great numbers in pits in the Shāng royal cemetery at Ānyáng 安阳, their high social standing clearly did not prevent them from being killed; instead, their very position seems to have been the reason why they were chosen as victims. Still useful as an overview of human sacrifice and accompanying-in-death in Chinese transmitted sources is Eduard Erkes, "Menschenopfer und Kannibalismus im alten China," *Der Erdball: Illustrierte Zeitschrift für Menschen- und Völkerkunde* 1, no. 1 (1926): 1–6. Outside of China, human sacrificial victims in the pre-Columbian Americas could be of high social status, such as Inca children sacrificed on Andean mountains (see Patrick Tierney, *The Highest Altar: The Story of Human Sacrifice* [New York: Viking, 1989], and, more recently, Maria Constanza Ceruti, "Frozen Mummies from Andean Mountaintop Shrines: Bioarchaeology and Ethnohistory of Inca Human Sacrifice," *BioMed Research International* (2015), https://doi.org/10.1155/2015/439428 [accessed 17.05.2022]).

99 Western Zhōu reign dates follow Edward L. Shaughnessy, *Sources of Western Zhou History: Inscribed Bronze Vessels* (Berkeley: University of California Press, 1991): xix, and periodization as given in Li Feng, *Landscape and Power*: xvii.

100 For the identification of the graph 冂 as a variant of *mì* < $^{*}m^{s}[e]k\,ʔ$, "cover," possibly "cap," see Susanne Adamski, *Die Darstellung des Bogenschießens in Bronzeinschriften der West-Zhōu-Zeit (1045–771 v.Chr.): Eine philologische Quellenanalyse*, Veröffentlichungen des Ostasieninstituts der Ruhr-Universität Bochum 66 (Wiesbaden: Harrassowitz, 2017): 66–67. Compare the rubbing and

investiture inscriptions.[101] The long and famous Dà Kè *dǐng* 大克鼎 inscription (*Jíchéng* #2836) describes the investiture of the official Kè 克. The king bestows on him settlements and fields at different locations, belonging to different families, which was clearly a practice of the late Western Zhōu:[102]

> 易(賜)女(汝)田于埜. 易(賜)女(汝)田于渒. 易(賜)女(汝)井家𩰫田于𨚕. 吕(以)氒臣妾. 易(賜)女(汝)田于康(康).[103]
>
> I bestow on you fields at Yě 埜. I bestow on you fields at X 渒. I bestow on you X 𩰫 fields at X 𨚕 belonging to the Jǐng 井 lineage, along with their *chén qiè* 臣妾. I bestow on you fields at Kāng 康.[104]

Here, the *chén qiè* 臣妾 are tied to the fields they apparently live and work on. On the Shī Huǐ *guǐ* 師毀簋 vessel (Shī X *guǐ* 師𩛥簋) (*Jíchéng* #4311), dated to 841 BC but unfortunately lost, the minister Bó Héfù 伯龢父,[105] orders Shī Huǐ 師毀 to:

> 𣪘𦎫(司)我西扁(偏)東扁(偏)僕馭(馭)百工牧臣妾. 東(董)𢦏(裁)内外.[106]
>
> Supervise and administer the *pú* and the charioteers, the artisans, the herders, and the *chén qiè* 臣妾 of the eastern and western wings of my armies, managing internal and external affairs.[107]

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transcription in *Yīn Zhōu jīnwén jíchéng shìwén*, vol. 4, no. 5978, 257, as well as the transcription in *Jīnwén yǐndé*, no. 2090, 113–14.

101 On "gifts" of various kinds Virginia Kane in 1982 noted that "in Western Chou bronze inscriptions, it seems important to bear in mind the fundamental distinction between those presented as a reward for services already rendered or military valor already displayed, and those 'gifts' which accompanied a charge or appointment whose duties and services were yet to be performed. It seems that only the former – the rewards or recompense for services already rendered – should actually be considered as gifts (understood as objects which the recipient may keep and use as he wishes), while the latter comprised instead the insignia and accouterments essential to the official duties being assigned and as such were always, at least in theory, subject to return to the superior." Virginia C. Kane, "Aspects of Western Chou Appointment Inscriptions: The Charge, the Gifts, and the Response," *Early China* 8 (1982–83): 14.

102 For developments in the Western Zhōu granting of land, see Li Feng, *Landscape and Power*: 125–26.

103 Punctuated transcription from *Jīnwén yǐndé*, no. 4023, 253; compare rubbing and transcription in *Yīn Zhōu jīnwén jíchéng shìwén*, vol. 2, no. 2836, 408–9.

104 Compare the transcription, translation and discussion by Constance A. Cook, "Da Ke ding 大克鼎 and related inscriptions," in *A Source Book of Ancient Chinese Bronze Inscriptions*, Early China Special Monograph Series 7, ed. Constance A. Cook and Paul R. Goldin (Berkeley: The Society for the Study of Early China, 2016): 172–79, especially 177–79.

105 Identified as Gòngbó Hé 共伯和, Firstborn and head of the Gòng lineage. For the historical context as well as the dating of the inscription, compare Li Feng, *Landscape and Power*: 106.

106 Punctuated transcription from *Jīnwén yǐndé*, no. 5041, 324. Compare rubbing and transcription in *Yīn Zhōu jīnwén jíchéng shìwén*, vol. 3, no. 4311, 439.

107 Compare the translation in Li Feng, *Landscape and Power*: 106; another translation can be found in the freely available class text readings by Robert Eno, "Inscriptional Records of the

The late Western Zhōu Nì *zhōng* 逆鐘 (*Jíchéng* #0062) records how Shū Shì 叔氏 orders Nì 逆 to:

> 用[illegible]于公室僕庸臣妾小子室家. 母(毋)又(有)不[illegible](聞)[illegible](智).[108]
>
> Supervise the *pú* 僕 and *yōng* 庸 and *chén qiè* 臣妾 of the lord's house, and the houses and families of the minor sons (*xiǎozǐ* 小子). Let there be nothing you do not hear or know.

According to two other inscriptions, *chén qiè* were part of the royal household at the Kāng 康 palace or palace-temple: In the Zǎi Shòu *guǐ* 宰獸簋 inscription, from the late middle or late Western Zhōu,[109] the king orders Zǎi Shòu 宰獸 to:

> [illegible] (兼)[illegible](司)康宮王家臣妾[illegible](庸). 外入(內)母(毋)敢無[illegible](聞)[illegible](知).[110]
>
> Administer the *chén qiè* 臣妾 as well as the X and *yōng* of the Kāng 康 palace and the royal household. Do not dare not to hear and know of inner and outer affairs.

And on the transmitted rubbing of the Yī *guǐ* 伊簋 (*Jíchéng* #4287), dated to the late Western Zhōu:

> 王 [. . .] 命伊[illegible]官[illegible](司)康宮王臣妾百工.[111]
>
> The king [. . .] orders Yī 伊 to x supervise and administer the king's *chén qiè* 臣妾 as well as the hundred artisans at (or of) the Kāng palace.

Obviously, *chén qiè* belong to the personnel of the king's and other lineages' households alongside other more specified personnel.[112] Therefore, *chén qiè* seem to denote

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Western Zhou," Indiana University, IUScholarWorks Repository, Fall 2012: 68–69, http://hdl.handle.net/2022/23466 [accessed 17.05.2022].

108 Punctuated transcription from *Jīnwén yǐndé*, no. 0056, 4. Compare rubbing and transcription in *Yīn Zhōu jīnwén jíchéng shìwén*, vol. 1, no. 0062, 35.

109 The vessel was found 1997 in Dàtóngcūn 大同村, Fúfēng 扶风 county, Shǎnxī 陕西 province, and is held in the province's Zhōuyuán Museum 周原博物館 in the city of Bǎojī 寶雞. See Luò Xizhang 罗西章, "Zǎi Shòu *guǐ* míng lüèkǎo 宰兽簋铭略考," *Wénwù* 文物 1998, no. 8: 83–87.

110 Punctuated transcription from *Jīnwén yǐndé*, no. 5048, 325. For the rubbing see Luò Xīzhāng, "Zǎi Shòu *guǐ* míng lüèkǎo 宰兽簋铭略考": 85, Fig. 3.

111 Transcription from *Jīnwén yǐndé*, no. 5030, 322; compare rubbing and transcription in *Yīn Zhōu jīnwén jíchéng shìwén*, vol. 3, no. 4287, 406.

112 Early transmitted literature in a few instances also refers to *chén qiè* 臣妾 as a pair. While the chain does not occur in the anthology of poetry "Book of Songs" (*Shī jīng*), it can be found twice in the divination classic "Book of Changes" (*Yì jīng* 易經), without however many contextual clues as to the semantics of the collocated words. In the "Book of Documents" (*Shàng shū*), chapter "Harangue at Bi" ("Bì shì" 費誓), *chén qiè* are mentioned in the context of military campaigns. In a speech attributed to Bó Qín 伯禽, the Prince of Lǔ 鲁, son of the Duke of Zhōu 周公 (reigned 1042–1036 BC for young King Chéng 成), before a campaign against the Xúróng 徐戎 and Huáiyí 淮夷 he warns his officers and soldiers, as well as the people of Lǔ: "When horses and cattle abscond, and *chén* and *qiè* (male and female servants) flee, do not dare to get over (the entrenchments) and chase them. If you repectfully restore them, I will commensurately reward you. If you trespass and

male and female people who are attached to élite households which they serve in one way or another. They are administered and supervised. Aside from their "administration," we lack information on the personal relations between these "serving" people and their official superiors. Can we securely identify this social asymmetry as "strong"? I think not. This reflects a problem of our sources.

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pursue or do not return them, you will receive the usual punishment. Do not dare to plunder or steal. If you pass over enclosures or walls to steal horses and cattle, or lure away *chén* and *qiè* (male and female servants), you will receive the usual punishment." 馬牛其風, 臣妾逋逃, 勿敢越逐. 祗復之, 我商賚汝. 乃越逐不復, 汝則有常刑. 無敢寇攘, 逾垣牆, 竊馬牛, 誘臣妾, 汝則有常刑. *Sìbù cóngkān* 四部叢刊, *Shàng shū* 尚書, *juàn* 卷 13 (my punctuation); compare the translations by Séraphin Couvreur, *Chou king* 書經*: Les Annales de la Chine*, Humanités d'extrême-Orient: Série Culturelle des Hautes Études de Tien-Tsin (Leiden: Brill/Les Belles Lettres; Paris: Cathasia, 1950): 393–96, and James Legge, *The Chinese Classics, with a Translation, Critical and Exegetical Notes, Prolegomena, and Copious Indexes,* vol. 3, part 2, *Containing the Fifth Part of the Shoo King, or the Books of Chow; and the Indexes* (Hongkong: At the Author's; London: Trübner & Co., 1865): 621–25, and Maria Khayutina, "'Bi shi' 柴誓, Western Zhou Oath Texts, and the Legal Culture of Early China," in *Origins of Chinese Political Philosophy: Studies in the Composition and Thought of the Shangshu (Classic of Documents)*, ed. Martin Kern and Dirk Meyer (Leiden: Brill, 2017): 416–45. This text, at least in its wording, cannot be regarded as an authentic Western Zhōu "document" (compare Khayutina, "'Bi shi' 柴誓," as well as Shaughnessy, "*Shàng shū* 尚書"). However, if we treat this speech, or "oath," as reflecting some of the circumstances of that period, it indicates that *chén* and *qiè* also served in the military, following warriors on campaigns, the use of the chain pointing to unspecified male and female "servants" or "retainers" at large, perhaps being responsible for tasks such as cooking, tending animals, etc. (also compare Legge, *The Shoo King*: 623–24, n. 4). Interpretations as "slaves" in this context may have arisen because the commentary attributed to the Western Hàn scholar Kǒng Ānguó 孔安国 (156–74 BC) explains *chén qiè* as "*nú bì* 奴婢," commonly understood and translated as "slaves," or due to their collocation with livestock and possibility of absconding. For another recent translation and study of this chapter regarding its composition, historical background, and questions of authenticity, see Khayutina, "'Bi shi' 柴誓." All in all, this occurrence of *chén qiè* seems largely in accord with the usage of the collocation in Western Zhōu bronze inscriptions (search performed using the electronic collectanea Sìbù cóngkān 四部丛刊 provided by the Unihan Ancient Books Database 書同文古籍數據庫, https://guji.unihan.com.cn/, via CrossAsia [crossasia.org]). A glimpse into digitalized manuscript sources shows that in Qín Shuìhǔdì legal bamboo manuscripts, we still find the collocation *chén qiè* 臣妾 (altogether 22 times, either in legal statutes [*Qínlǜ shíbā zhǒng* 秦律十八種], questions and answers on them [*Fǎlǜ dáwèn* 法律答問], or model cases for sealing and investigating [*Fēngzhěn shì* 封診式]); not always as part of the now frequently used chain *lìchén qiè* 隸臣妾, but apparently also as a generic term for dependent "servants," see for example the following coordination in *Fēngzhěn shì*, section "Sealing and Guarding" ("Fēngshǒu" 封守): "*shìwǔ* A's household, wives, children, *chén* and *qiè* (male and female servants), clothes, vessels and tools, and livestock" 士五(伍)甲家室、妻、子、臣妾、衣器、畜產. Punctuated transcription from *Shuìhǔdì Qín mù zhújiǎn*, 149, slip no. 8. As such it is at present not, and perhaps no longer, found in excavated Hàn legal manuscripts. The database search was performed on August 25, 2020 using the Chinese Ancient Texts (CHANT) Jianbo databases 竹簡帛書 1–3. For information on the various manuscript corpora, see the Manuscripts Database provided by the Institute of Chinese Studies, Heidelberg University (http://projects.zo.uni-heidelberg.de/manuscript/index.php/sites/find [accessed 17.05.2022]).

2.2 Problems of the Sources

If we choose to identify "slavery" and other forms of "human bondage and coercion" on the level of personal relations, as Patterson does, we need information on the nature of these relations. For example, official texts or statutes by which society is described or legally structured, or personal written accounts of the living conditions of the lowest members of society. Excavated legal texts from the Qín and early Hàn not only speak of dependents who could be "manumitted," *miǎn* 免,[113] thereby changing their legal, and apparently also their social, status; the legal manuscripts also mention a stratum of so-called "commoners" or "free men," *shùrén* 庶人. Here is one example from the "Statutes on Abscondance" ("Wáng lǜ" 亡律) found at the early Hàn Zhāngjiāshān 張家山 tomb 247, as cited and translated by Yates 2014:

> 奴婢為善而主欲免者, 許之, 奴命曰私屬, 婢為庶人, 皆復使, 及筭事之如奴婢.
>
> If a male or female slave is good and the master wishes to manumit (*mian*) [them], permit it, and male [*sic*] slave is [then] called a "private dependent" (*sishu*) and the female slave is made a freedman (*shuren*); in all cases they may again employ [them] as well as pay the poll tax (*suan*), and make them serve like male and female slaves.[114]

While Cáo Lǚníng 曹旅宁 2007 has argued that *shùrén*, according to the legal bamboo and wooden slips of the Qín and Hàn, also showed clear signs of personal bondage, therefore translating them as "subordinate people" instead of "commoners,"[115] more recent studies further problematize reading *shùrén* as a "status": Jiǎ Lìyīng 贾丽英 2019 and Takatori Yūji 鷹取祐司 2019 both emphasize that the term *shùrén*, while found as referring to certain people in a legal context, generally is not used to designate specific persons (such as "*shùrén* X," in contrast to "*lìchén* 隶臣 X" or "*chéngdàn* 城旦 X"), based in part on the recently published legal texts

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113 For certain regulations on "manumitted" *lìchén qiè* 隸臣妾, see for instance the "Statutes on Granaries" (Cāng lǜ 倉律) in the Shuìhǔdì manuscript "Eighteen Statutes of the Qín" (*Qín lǜ shíbā zhǒng* 秦律十八種): "As to manumitted *lìchén qiè* and wall-building *lìchén qiè* as well as those who fulfill tasks that equal wall-building, a male receives half a food portion in the morning and three in the evening, a female three." 免隸臣妾、隸臣妾垣及為它事與垣等者, 食男子旦半夕參, 女子參. Punctuated transcription from *Shuìhǔdì Qín mù zhújiǎn*, 34, slip no. 59. Robin Yates generally translates *lìchén qiè* as "male and female bondservants," noting however that this term is much debated: "either, most likely, three-year hard-labor convicts or types of slave" (Robin D.S. Yates, "The Qin Slips and Boards From Well No. 1, Liye, Hunan: A Brief Introduction to the Qin Qianling County Archives," *Early China* 35–36 (2012–13): 299).

114 Yates, "The Changing Status of Slaves": 210. Here, "male or female slave" is the translation of *núbì* 奴婢. Yates translates the term *shùrén* as "freedman," regardless of whether it refers to a man or a woman.

115 See Cáo Lǚníng 曹旅宁, "Qín Hàn fǎlǜ jiǎndú zhōng de 'shùrén' shēnfèn jí fǎlǜ dìwèi wèntí 秦汉法律简牍中的'庶人'身份及法律地位问题," *Xiányáng shīfān xuéyuàn bào* 咸阳师范学院报 22, no. 3 (2007): 12–14 (translation from the English abstract).

in the Yuèlù Academy Collection of Qín bamboo strips 嶽麓書院藏秦简 acquired in 2007 and 2008 (unfortunately not archaeologically excavated, but bought on the Hong Kong antiques market); Takatori therefore takes issue with its "treatment as a specific social identity."[116]

Regardless of whether *shùrén* in early imperial China should be regarded as a distinct "status" or as a broader generic term for several social categories, in the Qín and Hàn periods we clearly find terminologically specified social categories as distinguished by law, including the lowest strata such as *núbì* 奴婢 or *lìchén qiè* 隸臣妾, who certainly were "unfree," the former of which evidently could be bought and sold.[117] In view of new evidence, Robin Yates 2014 partly revised his earlier conclusions on Qín and Hàn "slavery," stating that "it seems that the early Han made some significant alterations in the nomenclature and legal status of slaves, simplifying the complex and harsher Qin system. [. . .] It is also clear from the evidence that violence was not always a feature of slavery in early times. [. . . T]he Han made a conscious effort to assimilate slaves into the family system,"[118] and that "[a]nother important difference between the Qin and the Han is that the Han recognized the legality of a slave's marriage. [. . .] [W]omen who married slaves as wives were not 'dishonored persons,' as in Orlando Patterson's terminology."[119] Regarding the new evidence it seems thus necessary to either modify Patterson's definition of "slavery" – including, for example, some of the rejected Marxist views such as the tradeability of people as a feature –, or to embrace the possibility that the different Qín and Hàn *rénnú qiè* 人奴妾, *nú* 奴 and *bì* 婢, *lìchén* 隸臣 and *lìqiè* 隸妾 and other designations reflect further gradations of dependency at its lower end, thus needing further research into early imperial social structure before categorizing them as "slaves."[120] This issue certainly cannot be solved within a short time. Suffice it to say that in early imperial China, marked low status is evident from indigenous texts which sought to regulate the population and their relations towards the government.

116 See Jiǎ Lìyīng 贾丽英, "Shùrén: Qín Hàn shèhuì juézhì shēnfèn yǔ túlì shēnfèn de xiánjiē 庶人: 秦汉社会爵制身份与徒隶身份的衔接," *Shānxī dàxué xuébào* 山西大学学报 2019, no. 11: 16–25, and Takatori Yūji 鷹取祐司, "Qín Hàn shídài de shùrén zàikǎo – duì tèdìng shēnfèn shuō de pīpíng 秦漢时代的庶人再考 – 對特定身份説的批評," *Jiǎnbó* 簡帛 18 (2019) / *Bamboo and Silk Manuscripts* 2019, no. 1: 75–89.

117 Compare the prices for individual *nú* 奴 given in the Qín Lǐyè 里耶 legal documents, as translated by Yates, "The Changing Status of Slaves": 208.

118 Yates, "The Changing Status of Slaves": 207.

119 Yates, "The Changing Status of Slaves": 213.

120 Terminological ambivalence has already been observed by Yates, who, for instance, identifies "*rennu* 人奴, *renchen* 人臣, or *chen* 臣" in Qín legal texts as "a person's male slave or servant," and "*renqie* 人妾 or *qie* 妾" as "a person's female slave or servant." (Yates, "Slavery in Early China": 304).

Problematically, the epigraphic texts of the Shāng and Western Zhōu lack this kind of information: Certain terms and circumstances indicate the social dependency of both groups of people and individuals, but do not explain their social ties or even their everyday lives. Thus, even when legal cases are recorded, as in the Hū *dǐng* inscription, the social situations and the exact status of apparently dependent individuals or groups remain unclear. This is mainly due to the form and content of the inscriptions. They are either records of divinations, particularly important during the Shāng dynasty, or dedications and documentations cast in bronze, to be used within the ruling Shāng and Zhōu élite. They were not made to legally structure society in written form.[121] I therefore believe, as a hypothesis, that their social terminology is not yet shaped by legal definitions, but by the social conventions of the time.

Most recently, Ernest Caldwell 2018 and Li Feng 2016 and 2018b convincingly demonstrated that: a) the development of statutory written law was mainly a process of the Spring and Autumn (Chūnqiū 春秋, 771–481 BC) and Warring States (Zhànguó 戰國, 481–221 BC) periods, as a reaction to the vast social transformation and disorder within now independent territorial states;[122] and b) this transformation necessitated, in the words of Li Feng, "the establishment of new social institutions such as taxation, household registration, and codification of law," in order to totally control the population.[123]

This population had changed over time. After the military defeat in 771 BC, the Western Zhōu royal house had to flee from its Western domain towards the east, together with some of the "regional states," offspring of the Zhōu royal lineage. During the Spring and Autumn period, these states competed for hegemony and influence, the Zhōu royal power in decline. After 481 BC, the now independent polities annexed and eliminated one another as the "Warring States," until military unification under Qín in 221 BC. Within these competing states, an "impersonal" bureaucracy developed;

121 Some inscriptions seem to have functioned as "contracts," for instance recording transactions of land between lineages and/or states, as on the late Western Zhōu Sànshì *pán* 散氏盤 (*Jíchéng* #10176) vessel (for a translation and discussion, see Li Feng, "Literacy and the Social Contexts of Writing in the Western Zhou," in *Writing & Literacy in Early China*, ed. Li Feng and David Prager Branner (Seattle: University of Washington Press, 2011): 287–93; for rubbing and transcription see *Yīn Zhōu jīnwén jíchéng shìwén*, vol. 6, no. 10176, 134–35); but Shāng and Western Zhōu bronze inscriptions usually have one "donor," and generally refer to his or her (living and future) descendants, thus being "documents" to be used within the respective donor's lineage. A summary of the multiple uses of Western Zhōu bronze inscriptions is given by Li Feng, "The Development of Literacy in Early China: With the Nature and Uses of Bronze Inscriptions in Context, and More," in *Literacy in Ancient Everyday Life*, ed. Anne Kolb (Berlin: De Gruyter, 2018): 26–32.

122 See Ernest Caldwell, *Writing Chinese Laws: The Form and Function of Legal Statutes found in the Qin Shuihudi Corpus* (London and New York: Routledge, 2018); see also Lǐ Fēng 李峰, "Zhōngguó gǔdài guójiā xíngtài de biànqiān hé chéngwén fǎlǜ xíngchéng de shèhuì jīchǔ 中国古代国家形态的变迁和成文法律形成的社会基础," *Huádōng zhèngfǎ dàxué xuébào* 华东政法大学学报 2016, no. 4: 20–32.

123 Li Feng, "The Development of Literacy": 34.

philosophy evolved, which was often concerned with moral and efficient ways to rule.[124] Over time, many states with their ruling aristocratic lines had vanished – but their offspring lived on. This resulted in enormous downward social mobility,[125] and in masses of free peasants and craftsmen who were no longer tied to aristocratic lineages.[126] Therefore it was only the newly developed *impersonal* bureaucratic governments that found it necessary to register, legally structure and terminologically define society, which meant, as Li Feng emphasizes, every single member of society.[127]

This was not yet the case during the Shāng and Western Zhōu periods.[128] I think it is therefore unlikely that we may find a terminologically clearly distinguished "social class" or "status" during these periods, as it seems that these categories were not

124 For highly readable overviews of these periods, see Cho-yun Hsu, "The Spring and Autumn Period," in *The Cambridge History of Ancient China: From the Origins of Civilization to 221 BC.*, ed. Michael Loewe and Edward L. Shaughnessy (Cambridge: Cambridge University Press, 1999): 545–86, and Mark Edward Lewis, "Warring States Political History," in *Cambridge History of Ancient China*: 587–650. A well-known example for political philosophical texts from the Warring states period is the "Book of Lord Shang" (*Shāngjūn shū* 商君書), which mirrors the legal and economic principles applied by the government in the state of Qín, see for instance Chapter 20.10, "Weakening the People" ("Ruò mín" 弱民), translated by Yuri Pines: "When the government does whatever the people detest, the people are weak; when the government does whatever the people delight in, the people are strong. When the people are weak, the state is strong; when the people are strong, the state is weak. [. . .] Hence, employing the strong multiplies weakness; [employing] the weak multiplies strength and turns one into the [True] Monarch." (Shang Yang, *The Book of Lord Shang: Apologetics of State Power in Early China*, ed. and trans. Yuri Pines [New York: Columbia University Press, 2017]: 146.) Unpunctuated original in *Sìbù cóngkān*, *Shāng zǐ* 商子, *juàn* 卷 5: 政作民之所惡, 民弱; 政作民之所樂, 民強. 民弱國強; 民強國弱. [. . .] 故以強重弱; 弱重強, 王. (Ellipsis and punctuation added, following Pines. Electronic version: https://guji.unihan.com.cn/, accessed via Unihan Ancient Books Database 書同文古籍數據庫 on September 27, 2020.)

125 A thorough study of the Spring and Autumn period's social structure as seen from transmitted sources, especially the *Zuǒ zhuàn*, can be found in Robert Gassmann, *Verwandtschaft und Gesellschaft im alten China: Begriffe, Strukturen und Prozesse* (Bern: Peter Lang, 2006).

126 Cf. Li Feng, "The Development of Literacy": 34.

127 Cf. Li Feng, "Zhōngguó gǔdài guójiā xíngtài": 31, and Caldwell, *Writing Chinese Laws*, which is more detailed with regard to Qín practice, see 45–92 ("Inscribing control in Qin"); especially for the role of written law in controlling commoners, see 81–85.

128 This is not to say that there were no records at all of any personnel attached to households (see also n. 129 below); bronze inscriptions also show that people who appear to belong to certain categories had been counted, at least when being transferred to a new jurisdiction (for example on the early Western Zhōu Yíhóu Zè *guǐ* 宜侯夨簋 vessel (*Jíchéng* #4320), where the new regional ruler of the state Yí 宜 is awarded land and people, see *Yīn Zhōu jīnwén jíchéng shìwén*, vol. 3, no. 4320, 452); just as enemies killed in battle and war booty were counted, too (for instance on the late Western Zhōu Duō Yǒu *dǐng* 多友鼎 (*Jíchéng* #2835), see *Yīn Zhōu jīnwén jíchéng shìwén*, vol. 2, no. 2835, 406). However, categorizations of people do not imply the existence of full-fledged social *statuses* or *classes*, and the population still appears to have been attached to land and lineage, their respective lord and overlord. In this regard, structures were far more "personal" than under later Qín and Hàn rule.

yet conceptualized, or only in the process of being conceptualized. It is possible that the late Western Zhōu evidence already reflects certain social developments, because ongoing lineage segmentation rendered élite society more complex, and therefore possibly also élite relations towards their attached peasants and personnel.[129] But on the whole, it seems that late Shāng and Western Zhōu terms for "social groups" are

129 Intra-lineage conflicts involving land and personnel can be seen, for instance, in the recently excavated Diāo Shēng *zūn* 琱生尊 inscription, the subject of which was a land dispute between two branches of the Shào 召 lineage, the "ducal" branch, and the junior branch headed by Diāo Shēng 琱生 (see Edward L. Shaughnessy, "The Dowager v. the Royal Court: A Ninth-Century BCE Case of Family Law Recorded in Chinese Bronze Inscriptions," in *Structures of Power: Law and Gender Across the Ancient Near East and Beyond*, Oriental Institute Seminars 12, ed. Ilan Peled [Chicago: The Oriental Institute of the University of Chicago, 2018]). As transcribed and translated by Shaughnessy: "I have grown aged. Our laborers and field bosses have many complaints. Would that you assent and not let them disperse and abscond. We will be allotted three parts of them and you will be allotted two parts of them." 余老之. 我僕庸土田多柔; 弋許, 勿使散亡. 余宕其三, 汝宕其貳. (Shaughnessy, "The Dowager v. the Royal Court": 164; compare also, with slight differences, Edward L. Shaughnessy, "Newest Sources of Western Zhou History: Inscribed Bronze Vessels, 2000–2010," in *Imprints of Kinship: Studies of Recently Discovered Bronze Inscriptions from Ancient China*, Institute of Chinese Studies, The Chinese University of Hong Kong Monographs Series 17, ed. Edward L. Shaughnessy [Hong Kong: The Chinese University of Hong Kong Press, 2017]: 169–70, where he transcribes 僕庸土田多刺, tentatively translating: "Our retainers and fields are much litigious"; for the rubbing see *Jìnchū Yīn Zhōu jīnwén jílù èrbiān* 近出殷周金文集录二编, vol. 2 [Běijīng: Zhōnghuá Shūjú, 2010]: no. 587, 273–74). The inscription uses the terms *pú yōng* 僕庸 as a collocation, translated by Shaughnessy as "laborers," and it shows that control over such "laborers" was at least limited. In the already cited late Western Zhōu Nì *zhōng* 逆鐘 inscription, *pú yōng* are attested together with *chénqiè* 臣妾: "Supervise the *pú* and *yōng* and *chén qiè* of the lord's house" 用𢦏于公室僕庸臣妾小子室家, indicating their function in service or menial tasks of various kinds. Note that the plausible understanding of 僕庸土田 as a coordination of "laborers/retainers" (*pú yōng*) *and* "land and fields" (*tǔ tián* 土田) marks this conflict as a dispute primarily over land, or at least equally over land and people. Although he gives a different translation in his 2018 essay cited above, Shaughnessy expects "40 percent of all of the property or its produce" to have been allotted to Diāo Shēng's junior branch, instead of only personnel as implied by the chosen translation "laborers and field bosses" (see Shaughnessy, "The Dowager v. the Royal Court": 167). This latter interpretation, on the other hand, would imply not only the use of land registers but also – even primarily – registers of personnel. It is therefore an interesting question how the circumstances recorded in this inscription should be interpreted. As it appears from two related vessel inscriptions concerning Diāo Shēng, the head of the senior branch further had to "formalize the agreement with the royal authorities," finally signing "records" (*diǎn* 典) which "must have been deeds or land registers, which Duke Hu then turned over to Diao Sheng" (Shaughnessy, "The Dowager v. the Royal Court": 167). In view of the fact that the allocation of land was crucial in granting authority within the Western Zhōu élite, it seems likely that the main focus here is on the land being divided and officially registered, the people being attached to it (compare, for instance, the same interpretation in Xú Yìhuá 徐义华, "Diāo Shēng sān qì míngwén bǔshì 琱生三器铭文补释," *Nánfāng wénwù* 南方文物 2015, no. 3: 102–6, here 105–6): If it had become unclear to which branch lineage the land and fields (and, in consequence, their produce) actually belonged, and to whom the *pú* and *yōng* working on it owed their allegiance, a clear solution was needed, lest the situation become chaotic.

broader in their semantic scope than the social terminology of later periods in Chinese history.

The mere continuity of certain terms used within social contexts in the written sources, not only over centuries but even millennia beginning from the late Shāng and Western Zhōu, often obscures possible semantic shifts that can be hard to trace, but which need to be borne in mind as a strong probability.[130] For instance, in her 2014 article "A Sexual Order in the Making: Wives and Slaves in Early Imperial China," Griet Vankeerberghen argues that the differences between primary and secondary wives in Qín and Hàn élite households apparently were less strict at the beginning, but the distinctions between them were actively defined and hardened by a scholarly discourse on "wifely virtue" starting during the late Western Hàn dynasty (206 BC–9 AD).[131] This seems to have prepared a "semantic shift in the word *qiè* 妾," meaning "secondary wife" in early imperial sources, but in later sources such as the Táng 唐 (618–907) legal code denoting "concubine" that was being bought into the household:[132] While in early imperial China, secondary wives could actually replace a primary wife regardless of their social background, even including "slaves" (*bì* 婢), this was no longer possible in later times, where the primary wife now was the rightful "wife," élite marriage having shifted towards "polygynous monogamy."[133] Processes of conceptualization and semantic change thus could be the result of conscious efforts.

It is unsurprising that social concepts and definitions seem to have become more specified and elaborate over the course of Chinese pre-imperial and imperial history, since the state bureaucracy became more systematized and society grew more and more complex, becoming, in the eyes of the rulers, an "impersonal" mass

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The Shào 召 lineage's explicit concern that the "laborers," "retainers" and/or "servants" might "disperse and abscond" (*sàn wáng* 散亡) may therefore suggest that they had not been formally registered as such, but had simply fulfilled that role, and would thus become untraceable. Perhaps this late Western Zhōu case already reflects general circumstances of people's detachment from lineages; further studies and future evidence will certainly reveal more about Western Zhōu relationships between lineages and their attached personnel at different times.

130 As to the well-known transfer of Western concepts and word fields to China, often via Japan, during the process of modernization, for which – inter alia – indigenous terminology was used, see Frederico Masini, *The Formation of Modern Chinese Lexicon and its Evolution toward a National Language: The Period from 1840 to 1898*, Journal of Chinese Linguistics Monograph Series 6 (Berkeley: Project on Linguistic Analysis, University of California Press, 1993); compare also Huáng Xiànfán, *Zhōngguó lìshǐ méi yǒu núlì shèhuì*: 76, who emphasizes that the terms "slave" (*núlì*), "slave system" (*núlìzhì*) and "slave society" (*núlì shèhuì*) are foreign modern historiographical terms, which have become widely used within Chinese scholarship during the second half of the twentieth century.

131 This being in the interest of families bringing daughters in the imperial harem and struggling for lasting influence (compare Vankeerberghen, "Sexual Order in the Making": 122).

132 Since terminologically they were all "spouses," *fūrén* 夫人, or "wives," *qī* 妻 (cf. Vankeerberghen, "Sexual Order in the Making": 123 and 125).

133 Vankeerberghen, "Sexual Order in the Making": 123–24.

that needed to be controlled.[134] In other words: it is not necessary to clarify social conventions, but there is a need to clarify what has become disordered and ill-defined, due to unprecedented developments.

Important developments took place during the late pre-imperial period and the early Chinese empire, which can be studied from a relative abundance of indigenous sources. In fact, state-organized unfree labor outweighed private forms of dependency during the early Chinese empire, the former of which especially the Qín state drew heavily upon, while the state apparently sought to minimize the latter, as was suggested by Walter Scheidel in a comparative perspective, and discussed in detail by Maxim Korolkov with regard to Qín political economy and the role of the early imperial state in market formation, with particular focus on the economic and social effects of the Qín government lending system.[135] In this regard, as Korolkov suggested after analyzing legal and administrative documents, "the concept of labour as a quantifiable and tradable commodity took shape in Qin law,"[136] playing an important role in strengthening the early Qín empire via infrastructure construction projects; and these already were a feature of the competing Warring States.[137] In spite of David Keightley's attempts in 1969 to prove the existence of state-managed "forced labour" for the Shāng and Western Zhōu dynasty, the concept of labor as a commodity is not yet evident in the written sources of these far earlier, administratively and economically less developed states. Looking at our extant sources and their mentioned limitations, so far we have not been able to find clear cases of either "slavery" or "strong asymmetrical dependency" in early ancient China.

134 One important element in strengthening the political authority of the emergent Qín empire was the common acceptance of the legal system, which was to prevail over other forms of administering justice traditionally carried out within families and community structures (cf. Maxim Korolkov, "Arguing about Law: Interrogation Procedure under the Qin and Former Han Dynasties," *Études chinoises* 30 (2011): 37–71). For an earlier example of the royal court's ultimate legal authority over family property during the late Western Zhōu see Shaughnessy, "The Dowager v. the Royal Court." On developments of "Confucianization" of law during the Hàn dynasty see Paul R. Goldin, "Han Law and the Regulation of Interpersonal Relations: 'The Confucianization of the Law' Revisited," *Asia Major (third Series)* 25, no. 1 (2012): 1–31.

135 I am indebted to Maxim Korolkov for drawing my attention to this fact and to the works mentioned; see Walter Scheidel, "Slavery and forced labor in early China and the Roman world," Version 1.0, Princeton/Stanford Working Papers in Classics, Stanford University, April 2013, http://www.princeton.edu/~pswpc/papers/authorMZ/scheidel/scheidel.html [accessed 17.05.2022] (published in *Eurasian Empires in Antiquity and the Early Middle Ages: Contacts and Exchange Between the Graeco-Roman World, Inner Asia and China*, ed. Hyun J. Kim, Frederik J. Vervaet, and Selim F. Adali [Cambridge University Press: Cambridge, 2017]: 133–50); Korolkov, "Between Command and Market."

136 Korolkov, "Between Command and Market": 221.

137 Korolkov, "Between Command and Market": 30 and the following on labor as a commodity.

3 Did "Strong Asymmetrical Dependency" Exist in Shāng and Western Zhōu China?

Nevertheless, I agree with many scholars that it is possible to *assume* relations of "strong asymmetrical dependency" already in early Chinese antiquity. Forms of "human bondage and coercion" seem highly imaginable or even plausible during the Shāng and Western Zhōu periods, due to the nature of the extant sources: oracle-bone inscriptions abound with sacrificial violence offered to the ancestors and spirits, and Western Zhōu bronze inscriptions – even if their production might have been meant to stress the donor's or lineage's position within the aristocracy as well as to delight the spirits – exalt the merits of a ruling élite. In particular forms of "slavery," as defined above, namely as "the permanent, violent domination of natally alienated and generally dishonored persons" or, as usefully modified by Miller 2012 with regard to Patterson's own thesis, "*the violent domination of* permanently *natally alienated and* socially *dishonored persons*" seem conceivable.[138] As shown by Robert Gassmann 2006, Robin Yates 2001 and 2014 and others based on the received sources and indigenous manuscripts, social strata were clearly distinguished at the latest by the late Warring States, specific groups of people were traded in private and by the state, and convict labor, as demonstrated by Maxim Korolkov 2015, was commonly used on district level by the Qín and early Hàn dynasty, as was debt labor during the Qín empire.[139] It thus stands to reason that already before any terminological conceptualization and legal definition of dependent "slaves," "bondservants" or "convicts" by a state bureaucracy, there might have been individual forms of "human bondage and coercion" in early ancient China. We can *assume* that they existed because people from other tribes or states were taken captive, and individual children, women or also men in certain situations may have lost the protection of their families. According to Michael Zeuske 2013, there must have been early forms of "slavery" at certain points in pre-modern societies, which may eventually have led to its later institutionalization, and which in general were kin-slaveries: "Zunächst werden 'innere' (endogene) Formen dieses Status wichtiger gewesen sein. Mit der Ausbreitung von Konflikten und Kriegen gegen andere Gruppen mögen [sich] 'äußere' (exogene) Vorformen des Sklavenstatus entwickelt

138 See Miller, *Problem of Slavery as History*: 32.

139 Bamboo slips excavated from a disused well at Lǐyè 里耶, Húnán Province, in 2002 (published in 2012) provide evidence that convict labor was administered on Qín local government level and that, according to Korolkov, "the operation of convict labor was among the main functions of local government." See Maxim Korolkov, "Convict labor in the Qin Empire: A preliminary study of the 'Registers of convict laborers' from Liye," in *Jiǎnbó wénxiàn yǔ gǔdài shǐ: Dì èr jiè chūtǔ wénxiàn qīngnián xuézhě guójì lùntán lùnwénjí* 简帛文献与古代史: 第二届出土文献青年学者国际论坛论文集, ed. Fùdàn dàxué lìshǐxué xì 复旦大学历史学系 and Fùdàn dàxué chūtǔ wénxiàn yǔ gǔwénzì yánjiū zhōngxīn 复旦大学出土文献与古文字研究中心 (Shànghǎi: Zhōngxī Shūjù 中西书局, 2015): 20.

haben."[140] According to Zeuske, early situations of "slavery" almost always involved women and children who lost the protection of their families or kin groups, due to abandonment or violence, but also those who were taken prisoner in raids or battle.[141] A point worth noting is that these kin-slaves or female slaves "without institutionalized slavery" are not to be found in early written documents: "Die Masse der Kin-Sklaven und gar Sklavinnen 'ohne Institution Sklaverei' oder Schuldsklaven kommen nicht in Texten vor."[142] If so, how can we ever prove they existed?

From a cross-cultural historical perspective, the enslavement of captives and prisoners of war is known from other early societies and so-called primitive cultures, especially of women and children, as for example John Gillingham 2012 has shown for early medieval Europe, and Fàn Chuánxián 范传贤 1988 for indigenous peoples of North and South America.[143] Following this, and taking Orlando Patterson's definition of "slavery" as a basis, Shāng- and Western Zhōu "slaves" might perhaps be identified within the context of battle and tribute, when people were *torn from their societies of origin*, which would have produced "natal alienation." In an as-yet unpublished paper[144] I presented evidence from late Shāng oracle-bone inscriptions for the so-called "taking" of women, *qǔ nǚ* 取女, in altogether ten divinations on seven bones or plastrons of the *Héjí* 合集 and *Túnnán* 屯南 corpora, for example on turtle shell *Héjí* 09741 *recto*: "(We) order to take women / a woman" 乎取女,[145] or on the bone piece *Héjí* 19982: "Take X women / an X woman" 取[illegible]女[146] (Fig. 3).

From the analysis of these inscriptions we can see that these women apparently were welcome "goods" at the royal court, either just "taken" or "taken by order" of the king, apparently from other, allied peoples or states.[147] They were perhaps gifts

140 Zeuske, *Handbuch Geschichte der Sklaverei*: 100.

141 Compare Zeuske, *Handbuch Geschichte der Sklaverei*: 99.

142 Zeuske, *Handbuch Geschichte der Sklaverei*: 227–28.

143 John Gillingham, "Women, children and the profits of war," in *Gender and Historiography. Studies in the Earlier Middle Ages in Honour of Pauline Stafford*, ed. Janet L. Nelson, Susan Reynolds and Susan M. Johns (London: Institute of Historical Research, 2012): 61–74; Fàn Chuánxián 范传贤, "Lüèlùn yuánshǐ shèhuì fúlǔ de mìngyùn 略论原始社会俘虏的命运," *Dōngběi shīdà xuébào* 东北师大学报 1988, no. 1: 59–63.

144 See Susanne Adamski, "'*Qǔ nǚ* 取女': Weibliche Gefangene während der späten Shāng-Zeit (13.–11. Jh. v.Chr.)," paper presented at the 29th annual conference of the Deutsche Vereinigung für Chinastudien e.V. (DVCS) at the Center for Cultural Studies on Science and Technology in China, Technical University of Berlin, November 30 – December 1, 2018.

145 Compare transcription in *Jiǎgǔwén héjí shìwén*, vol. 1, no. 09741 *recto* (16). In the rubbing, the graph *hū* < $^{*}q^{h\varsigma}a$ 乎, "to call, to order" (often normalized to its later form 呼, distinguished by the component "mouth"), is a little obscured by underlying cracks and fissures in the shell, but still recognizable (compare the oracle-bone and bronze inscriptional forms given in Liú Xīnglóng 刘兴隆, *Xīnbiān jiǎgǔwén zìdiǎn* 新编甲骨文字典 (Běijīng: Guójì Wénhuà Chūbǎn Gōngsī 国际文化出版公司, 1993): 276–77).

146 Cf. the transcription in *Jiǎgǔwén héjí shìwén*, vol. 2, no. 19982.

147 For this and the following paragraph, cf. Adamski, "'*Qǔ nǚ* 取女'."

Fig. 3: Left: *Héjí* #09741 *recto* (detail). From *Jiǎgǔwén héjí* 甲骨文合集, ed. Guō Mòruò 郭沫若, Hú Hòuxuān 胡厚宣 and Zhōngguó shèhuì kēxuéyuàn lìshǐ yánjiūsuǒ 中国社会科学院历史研究所 (Běijīng: Zhōnghuá Shūjú, 1999), 13 vols., vol. 4, no. 09741, 1417. Reproduced with permission. Right: *Héjí* #19982 (detail). From *Jiǎgǔwén héjí*, vol. 7, no. 19982, 2599. Reproduced with permission.

or tributes, but we cannot exclude the possibility that violence was involved; there is a certain probability that these women were not "taken" voluntarily, and came to live in slave-like conditions. But the inscriptions do not inform us about the intended use of these "natally alienated" women, and so we still cannot securely identify them as "slaves" in the sense of "permanently, violently dominated and generally dishonored persons." The same goes for prisoners of war mentioned in oracle-bone and Western Zhōu bronze inscriptions, because we do not know whether they were actually turned into "slaves" after being caught.

Other scholars see evidence for practices of "slavery" even long before the social phenomenon is ascertainable through any textual or archaeological sources. Arguing against the treatment of "slavery as an institution," Joseph C. Miller 2012 in his book *The Problem of Slavery as History* problematizes "slavery as a historical strategy," which he outlines in broad terms, using the term *slaving*: "I propose strategies of introducing outsiders for private local purposes that recurred in infinitely variable particulars throughout the history of the world."[148] Perhaps deliberately, Miller does not precisely define the subject of his book, "slavery," because "slavery as an institution," he argues, is a *cliché* and a construct. Thus, Miller does not problematize the identification of "slavery" as a social constellation distinct from other

148 Miller, *Problem of Slavery as History*: 8.

phenomena such as "serfdom" or "forced labor."[149] According to his global history approach, "slaving arguably contributed to the very beginnings of human history, tens of thousands of years before times recorded in any conventional document-based sense."[150] Miller's arguments, therefore, are hypothetical in nature:

> An approximate date for when history in this inclusive sense may be said to have begun is roughly forty thousand to twenty thousand years ago. I propose that date partly for purposes of debate, but also with a degree of consideration that leaves me confident that the remote era I suggest is at least a professionally responsible estimate. It is the threshold of both humanity and history, marked by abilities to strategize collectively, in contexts of shared meaning. The marker of such strategically effective collectivity is functionally syntactical language: that is, language sufficiently grammatical that speakers can wield it flexibly enough to succeed in confronting novel, unexpected historical contexts. [. . .] That remote epoch is also an analytically considered starting point for slaving. With language, early humans learned to strategize together [. . .].[151]

This reasoning is problematic in several ways. Historical linguistics, providing the "primary evidence" for Miller's "dating of the beginning of efficaciously historical strategizing,"[152] is in itself a field struggling with many theories. Miller does not provide the evidence, but refers to an article by Patrick Manning, "*Homo sapiens* Populates the Earth: A Provosional Synthesis, Privileging Linguistic Evidence," who also follows a world-historical approach.[153] Thus, we can assume that Miller bases his considerations on paleolinguistic and evolutionary approaches to the origins of human language. There has been, however, some evidence against a "genetic-based

149 While speaking of "enslaved," "slaves," "slavery," Miller apparently has "historically varying local results of slaving" in mind (Miller, *Problem of Slavery as History*: 22). In his very conception of "slavery," however, Miller seems to think along similar lines as Orlando Patterson: in contrast, but perhaps also in addition to the latter's definition of "slavery" from "the perspective of the masters, not of the enslaved," he particularly emphasizes the "isolation of the enslaved" (33).

150 Miller, *Problem of Slavery as History*: 41.

151 Miller, *Problem of Slavery as History*: 41, further states: "Slaving was arguably one successful strategy that these earliest peoples hit upon as a means of creating and maintaining the commitment to mutual loyalties that gave such humans the edge in confronting other, contemporary, but less inventive, hominids, as well as the changing environmental and other contextual challenges that have brought us to where we are today. That is, humanity, history, and slaving were inherently linked; they were fundamentally mutually constituted. Slaving has also proved exquisitely adaptively efficacious, including subsequent resort to slaving by key initiators in new ways in new contexts during the last twenty thousand years. This deep imbrication ought to be obvious, given the ubiquity of the practice, even today, though our progressivist conviction in our own slavery-freed perfectibility has tended to obscure its elementally human temptation."

152 Miller, *Problem of Slavery as History*: 41.

153 See Patrick Manning, "*Homo sapiens* Populates the Earth: A Provosional Synthesis, Privileging Linguistic Evidence," *Journal of World History* 17, no. 2 (2006): 115–58.

revolution 50,000 years ago" (often attributed to the gene FOXP2).[154] Miller's theory that the development of "functionally syntactical" language in a remote epoch of some forty to twenty thousand years ago (a period usually regarded, due to the lack of any textual sources, as prehistoric) can be seen as a "starting point for slaving"[155] just because "slaving" seems to have become a mere *possibility*, is therefore questionable; and it is certainly not sufficient grounds for his firm conclusion that "humanity, history, and slaving were inherently linked" and "fundamentally mutually constituted," asserting that the latter is an inherent human characteristic. This strikes me as highly problematic. Ancient Chinese philosophers would have a lot to say about this, as the Warring States period saw the beginning of a prominent discourse on human nature (*xìng* 性) in Confucian philosophy, led by Mencius (Mèngzǐ 孟子, ca. 372–289 BC) and Xúnzǐ 荀子 (ca. 310–ca. 235/217 BC), the former arguing that human nature was inherently good, the latter that it was evil.[156] As Miller concedes in the

154 See Carl C. Diller and Rebecca L. Cann, "Evidence against a genetic-based revolution in language 50,000 years ago," in *The Cradle of Language: Studies in the Evolution of Language*, ed. Rudolf Botha and Chris Knight (Oxford: Oxford University Press, 2009): 135–49: "[M]any people speculate or argue that there was a revolution in language, one important genetic mutation for language, about 50,000 years ago, that brought about a revolution in culture and allowed modern humans to leave Africa for Europe and the rest of the world. [. . . W]e present genetic evidence that the mutations in FOXP2, the gene at issue, may actually have occurred some 1.8 million years ago" (135); "The archaeological and anthropological evidence accumulating in the last decade and a half does not support the claim that there was a revolutionary behavioural change in humans 50,000 years ago." (148); "The capacity for modern language needed a long time to evolve before anatomically modern humans emerged some 200,000 years ago. The date we present of 1.8 or 1.9 million years ago for the selective sweep at FOXP2 supports this neurolinguistic scenario of the co-evolution of speech and language with the neural and anatomical substrates of language." (149); more recently: Elizabeth Atkinson et al., "No evidence for recent selection at *FOXP2* among diverse human populations," *Cell* 174 (2018): 1424–35, https://doi.org/10.1016/j.cell.2018.06.048 [accessed 17.05.2022]: "[W]e show that recent natural selection in the ancestral Homo sapiens population cannot be attributed to the FOXP2 locus and thus Homo sapiens' development of spoken language." (1432). See also Francesco d'Errico et al., "Archaeological Evidence for the Emergence of Language, Symbolism, and Music – an Alternative Multidisciplinary Perspective," *Journal of World-History* 17, no. 1 (2003): 1–70: "This critical reappraisal contradicts the hypothesis of a symbolic revolution coinciding with the arrival of anatomically modern humans in Europe some 40,000 years ago, but also highlights inconsistencies in the anatomically-culturally modern equation and the potential contribution of anatomically 'pre-modern' human populations to the emergence of these abilities. No firm evidence of conscious symbolic storage and musical traditions are found before the Upper Paleolithic. However, the oldest known European objects that testify to these practices already show a high degree of complexity and geographic variability suggestive of possible earlier, and still unrecorded, phases of development." (2).

155 See further Miller, *Problem of Slavery as History*: 181–82, n. 14.

156 For translations into English, readers may be referred to Bryan W. Van Norden, *Mengzi: With Selections from Traditional Commentaries* (Indianapolis: Hackett Publishing Company, 2008), and John Knoblock, *Xunzi: A Translation and Study of the Complete Works* (Stanford: Stanford University Press, 1988).

following chapter, "[m]uch of the insight into the possible (plausible?) beginnings of slaving in creating coherent communities presented in Chapter 2 in fact come from African materials."[157] In his synthesis of African motives and strategies of slaving, Miller's theories seem, at least from the perspective of a non-specialist, plausibly applied to African (pre-)history. But while historians of Africa may indeed "now have sufficient density of possibilities, even probabilities, based on these radically independent and thereby also increasingly revealing [archaeological, linguistic, etc.] sources that they cohere around a plausible broad narrative, several thousand years in depth, of slaving as a historical strategy,"[158] these possibilities are clearly rooted in specific social and cultural traditional contexts. We learn that "the evidence of meanings in Africa's past, particularly for its earlier eras, is significantly linguistic," "orally transmitted memories may allude to innovations far back in time, apparently as much as seven or eight centuries"; "in Africa wealth was people, and people were power," and that "the key strategies were and continue to be directed at forming collectivities and then, in reaction, for individuals marginal to these groups to attract and integrate personal dependents who might allow them to secure positions more central in them: wives were the most accessible and (re)productive dependents of this sort."[159] All these social specificities would need to be verified for other societies and cultures around the world, if one intended to formulate a broad narrative of "slaving as a historical strategy" even in conventionally termed historical times, particularly if one wants to postulate "slaving" as an "elementally human temptation." I stress this point, because Miller sees a direct link between the development of a) "functionally syntactical language," b) "the abilities to strategize collectively," and, at the same time, c) the beginnings of "slaving" practices.

More recently in 2016, David M. Lewis addressed Orlando Patterson's rejection of the traditional approach of defining a "slave" as "property," criticizing it as being based on a misconception of the latter. While Patterson thought "the property approach cannot designate a specific category of persons, and is cross-culturally inconsistent,"[160] Lewis sees the theory of "ownership" by Anthony M. Honoré of 1961 applicable to the legal concept of slavery in both classical Athens and Babylonia "during the seventh through fourth centuries BCE," for which he presents two case studies; and he regards Honoré's theory as useful in a comparative approach.[161]

157 Miller, *Problem of Slavery as History*: 90.

158 Miller, *Problem of Slavery as History*: 90. My comment.

159 Miller, *Problem of Slavery as History*: 88, 89, 91.

160 David M. Lewis, "Patterson, Property, and Ancient Slavery: The Definitional Problem Revisited," in *On Human Bondage: After Slavery and Social Death*, ed. John Bodel and Walter Scheidel (Malden, MA: Wiley-Blackwell, 2017): 31–54, here 34.

161 In this regard, Lewis also argues against the rejection of the definition of "slaves" as "property" by several Africanists during the 1970s, citing Moses Finley in support, who proposed that "the appellation 'slaves'" should be reconsidered for some "African statuses and status terms," instead of criticizing "'western' historians" for their "ethnocentrism" (Lewis, "Patterson, Property,

Lewis does not inform his readers if the Babylonian and Greek "slaves" from his examples are translations of one or more particular terms, instead concentrating on the similarities in the notion of their "ownership" and usage for various kinds of labor. His reasoning, however, seems convincing.

Taking a cross-cultural view, Honoré analyzed the concept of ownership, meaning "the 'liberal' concept of 'full' individual ownership, rather than any more restricted notion to which the same label may be attached in certain contexts."[162] According to Honoré, "ownership" is "provisionally defined as the *greatest possible interest in a thing which a mature system of law recognizes*," comprising "the right to possess, the right to use, the right to manage, the right to the income of the thing, the right to the capital, the right to security, the rights or incidents of transmissibility and absence of term, the prohibition of harmful use, liability to execution, and the incident of residuarity."[163] These eleven legal incidents (i.e. "legal rights, duties and other incidents") constitute the common features of ownership, "in the sense that, if a system did not admit them, and did not provide for them to be united in a single person, we would conclude that it did not know the liberal concept of ownership, though it might still have a modified version of ownership, either of a primitive or sophisticated sort."[164]

Such a clear concept of "ownership" would make for a narrow and clear definition of "slavery"; for the identification of "slavery" in Shāng and Western Zhōu China, we would then need to determine whether these societies a) had a "mature"

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and Ancient Slavery": 45). To show that "[i]n fact, the property approach works perfectly well for African societies" (50, n. 14), Lewis refers to the work of Paul E. Lovejoy, *Transformations in Slavery: A History of Slavery in Africa*, 3rd ed. (Cambridge: Cambridge University Press, 2012), without however specifying which period he means: as the book description informs us, Lovejoy deals with "the history of African slavery from the fifteenth to the early twentieth centuries" (this being the time span of the Atlantic slave trade), examining in particular "how indigenous African slavery developed within an international context." Thus, originally "non-African" features of "slavery" may already have found their way to Africa, and the property approach perhaps does not work for earlier African societies or the whole continent. Further, Lovejoy does not limit his definition of slavery to a property relation: "Slavery is one form of exploitation. Its special characteristics include the idea that slaves are property; that they are outsiders [. . .]; that coercion can be used at will; that their labor power is at the complete disposal of a master; that they do not have the right to their own sexuality and [. . .] their own reproductive capacities; and that the slave status is inherited [. . .]," and: "Slavery is fundamentally tied to labor." Lovejoy, *Transformations in Slavery*: 1 and 4.

162 Anthony M. Honoré, "Ownership," in *The Nature and Process of Law: An Introduction to Legal Philosophy*, ed. Patricia Smith (New York and Oxford: Oxford University Press, 1993): 370, previously published in *Oxford Essays in Jurisprudence*, ed. Anthony G. Guest (London: Oxford University Press, 1961): 107–47.

163 Honoré, "Ownership": 370.

164 However, "the listed incidents are not individually necessary, though they may be together sufficient, conditions for the person of inherence to be designated 'owner' of a particular thing in a given system. [. . . T]he use of 'owner' will extend to cases in which not all the listed incidents are present." Honoré, "Ownership": 370.

legal system; b) did "know the liberal concept of full individual ownership"; and c) if so, whether or not this concept was actually applied to humans, i.e. if humans were treated as "property" of individual persons. It is neither possible nor part of the object of this paper to make a full re-evaluation of the whole extant epigraphic record in this regard; we can at any rate answer the first question in the negative.[165] As to individual property, at first glance the "ownership" over fields, their products and other items – including people, as already discussed – seems to be rather straightforward in bronze inscriptions of the Western Zhōu, some of which document the settling of legal disputes: very often the king or head of a lineage "gave" land or other items to particular officials or other élite members, and fields, for instance, were sometimes transferred between private individuals; "property" issues concerning land were either solved by the king himself or his officials (for example on the unprovenanced late Western Zhōu Guō Bǐ *guǐgài* 鬲比簋蓋 (*Jíchéng* #4278), Guō Yōu Bǐ *dǐng* 鬲攸比鼎 (*Jíchéng* #2818) and Guō Bǐ *xǔ* 鬲比盨 (*Jíchéng* #4466) vessels, concerning the "misappropriation of fields" and "wrongful acts towards another's fields and *yi*-settlements" (as discussed by Laura Skosey),[166] by officials of the polities concerned

165 A comprehensive study of the Western Zhōu legal system is Skosey, "Legal System and Legal Tradition of the Western Zhou"; this work was reviewed by E. Bruce Brooks, "The Apocryphal Empire. Laura Skosey. The Legal System and Legal Tradition of the Western Zhou. UMI 1996," Warring States Project, University of Massachusetts at Amherst, October 21, 2012, https://www.umass.edu/wsp/introduction/principals/reviews/skosey.html [accessed 17.05.2022]. Brooks cautiously concludes: "Of her 25 vessels with inscriptions, only five are provenanced. [. . . I]t can be said that these inscriptions do not imply a proactive legal structure with a bureaucratic basis. [. . .] Not once is any law explicitly referred to, or is any previous case cited as a guide to present decision. All five cases involve disputes about land, or are resolved in part by transfer of land. The basic term of relation between the Jou [= Zhōu] and everybody else was allocation of land. It makes sense that land, and the promises made in return for receiving the land, were of continuing relevance to the granting authority. If we accept the evidence of these five test vessels as valid, the late Jou picture that they give us is that of a punishment system, deriving its authority from the Jou King. That royal authority was sometimes exercised by his high officers who are not yet officials in the bureaucratic sense, and in charge of procedures which are not yet standardized. The procedures did not rely on codes, or on case records apart from a previous oath which may be a part of a specific res gestae. Cases were judged separately, on their own merits, and as far as this sample goes, they were chiefly concerned with with [*sic*] title to land. Jou here is acting as monitor of rights which Jou itself had previously conferred. The result is a vertical obligation system, without being a criminal law system. A feudal overlord is exerting its function as the overlord, over the limited area defined by the original underlord relationship. This is as far as the inscriptions seem to take us." Compare Schunk, "Dokumente zur Rechtsgeschichte": 176: "Eine institutionelle Eigenständigkeit des Rechtswesens ist in der West-Zhou-Zeit noch nicht deutlich erkennbar. [. . .] Juristische Kompetenzen wurden nicht in Verbindung mit bestimmten Ämtern, sondern in Bezug auf bestimmte Personen verliehen." For a study of Western Zhōu land transmissions see the monograph by Lau, *Quellenstudien*.

166 Skosey, "Legal System and Legal Tradition of the Western Zhou": 104–6 (discussion) and 293–94 (classification); see her transcriptions and translations of the identical Zhōu Guō Bǐ *guǐgài* and Guō Yōu Bǐ *dǐng* inscriptions (dated to 797 BC), as well as the inscription on the Guō Bǐ *xǔ* (dated

(as in the treaty of border demarcations between Sàn 散 and Zè 夨, recorded on the late Western Zhōu Sànshì *pán* 散氏盤, possibly found during the nineteenth century in Bǎojī, Shǎnxī province; *Jíchéng* #10176),[167] or within the family concerned (such as the intra-lineage dispute recorded on the Diāo Shēng *zūn* 琱生尊 and related vessels) – then needing, however, ultimate recognition by the court.[168] In one case of a private transfer of land in exchange for four horses, however, instead of the royal court, officials from Péngshēng's lineage seem to have been involved (on the mid-Western Zhōu Péngshēng *guǐ* 倗生簋 of unknown provenance, *Jíchéng* #4262, as was discussed by Li Feng).[169] We may therefore ask whether the rights over land, which clearly was a commodity within the lineage-based Western Zhōu aristocracy, really were "united in a single person," or in the respective individual's lineage as well, or – as discussed further below – ultimately even in the reigning king, and to what extent this was "property" as in the "liberal concept of full individual ownership."

As to the Western Zhōu epigraphic evidence already discussed, we have not been able to confidently identify terms for non-aristocratic social "statuses," and so far we find no evidence for the existence of distinguished non-aristocratic social "classes." Nevertheless, there might be evidence for individual cases of "ownership" over humans: can those named individuals in the Hū *dǐng* inscription which were "given" to Hū in order that he "use" them together with fields, apparently as recompense,[170] classified as being originally (or still) "owned" by Kuāng? Following Honoré, Kuāng apparently had the "right to manage" them, and probably the "right to the income," which should be their labor; we do not know whether he held the "right to possess" (i.e. had exclusive physical control of them) and the

801 BC), on pages 417–27. The donor's name is also transcribed Guō Yōu Cóng 鬲攸从; see the rubbings in *Yīn Zhōu jīnwén jíchéng*, vol. 8, no. 4278, 217; vol. 9, no. 4466, 122; and vol. 5, no. 2818, 215; compare the transcriptions in *Jīnwén yǐndé*, no. 5025, 321; no. 5262, 340; and no. 4011, 250–51.

167 See the discussion in Li Feng, "Literacy and the Social Contexts of Writing": 287–91, including a transcription and translation; see also the rubbing and transcription in *Yīn Zhōu jīnwén jíchéng shìwén*, vol. 6, no. 10176, 134–35.

168 See Shaughnessy, "The Dowager v. the Royal Court," mentioned above; related inscriptions are on the Fifth Year Diāo Shēng *guǐ* 五年琱生簋 (*Jíchéng* #4292) and Sixth Year Diāo Shēng *guǐ* 六年琱生簋 vessels (*Jíchéng* # 4293), see *Yīn Zhōu jīnwén jíchéng*, vol. 8, no. 4292–93, 237–38 and *Jīnwén yǐndé*, no. 5032 and 5034, 322–23 (here the vessel is called Shào Bó Hǔ *guǐ* 召伯虎簋). For a discussion of the same dispute having regard to the use of land registers, see Li Feng, "Literacy and the Social Contexts of Writing": 282–84.

169 See Li Feng, "Literacy and the Social Contexts of Writing": 284–85, including a transcription and translation of the inscription (the vessel is also called Gé Bó *guǐ* 格白簋). See *Yīn Zhōu jīnwén jíchéng*, vol. 8, no. 4262, 196–97 and *Jīnwén yǐndé*, no. 5011, 319.

170 In Schunk's reading, the fields and men were offered as recompense, apparently because he was unable to produce the twenty thieves (Schunk, "Dokumente zur Rechtsgeschichte": 148); in the reading of Lau, the named men apparently were some of the thieves, declaring themselves unable to replace the stolen grain (Lau, *Quellenstudien*: 378).

"right to use" them for private purposes other than working fields or carrying out other tasks; whether he held the "right to the capital," meaning the right to sell them, giving them away as gifts, or to hurt or kill them; whether he held the "right to security," i.e. being protected from their being seized; he apparently had "rights of transmissibility," that is, transfer some of his rights over them to a third party; but it is unclear whether his interest in the men was permanent ("absence of term"); whether, or to what extent, he was prohibited from their "harmful use"; and whether Kuāng held the "liability to execution" (i.e. whether they could be taken away from him for debt) as well as "residual rights."[171] Kuāng could offer Hū either the men or their labor in recompense; but are the three identified legal incidents sufficient to call him their "owner"? It was evidently important enough for Hū to have their names included in the inscription; did he do so because they had become his demonstrable "property" (whereas the fields were not further specified in terms of their exact location), or because they became identifiable servants of his? We should bear in mind that it is not clear from the wording of the inscription whether these men actually worked fields – this is just one possible conclusion drawn from the verb *yòng*, "to use," which is employed both for the men and the fields, the former perhaps accompanying the latter.[172] It is possible that this "exchange," singular in our extant bronze inscriptions, may have been a rare case in a special situation – it had been a year of famine.[173]

Looking at this particular Western Zhōu piece of evidence, some of the difficulties and problems of which have already been addressed, it is in my view not quite clear if, and to what extent, the concept of private ownership as outlined by Honoré applied to humans.[174] Moreover, thinking of captives taken by the earlier Shāng

171 For detailed explanations see Honoré, "Ownership," as well as Lewis, "Patterson, Property, and Ancient Slavery": 35–37.

172 Compare the translations as "give" (*geben*) in Schunk, "Dokumente zur Rechtsgeschichte": 148–49, or as "offer" (*offerieren, mit etw. herantreten an*) Lau, *Quellenstudien*: 372.

173 Compare Skosey, "Hu *ding*": 133: "This is the only case of theft in the inscriptional record."

174 To an objection to the "property definition" with regard to the *pater familias* in early Rome, who "had powers amounting to ownership over his children; one could make the same point for pre-Solonian Attica and parts of the ancient Near East," Lewis replies with Herman J. Nieboer: "'Slavery is the fact that one man is the property or possession of another beyond the limits of the family proper'." Lewis, "Patterson, Property, and Ancient Slavery": 51, n. 20. If Lewis means to imply that this notion should be included in a definition of "slavery" as a "property" relationship, he would need to describe the limits of "family proper," meaning "nuclear family" or perhaps kin in general, therefore possibly also referring to *lineage* in the case of Shāng and Western Zhōu China. Further, Nieboer apparently does not solely base his understanding of "slavery" on a "property" relation, because he actually differentiates between "male" and "female" in this regard: "we know that a slave system without male slaves is not slavery proper." Herman J. Nieboer, *Slavery as an Industrial System: Ethnological Researches* (Dordrecht: Springer-Science+Business Media, B.V., 1900): 54. His definition aims at being "sociological relevant" and focuses on compulsory labor: "the great function of slavery can be no other than a *division of labour*"; he therefore deals "with

which are frequently mentioned in the tersely formulated oracle-bone inscriptions, David Lewis further distinguishes between "possession" and "ownership": "Corporeal possession may seem to imply ownership, but *sensu stricto* possession is a potentially ephemeral condition, whereas ownership is a permanent right." Aside from the fact that neither captives nor victims of human sacrifice are usually referred to as the object of a relationship (to a particular named person or an official), this makes it difficult to place them in the concept of private "individual ownership."

It should be noted that in his application to "slavery," Lewis neglects Honoré's eleventh aspect of ownership, namely its "residuary character." He does not even define it, even though it seems to be significant: "This is important, but I omit it from my list since it is a principle that is indemonstrable for nearly all historical legal systems, whether it applied or not."[175] Since Honoré's list is not based on historical legal systems, there is no reason to exclude any of the criteria if one attempts to apply the whole concept to ancient societies – if the principle is "indemonstrable for nearly all historical legal systems," it might still be demonstrable for some. The "residuary character" aspect pertains to the notion of ownership in an interesting way that complicates matters. According to Honoré,

> it is characteristic of ownership that an owner has a residuary right in the thing owned. In practice, legal systems have rules providing that on the lapse of an interest rights, including liberties, analogous to the rights formerly vested in the holder of the interest, vest in or are exercisable by someone else, who may be said to acquire the 'corresponding rights'. [. . .] Sometimes, [. . .] a new ownership vests in the state, as is the case in South Africa when land has been abandoned. [. . . I]t is not a sufficient condition of *A*'s being the owner of a thing that, on determination of *B*'s interest in it, corresponding rights vest in or are exercisable by *A*. [. . .] Can we say that the 'owner' is the ultimate residuary? When the sub-lessee's interest determines the lessee acquires the corresponding rights; but when the lessee's right determines the 'owner' acquires these rights. Hence the 'owner' appears to be identified as the ultimate residuary. The difficulty is that the series may be continued, for on the determination of the 'owner's' interest the state may acquire these rights; is the state's interest ownership or a mere expectancy? A warning is here necessary. We are approaching the troubled waters of split ownership. Puzzles about the location of ownership are often generated by the fact that *an ultimate residuary right is not coupled with present alienability or with the other standard incidents we have listed*.[176]

That means, although an "owner" might be identifiable who apparently holds all the rights and liabilities listed above, one must consider that the state, for instance, holds an ultimate residuary right, and therefore might be identified as "owner" as well. Such a splitting of ownership makes us indeed think of the convict laborers

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the general character of slavery as an industrial system," the ethnological researches being limited to "savage tribes." (x, xxv, and 6).

175 Lewis, "Patterson, Property, and Ancient Slavery": 49, n. 5.

176 Honoré, "Ownership": 375. My emphasis.

(*lìchén qiè*) of the Qín empire, whose somewhat ambiguous status Korolkov has referred to as "state-owned slaves."[177] In fact, some scholars see "ownership" not restricted to individuals: in his book on the history of slavery in Africa, Paul Lovejoy notes that "it is characteristic of slavery that the slave is considered property of another person or some corporate group, despite restrictions on the nature of this property relationship that developed in actual situations."[178] In his 1972 discussion of "The Concept of Property," Frank Snare remarks that "in a corporation we have a complex of interlocking rights few of which are exclusive or permanent (in that they go with offices and positions rather than particular persons). To speak of the corporation owning property is a convenient shorthand way of speaking of a complex network of individual rights over the object," and none of these "can be called property rights."[179] The individual within the corporation is, according to Snare, similar to the individual in the feudal system, since "both have offices or roles which determine rights and duties with respect to certain objects and where [. . .] it is misleading to call the rights these individuals have property rights."

Classificatory issues such as these relate to the ways in which a society functions, and are therefore important in studying it. It would, however, make an "owned" person probably not feel better if he or she were "owned" by the state or a corporation instead of a private individual, and it appears that Orlando Patterson had these factors in mind in his theory of "slavery as social death," focusing on personal rather than legal relations. Seeing merely a "shift in perspective" here, David Lewis therefore advocates "a more productive synergy" between the traditional "property approach" and Patterson's "social death," using Patterson's criteria as an analytical tool in order to understand "the cross-culturally consistent *social effects* of slave ownership."[180] Following the traditional definition of a "slave" as being "property,"[181] a precise understanding of the concept of "ownership" is essential. But this is not necessarily universally valid. There are other typologies of this legal concept besides Honoré's, most of which are far less specific, proposing a smaller number of components.[182] Will they prove useful in looking for "slaves" in ancient societies with limited written sources?

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177 Korolkov, "Empire-Building and Market-Making": 101, n. 138, and 309.

178 Lovejoy, *Transformations in Slavery*: 2.

179 Frank Snare, "The Concept of Property," *American Philosophical Quarterly* 9, no. 2 (1972): 205.

180 Lewis, "Patterson, Property, and Ancient Slavery": 45 and 48.

181 Without proposing an alternative definition of "slavery," David Lewis nevertheless broadly summarizes the traditional "property" definition, which has been criticized by Patterson, as follows: "the slave was an article of property (the object of the relationship) held in ownership (the relationship itself) by his or her master (the subject of the relationship)." Lewis, "Patterson, Property, and Ancient Slavery": 32.

182 A useful and readable overview in a bioethical context is given in Barbro Björkman and Sven Ove Hansson, "Bodily rights and property rights," *Journal of Medical Ethics* 32, no. 4 (2006): 209–14.

While it is necessary to "investigate exactly what terms such as 'property' and 'ownership' mean in a concrete sense,"[183] this should not be universally synthesized from the legal systems of modern societies – which are likely to share common aspects –, but from the contemporary sources and contexts of the society one wishes to study. Honoré's property definition as simplified by Lewis is therefore "extremely precise in its ability to determine who is or is not a slave"[184] in classical Athens and Babylonia in the Neo-Babylonian and Achaemenid periods, which apparently had a visible concept of "full individual ownership" in the modern legal sense that encompassed ownership over humans. As to our extant Shāng and Western Zhōu epigraphic sources, the concept of "slavery" cannot be ascertained for these periods, even when applying the clearly defined concept of "ownership" by Honoré. Walter Scheidel reasonably remarked in 2013 with regard to Hàn dynasty specialized slave labor, in words I should like to borrow here: "although absence of evidence does not equal evidence of absence, the latter cannot readily be read as pervasive neglect by the sources either."[185]

Albeit far from being a comprehensive and detailed analysis, this short discussion indicates that not every historical society might have a clear-cut concept of full individual ownership; and even in mature legal systems, a clear identification of a proposed "slave's" individual "owner" might be more complicated than implied by David Lewis, depending on the respective legal sources at hand. Thus, a property-based approach to "slavery" seems reasonable and useful in distinguishing "slavery" from other types of dependency, but this in turn does not mean that "slavery" is a cross-culturally identifiable, universal phenomenon *already in ancient times*.

In any case, whether focusing on "slaving" as a historical strategy or on "slavery" as a sociological institution, it seems necessary to have a clear definition to work with. For early ancient China, there remains the difficulty to catch specific forms of "human bondage and coercion," or "strong asymmetrical dependency," red-handed, such as forms of subservience achieved by means clearly identifiable as being *coercive*.[186]

183 Lewis, "Patterson, Property, and Ancient Slavery": 47.

184 Lewis, "Patterson, Property, and Ancient Slavery": 46.

185 Scheidel, "Slavery and forced labor in early China and the Roman world": 7.

186 With regard to Shāng China, Huáng Xiànfán criticized contemporary scholars of his day for attributing "slave" status to groups mentioned in the oracle-bone inscriptions without following precise definitions, such as the scholarly definition given by Karl Marx or the one given in the Chinese encyclopaedic dictionary *Cíhǎi* 辞海, or even without any definition at all (Huáng Xiànfán, *Zhōngguó lìshǐ méi yǒu núlì shèhuì*: 446; for the individual definitions, see: 194–95).

4 Preliminary Conclusion

As a preliminary conclusion, we can say that some of the terms denoting groups of people in Shāng and Western Zhōu bone and bronze inscriptions are also used in later written sources of the Warring States and early empire. In these latter sources, they designate the lowest social strata at the time, including possible equivalents of "slaves" and "bondservants" as defined by modern terminology. This cannot be ascertained for the Shāng and Western Zhōu periods. Epigraphic evidence so far is too scarce to determine cases of "strong asymmetrical dependency" in earliest China. Their existence can be interpreted from the sources, but not proved. We should be careful not to implicitly or unconsciously project the semantic ranges of these terms back to earlier periods. We should also be careful not to assume the existence of certain social categories or strata in the earliest dynasties without defining the terms, and without being aware of the epigraphic and historical issues involved. Based on these examples of unclear evidence, I would like to bring up the following question: How can phenomena of "human bondage and coercion" be securely determined, if the sources of any given society are limited to certain types and also limited in their content? Any form of "asymmetrical dependency," or "bondage and coercion," may it be classified as "slavery" or something else, is always relative to other, more or less severe forms of "bondage and coercion," or to human relations devoid of "bondage and coercion." We thus need a fixed point among the social relations of a given society, which enables us to determine other relations that differ from it. Having regard to new developments in classical Greece, Perry Anderson 1974 already characterized ancient domestic "slavery" as being "relative" to other forms of dependency:

> In classical Greece, slaves were thus for the first time habitually employed in crafts, industry and agriculture beyond the household scale. At the same time, while the use of slavery became general, its *nature* correspondingly became absolute: it was no longer one relative form of servitude among many, along a gradual continuum, but a polar condition of complete loss of freedom, juxtaposed against a new and untrammeled liberty. For it was precisely the formation of a limpidly demarcated slave sub-population that conversely lifted the citizenry of the Greek cities to hitherto unknown heights of conscious juridical freedom. Hellenic liberty and slavery were indivisible: each was the structural condition of the other, in a dyadic system which had no precedent or equivalent in the social hierarchies of the Near Eastern Empires, ignorant alike of either the notion of free citizenship or servile property.[187]

Also, Charlotte Sussman in 2018 showed how to the end of the eighteenth century, after decades of coerced mobility, British migration to the new world came to be redefined against the backdrop of the Atlantic slave trade; thereby "slavery" was being

187 Perry Anderson, *Passages from Antiquity to Feudalism* (London: New Left Books, 1974; London: Verso, 1996): 23. I am indebted to the article of Robin Yates for highlighting this statement (see Yates, "Slavery in Early China": 287).

construed as the antithesis of the movement of British emigrants to Canada, which was intentionally categorized by the state as "free": "without taking anything away from the horrors of chattel slavery, it is still possible to say that slavery was not the opposite of European mobility in the way we have been taught to think of it. Instead, slavery was the limit case at one end of a continuum of coerced movement and servitude."[188] Perhaps it is no coincidence that the Cluster of Excellence "Beyond Slavery and Freedom: Asymmetrical Dependencies in Pre-Modern Societies" refers to "slavery" as one form, as well as the bottom line, of "strong asymmetrical dependency" (i.e. the "most extreme" form of "human bondage and coercion"), without however defining its distinctive characteristics as opposed to other forms of the concept "strong asymmetrical dependency"; which, in turn, are not further distinguished from relations of "asymmetrical dependency."[189] "Asymmetrical dependency" is thus defined as the "loss of autonomy" of actors in relations of (often reciprocal) dependency as a result of "strong asymmetries," and this loss of autonomy[190] further needs to be institutionally ensured. Accordingly the worst case in dependency relations must be the institutionally supported total loss of autonomy on the part of the dependent. If "slavery" is generally regarded as the worst case (i.e. the "most extreme" form) of "strong asymmetrical dependency," then this requires a clear definition, to prevent "slavery," if one wishes to use this term, from becoming a loose category of all kinds of "worst cases" of dependency, which may however differ to a considerable degree from one society to the next. Perhaps one should follow Moses Finley, and use the term "slave" only for those dependent people who clearly resemble the "slaves" in classical antiquity and the post-Columbian Americas. Other appellations

188 Compare Charlotte Sussman, "Historicizing Freedom of Movement: Memory and Exile in Political Context," in *Revisiting Slavery and Antislavery: Towards a Critical Analysis*, ed. Laura Brace and Julia O'Connell Davidson (London: Palgrave Macmillan, 2018): 99, 106 and 107.

189 The Cluster's "tentative and rather broad understanding of 'asymmetrical dependency'" is subject to re-conceptualization: "Dependencies between actors are based on the ability of one actor to control the actions and the access to resources of another. This type of control over actions and access to resources is often reciprocal, and in this case, it is compatible with the autonomy of both actors. So the existence of strong asymmetries between actors is decisive for the loss of autonomy of one of them. In addition this asymmetrical dependency between actors has to be supported by an institutional background that ensures that the dependent actor normally cannot change their situation by either going away ('exit') or by articulating protest ('voice')." Thus, "strong asymmetries" in dependency relations seem to be constitutive for "asymmetrical dependency," and research is based on the hypotheses that: "(1) There are enduring institutions of asymmetrical dependency in all human societies; and (2) these asymmetrical dependencies are formative for these societies." BCDSS, "Research Objective." However, it is not explained what further distinguishes "strong asymmetrical dependencies," the declared subject of the research areas A and B.

190 "Autonomy" is defined as "1. the quality or state of being self-governing; 2. self-directing freedom and especially moral independence; 3. a self-governing state" according to the Merriam-Webster dictionary (https://www.merriam-webster.com/dictionary/autonomy [accessed 17.05.2022]).

or categories would need to be found for those persons whose circumstances were (and are) essentially different.[191]

But not only "strong asymmetrical dependencies," but also commonplace and rather obscure forms of dependency, such as dependencies created by the labor market, ought to be recognized as parts of a continuum – even contemporary scholars find themselves within a continuum of social asymmetries, and not outside of it. It thus seems helpful to distinguish forms of dependency *within* a given society.

With regard to changing forms of bondage and coercion, reasons for the decline and eventual abolition of "slavery" as a legal institution – a topic that is increasingly becoming the focus of critical analyses –[192] were already formulated by Max Weber, who saw global economic processes of modernization as driving factors in the emergence and advancement of an indirect compulsion to work, making the need for "slavery" more or less obsolete for the efficient extraction of labor:

> Die Unterdrückung der Sklaverei durch Ausschluß auch der freiwilligen Ergebung in formal sklavenartige Beziehungen war Produkt vor allem der Verschiebung des Schwerpunktes der ökonomischen Weltherrschaft in Gebiete hinein, in welchen die Sklavenarbeit infolge der Kostspieligkeit des Lebensunterhaltes unrentabel ist und zugleich der Entwicklung des indirekten Arbeitszwanges, wie ihn das Lohnsystem mit seiner drohenden Chance der Entlassung und Arbeitslosigkeit bietet, als eines für qualitative Arbeitsleistungen gegenüber dem direkten Zwang wirksameren und zugleich das große Risiko der Sklavenvermögen vermeidenden Mittels galt, Arbeit aus dem Abhängigen herauszupressen.[193]

191 Finley's criticism has been cited by David Lewis: "First, a host of, let us say, African statuses and status terms are translated as 'slaves'; second, it is observed that at essential points these so-called slaves are extremely unlike the slaves of classical antiquity or of the Americas; third, instead of reconsidering their appellation 'slaves' to their own subjects, these anthropologists angrily protest the 'ethnocentrism' of 'western' historians in order to provide a place for their own pseudo-slaves." (Moses I. Finley, *Ancient Slavery and Modern Ideology* [London: Chatto & Windus, 1980]: 69; after Lewis, "Patterson, Property, and Ancient Slavery": 45).

192 For critical studies in different respects, see for instance Joel Quirk, "The Anti-Slavery Project: Linking the Historical and Contemporary," *Human Rights Quarterly* 28, no. 3 (2006): 565–98, and *The Anti-Slavery Project: From the Slave Trade to Human Trafficking*, Pennsylvania Studies in Human Rights (Philadelphia: University of Pennsylvania Press, 2011); as well as Laura Brace and Julia O'Connell Davidson, "Slavery and the Revival of Anti-Slavery Activism," in *Revisiting Slavery and Antislavery: Towards a Critical Analysis*, ed. Laura Brace and Julia O'Connell Davidson (London: Palgrave Macmillan, 2018): 3–34.

193 Weber, *Grundriss der Sozialökonomik*: 429; these are not the only reasons given by Weber, see here and page 430 for further elaborations. Scholarly questions of similarities between "work practices before and after the abolition of chattel slavery" have, for example, been asked in Michael Twaddle, ed., *The Wages of Slavery: From Chattel Slavery to Wage Labour in Africa, the Caribbean and England* (Abingdon: Frank Cass, 1993); Mary Turner, ed., *From Chattel Slaves to Wage Slaves: The Dynamics of Labour Bargaining in the Americas* (Bloomington: Indiana University Press, 1995); and Mary Turner, "Modernizing Slavery: Investigating the Legal Dimension," *New West Indian Guide / Nieuwe West-Indische Gids* 73, no. 3/4 (1999): 5–26, https://doi.org/10.1163/13822373-90002575 [accessed 17.05.2022]. "Dependency" in modern and contemporary employment relationships is best expressed

Coercion has many facets. In ancient China, the *domination* of non-élite and thus apparently dependent individuals or particular groups during the Shāng and Western Zhōu period is clear from the epigraphic record. This is not surprising, because it falls under the broad scope of *Herrschaft* ("power/authority") as usefully outlined by Max Weber.[194] But it is not an easy matter to draw more precise information from the sources, such as on the exact living and working conditions of the people involved, and on how the relations towards their superiors were shaped and/or determined their everyday lives. The application of social categories demands their clear identification.

As to early ancient China, as long as we lack more precise facts, we cannot exactly differentiate between certain terms, other than being sure that they represent the social hierarchy's "lower end." This does not mean that these terms were necessarily meant to denote *status*, in the sense of neatly differentiated non-aristocratic social strata, but possibly that they denoted non-aristocratic people performing certain functions and having certain obligations. But to determine under which circumstances these members or non-members of society lived, what kinds of obligations and

by contemporary terminology itself, such as English "dependent employment" and German "abhängig Beschäftigte" or "abhängig Erwerbstätige," which are synonyms for the now commonly used *Arbeitnehmer* ("employees"), including inter alia employees subject to social incurance contributions, civil servants, judges, and soldiers, as described on the website of the *Federal Statistical Office* of Germany: "Arbeitnehmerinnen und Arbeitnehmer üben ihre Haupttätigkeit auf vertraglicher Basis für eine Arbeitgeberin beziehungsweise einem [*sic*] Arbeitgeber in einem abhängigen Arbeitsverhältnis aus und erhalten hierfür eine Vergütung (Arbeitnehmerentgelt: Lohn beziehungsweise Gehalt)." Statistisches Bundesamt (Destatis), "Arbeitnehmerinnen und Arbeitnehmer," https://www.destatis.de/DE/Themen/Arbeit/Arbeitsmarkt/Glossar/arbeitnehmer.html [accessed 17.05.2022].

194 "'Herrschaft' soll, definitionsgemäß [. . .] die Chance heißen, für spezifische (oder: für alle) Befehle bei einer angebbaren Gruppe von Menschen Gehorsam zu finden. Nicht also jede Art von Chance, 'Macht' und 'Einfluss' auf andere Menschen auszuüben. Herrschaft ('Autorität') in diesem Sinn kann im Einzelfall auf den verschiedensten Motiven der Fügsamkeit: von dumpfer Gewöhnung angefangen bis zu rein zweckrationalen Erwägungen, beruhen. Ein bestimmtes Minimum an Gehorchen*wollen*, also *Interesse* (äußerem oder innerem) am Gehorchen, gehört zu jedem echten Herrschaftsverhältnis." Weber, *Grundriss der Sozialökonomik*: 122. Weber further points out that formally, relations of power/authority (*Herrschaft*) can be entered into voluntarity; a relation of power/authority entails obedience, regardless of its voluntary or involuntary nature, the latter being absolute only in cases of slavery: "Dagegen soll es den Begriff eines Herrschaftsverhältnisses natürlich nicht ausschließen, daß es durch formal freien Kontrakt entstanden ist [. . .] Die absolute Unfreiwilligkeit besteht erst beim Sklaven." (123). Weber further states that relations of power/authority are not always necessarily to be defined as "Herrschaft," since they comprise all stages between commitment (*Schuldverpflichtung*) and enslavement (*Schuldverknechtung*); but precisely because sharp distinctions often cannot be drawn, it is even more important to have clear concepts ("Natürlich ist auch hier, wie überall, der Uebergang flüssig: von Schuldverpflichtung zur Schuldverknechtung finden sich alle Zwischenstufen [. . .] *Scharfe* Scheidung ist in der Realität oft nicht möglich, klare *Begriffe* sind aber dann deshalb nur umso nötiger." [123]).

rights they had, and under which (degrees of) constraints or acceptable conditions they came to live, we need further evidence and further studies. Particular situations of apparent domination and coercion are only implicit in the extant epigraphic records. In the absence of explanations or definitions, they are hard to grasp in terms of terminology. Whether they fall under a concept "strong asymmetrical dependency" thus cannot be determined: more evidence is needed.

Shāng and Zhōu society clearly was hierarchical, showing apparently asymmetrical relations. But so far, there is no clear evidence of "strong asymmetrical dependency" as delineated by various concepts such as "slavery," "debt bondage," "convict labor," "tributary labor," "servitude," "serfdom," "domestic work" or "wage labor," all forms of dependency which, by the chosen definition already discussed, need to include "coercion." Even if we take a broader definition of the term "bondage" as a basis, further terminological questions arise that need to be addressed with regard to our specific historical context, for example "bondage" as "a *state of being bound* usually by compulsion (as of law or mastery): such as a: captivity, serfdom, b: servitude or subjugation to a controlling person or force."[195] How long does a particular situation of apparent bondage and coercion need to last to count as a *relation* of "strong asymmetrical dependency" – hours, days, or months? Do victims of Shāng human sacrifice, for instance, count as "strong asymmetrical dependents"? Certainly, their very lives depended on the agents who decided on their fate, and sacrificial killings were not necessarily performed shortly after prisoners were taken captive, as recent studies suggest.[196] But captives were by no means the only category of human victims within the Shāng sacrificial system, indicating a variety of possible intentions and motives.[197] How can these relations be categorized?

195 Thus given as second definition of the term in the *Merriam-Webster dictionary*, see https://www.merriam-webster.com/dictionary/bondage [accessed 17.05.2022]. My italics.

196 Christina Cheung et al. theorize that, due to the long duration of captivity as suggested by the evaluated evidence, the victims may have been put to use as laborers: "Our results suggest that these sacrificial victims were likely not local, but moved to Yinxu and adopted the local diet for at least a few years before being killed." Christina Cheung et al., "Diets, Social Roles, and Geographical Origins of Sacrificial Victims at the Royal Cemetery at Yinxu, Shang China: New Evidence from Stable Carbon, Nitrogen, and Sulfur Isotope Analysis," *Journal of Anthropological Archaeology* 48 (2017): 28, abstract; "[S]ome of the sacrificial victims in Yinxu were non-local, and likely participated in productive labour" (43).

197 Gideon Shelach-Lavi made the first fruitful approach to explain human sacrifice as an integral part of the Shāng political system in 1996, proposing that human sacrifice especially of Qiāng 羌 (i.e non-Shāng people) played a significant role in the political legitimation of the Shāng kings, comparable to human sacrifice practiced by the Mayan élite, and this focus on "captive sacrifice" has found approval in more recent scholarship. But, as Shelach himself notes, Qiāng were approximately only 50 percent of human sacrificial victims in the epigraphic records (compare Gideon Shelach, "The Qiang and the Question of Human Sacrifice in the Late Shang Period," *Asian Perspectives* 35, no. 1 [1996]: 13); this raises the question as to possible multiple functions of the large-scale institution of Shāng human sacrifice, which need to be further studied.

Maybe a shift of focus from mere terminological to social issues may be helpful in studying "asymmetrical dependency," strong or otherwise, during earlier periods, as far as the sources allow. The role that coercion may or may not have played in enhancing, consolidating, or maintaining social asymmetries, and to whose particular benefits, appears especially worth analyzing. In the case of earliest historical China, it seems promising to further study the relations and issues between individual agents or groups of people in the extant inscriptional record, such as the institution of ritual killing, sacrificial or otherwise, of both captive and native humans – surely the most extreme form of coercion.

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2. Slaveries and Similar Dependencies

2.2. Regions and Epochs

Greek World

Winfried Schmitz. "Dependent Rural Populations in Archaic and Classical Greece: Free, Slave, or Between Free and Slave?" in *Slavery and Other Forms of Strong Asymmetrical Dependencies. Semantics and Lexical Fields*, ed. Jeannine Bischoff and Stephan Conermann (Berlin: De Gruyter, 2022): 99–126.

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Winfried Schmitz

Dependent Rural Populations in Archaic and Classical Greece: Free, Slave, or Between Free and Slave?

In the twelfth book of his *Geographica*, which contains information about the kingdom of Pontus on the Black Sea, the ancient geographer Strabo (ca. 64 BC–19 AD) includes a report about the Mariandyni.[1] He thought them a Thracian tribe similar to the Bithynians. The Milesians had founded a city in the territory of the Mariandyni which they called Heracleia,[2] and they forced the Mariandyni, whose land this had been, into bondage: a state Strabo describes with the term *heilōteúein*, a type of dependency similar to that endured by the helots of Sparta. Mariandyni could be sold (*pipráskesthai*), but they had come to an agreement with the Heracleians that they could not be sold outside the territory.[3] Strabo does not explicitly tell us that the Heracleians had conquered inland Mariandyni territory in military campaigns from their own coastal base, but it seems reasonable to assume that this is what happened. At that time, i.e. in the seventh or sixth century BC, it was usual for the conquerors of a city to kill the men of fighting age and to sell the women and children into slavery. However, in the case of the Mariandyni, the Heracleians chose a different path: the Mariandyni could continue to live in their houses and villages and to farm the land; but they had to live in a state of dependency and pay certain tributes to their new masters. Unlike regular captives in war, they could not be sold beyond their erstwhile territory; but since it was possible to sell them within the

1 For the Mariandyni and their area of settlement see David Asheri, *Über die Frühgeschichte von Herakleia Pontike*, Forschungen an der Nordküste Kleinasiens 1 (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 1972): 18–19; Stanley M. Burstein, *Outpost of Hellenism: The Emergence of Heraclea* (Berkeley: University of California Press, 1976): 6–11.

2 However, Burstein, *Outpost of Hellenism*: 13–15 is skeptical of the historicity of this account.

3 Strab. 12.3.4–542 C: Θεόπομπος δὲ Μαριανδυνόν φησι μέρους τῆς Παφλαγονίας ἄρξαντα ὑπὸ πολλῶν δυναστευομένης, ἐπελθόντα τὴν τῶν Βεβρύκων κατασχεῖν, ἣν δ’ ἐξέλιπεν ἐπώνυμον ἑαυτοῦ καταλιπεῖν. εἴρηται δὲ καὶ τοῦτο ὅτι πρῶτοι τὴν Ἡράκλειαν κτίσαντες Μιλήσιοι τοὺς Μαριανδυνοὺς εἰλωτεύειν ἠνάγκασαν τοὺς προκατέχοντας τὸν τόπον, ὥστε καὶ πιπράσκεσθαι ὑπ’ αὐτῶν, μὴ εἰς τὴν ὑπερορίαν δέ (συμβῆναι γὰρ ἐπὶ τούτοις), καθάπερ Κρησὶ μὲν ἐθήτευεν ἡ Μνῴα καλουμένη σύνοδος, Θετταλοῖς δὲ οἱ Πενέσται.

Note: My thanks go to Imogen Herrad for the English translation of my text. The translations of the Cretan inscriptions have been lightly adapted from those of Michael Gagarin and Paula Perlman (*The Laws of Ancient Crete c. 650–400 BCE* [Oxford: Oxford University Press, 2016]). All other translations from the ancient Greek have been taken from the Loeb edition unless otherwise stated.

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boundaries, we may assume that they were given to individual Heracleians whose property or dependents they became.[4]

The enserfed Mariandyni had to pay tributes (probably in kind). They are euphemistically referred to as "bringers of gifts" (*dōrophóroi*) by the third-century BC epic poet Euphorion and the second-century BC grammarian Callistratus.[5] Strabo describes the dependency of the Mariandyni with a term derived from the helots of Sparta, *heilōteúein*, and mentions the restriction on the right to sell them. The late-second/early-first century BC Stoic philosopher Poseidonius also sidestepped the issue of slavery. In the eleventh book of his *Histories* he wrote:

> [M]any people who are unable to care for themselves because of their intellectual deficiencies surrender themselves into the service (*hypēresía*) of more intelligent individuals, so that they can get the necessities of life from their masters and can in turn repay them with whatever services they are capable of rendering (*hypēreteín*). This is how the Mariandyni became subject to the Heracleians, by promising to be their servants (*thēteúein*) forever, provided the Heracleians supplied them with what they needed and, adding as a further condition a ban on the selling (*prásis*) of them outside of Heracleian territory: it would only be allowed in their own country (*chṓra*).[6]

The assertion that someone of weak intellect should choose to put himself in bondage to a wiser person to obtain the necessities of life echoes very strongly Aristotle's concept of the "natural slave" – especially as in this case the "wise" are the Heracleians, who are Greek, while the mentally lacking Mariandyni are "barbarians."[7]

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4 Strabo (12.3.6–542 C) tells us that Heracleia had risen to become an important city – probably thanks to the subjugation of the Mariandyni. *Apoikíai*, colonies, were founded by the Heracleians in Tauric Chersonesus and Callatis. Strabo also tells us that the city had good harbours (πόλις εὐλίμενος).

5 Callistratus FgrH 348 F4 (the fragments are preserved in Athen. 6.84, p. 263d–e; see n. 8 below).

6 Athen. 6.84 (p. 263c–d): Ποσειδώνιος (FgrH 87 F8) δέ φησιν ὁ ἀπὸ τῆς Στοᾶς ἐν τῇ τῶν Ἱστοριῶν ἑνδεκάτῃ· 'πολλούς τινας ἑαυτῶν οὐ δυναμένους προίστασθαι διὰ τὸ τῆς διανοίας ἀσθενὲς ἐπιδοῦναι ἑαυτοὺς εἰς τὴν τῶν συνετωτέρων ὑπηρεσίαν, ὅπως παρ' ἐκείνων τυγχάνοντες τῆς εἰς τὰ ἀναγκαῖα ἐπιμελείας αὐτοὶ πάλιν ἀποδιδῶσιν ἐκείνοις δι' αὐτῶν ἅπερ ἂν ὦσιν ὑπηρετεῖν δυνατοί. καὶ τούτῳ τῷ τρόπῳ Μαριανδυνοὶ μὲν Ἡρακλεώταις ὑπετάγησαν, διὰ τέλους ὑποσχόμενοι θητεύσειν παρέχουσιν αὐτοῖς τὰ δέοντα, προσδιαστειλάμενοι μηδενὸς αὐτῶν ἔσεσθαι πρᾶσιν ἔξω τῆς Ἡρακλεωτῶν χώρας, ἀλλ' ἐν αὐτῇ μόνον τῇ ἰδίᾳ χώρᾳ.' Strabo also uses the verb *thēteúein* for the dependent labour performed by the *mnōtaí* in Crete and the *penéstai* in Thessaly, which indicates that he assimilates their activities to those of the *thetes*, members of the free rural poor who sold their labour for a year at a time as hired workers in archaic Greece (Strab. 12.3.4–542 C; see n. 3 above). For *thēteúein* and dependent labour on an annual basis see Hom. Il. 21.441–57 (cf. Agatharchides F 7 Woelk; Phot. Bibl. p. 442.29b–444.19b); Od. 11.489–90; 18.357–64; Hes. erg. 600–608; Hdt. 8.137; Eur. Alc. 1–9; Aristot. rhet. 1.9.26–27; Timaeus FgrH 566 F11 (= Athen. 6.86, p. 264c–d), with literature.

7 For a detailed discussion of Aristotle's concept of the "natural slave" see Eckart Schütrumpf, "Aristoteles," in *Handwörterbuch der antiken Sklaverei*, vol. 1, ed. Heinz Heinen (Stuttgart: Steiner, 2017): 180–208.

Poseidonius' explanation doubtlessly serves to legitimize slavery, as does the euphemistic label "bringers of gifts."[8] But were the Mariandyni slaves? Our knowledge about this one dependent group in the region of Heracleia is too small to definitively answer this question.[9] Later authors, who looked upon them in hindsight, saw them as slaves, albeit under a very particular set of conditions.[10]

Strabo tells us that the Mariandyni had been "forced [. . .] to serve as helots, so that they could be sold, but not beyond the boundaries of their country," and that this special condition had also applied to the *mnoía* who served the Cretans and the *penéstai* who served the Thessalians.[11] There is additional proof for the fact that the existence of this specific type of dependents was also reflected in the terminology of different parts of Greece. Callistratus wrote that the Spartans had used the term *helots* in order to avoid "the sting of the word 'slaves'"; just as the Thessalians spoke of *penéstai* and the Cretans of *klarōtai*.[12] Callistratus then further distinguishes between Crete's "urban slaves" (οἰκέται κατὰ πόλιν), who were called *chrysōnētoi* ("bought for

8 Athenaeus quotes a line from Euphorion (fr. 73 M.), δωροφόροι καλεοίαθ' ὑποφρίσσοντες ἄνακτας – "Let them be referred to as gift-bearers, shuddering before their masters." The legitimizing intent is also obvious in the claim that allegedly the Mariandyni *surrendered themselves* to the Heracleians and *promised* to be their servants in perpetuity.

9 For the history of Heracleia and the Mariandyni see Burstein, *Outpost of Hellenism* and Alexandru Avram, "Bemerkungen zu den Mariandyni von Herakleia am Pontos," *Studii Clasice* 22 (1984): 19–28 (with a discussion of earlier literature, including Russian texts); Angela Bittner, *Eine Polis zwischen Tyrannis und Selbstverwaltung: Gesellschaft und Wirtschaft in Herakleia* (Bonn: Habelt, 1998); Sergei J. Saprykin, *Heracleia Pontica and Tauric Chersonesus before Roman Domination IV. –I. c. B.C.* (Amsterdam: A.M. Hakkert, 1996); Annalisa Paradiso, "Sur la servitude volontaire des Mariandyniens d'Héraclée du Pont," in *Fear of Slaves, Fear of Enslavement in the Ancient Mediterranean*, ed. Anastasia Serghidou (Besançon: Presses Universitaires de Franche-Comté, 2007): 23–33; cf. Adrian Robu, *Mégare et les établissements mégariens de Sicile, de la Propontide et du Pont-Euxin: histoire et institutions* (Bern: Peter Lang, 2014).

10 Avram, "Bemerkungen zu den Mariandyni": 21. He comes to the (to my mind problematic) conclusion that there were two categories of Mariandyni: those of low status who, like the helots of Sparta, were virtually identical to slaves; and those who had certain rights, were called *perí oikoi* and could potentially rise to become full citizens (26–28).

11 See n. 3 above. For the *penéstai* in Thessaly see Detlev Lotze, *Μεταξὺ ἐλευθέρων καὶ δούλων. Studien zur Rechtsstellung unfreier Landbevölkerung in Griechenland bis zum 4. Jh. v. Chr.* (Berlin: Akademie, 1959); Stefan Link, *Landverteilung und sozialer Frieden im archaischen Griechenland* (Stuttgart: Steiner, 1991): 151–57; Jean Ducat, *Les Pénestes de Thessalie* (Paris: Presses Universitaires de Franche-Comté, 1994); Karl-Wilhelm Welwei, "Neuere Forschungen zur Rechtsstellung der Penesten," in *Antike Lebenswelten. Konstanz – Wandel – Wirkungsmacht. Festschrift für Ingomar Weiler zum 70. Geburtstag*, ed. Peter Mauritsch et al. (Wiesbaden: Harrassowitz Verlag, 2008): 393–411; Peter Mauritsch, "Penesten," in *Handwörterbuch der antiken Sklaverei*, vol. 2, ed. Heinz Heinen (Stuttgart: Steiner, 2017): 2181–84.

12 Callistratus FgrH 348 F4 (apud Athen. 6.84, p. 263e–f): λέγει δὲ καὶ Καλλίστρατος ὁ Ἀριστοφάνειος, ὅτι τοὺς Μαριανδυνοὺς ὠνόμαζον μὲν δωροφόρους ἀφαιροῦντες τὸ πικρὸν τῆς [ἀπὸ] τῶν οἰκετῶν προσηγορίας, καθάπερ Σπαρτιᾶται μὲν ἐποίησαν ἐπὶ τῶν εἰλώτων, Θετταλοὶ δ' ἐπὶ τῶν πενεστῶν, Κρῆτες δ' ἐπὶ τῶν κλαρωτῶν.

gold" or "for money"), and "rural slaves" (κατ' ἀγρόν) who were locals (ἐγχώριοι) and had been enslaved in war (δουλωθέντες κατὰ πόλεμον), and who were called *a(m)phamiōtai*. These were also called *klarōtai* because they were "allotted," i.e. because lots had been drawn for them.[13] So our sources – ancient, if not contemporaneous with the conditions they describe – are in agreement that these particular forms of dependency, where the defeated could stay in their own land as a rural subject population under new rulers, had come about through war.[14] They farmed the estates and were obliged to pay tribute. The new masters had estates (*klároi*) assigned or allocated to them, complete with the workers on the land. As an institution, this slave collective was called *mnoía*; the "allocates" to individual citizens were called *klarōtai* or *a(m)phamiōtai*.[15] This last term derives either from *aphamía*, "infamy," or from *apamía*, the term for peripheral land.[16] In addition, there were probably some chattel slaves who had been

13 Athen. 6.84 p. 263e–f: καλοῦσι δὲ οἱ Κρῆτες τοὺς μὲν κατὰ πόλιν οἰκέτας χρυσωνήτους, ἀμφαμιώτας δὲ τοὺς κατ' ἀγρὸν ἐγχωρίους μὲν ὄντας, δουλωθέντας δὲ κατὰ πόλεμον· διὰ τὸ κληρωθῆναι δὲ κλαρώτας. Athen. 6.93, p. 267c (similarly in the epitomes): Ἀμερίας δὲ ἐρκίτας φησὶ καλεῖσθαι τοὺς κατὰ τοὺς ἀγροὺς οἰκέτας. Ἕρμων δὲ ἐν Κρητικαῖς Γλώτταις μνώτας τοὺς εὐγενεῖς οἰκέτας. – "Amerias says that slaves (*oikétai*) who work in the fields are referred to as *herkítai*; Hermon in the *Cretan Vocabulary* says that indigenous slaves (*oikétai*) are referred to as *mnōtai*." Eustathius, drawing on the work of Athenaeus, which is preserved in Comm. ad Il. 15.431 (p. 752), writes: Ἦσαν δὲ ἄλλως δουλικαὶ λέξεις ἐν Κρήτῃ μὲν οἱ κλαρῶται διὰ τὸ κληρωθῆναι, ἔτι δὲ οἰκέται μὲν οἱ κατὰ πόλιν χρυσώνητοι, ἀμφαμιῶται δὲ οἱ κατὰ ἀγρὸν ἰδίᾳ δοῦλοι. ἐκάλουν δέ, φασί, Κρῆτες καὶ μνοίαν τὴν κοινὴν δουλίαν, καὶ μνώτας τοὺς ἐγγενεῖς οἰκέτας. – "There were other words for slaves (*doulikaí léxeis*) in Crete, the *klarōtai* [who were so named] for having been appointed by lot, also *oikétai* for those who had been bought for gold (*chrysōnētoi*) in the city, and *amphamiōtai* for those slaves (*doúloi*) in the country [who had been allocated] privately; he says the Cretans also called public slavery (*koinḗ doulía*) *mnoía*, and native slaves (*oikétai*) *mnōtai*" (my own translation). For *a(m)phamiōtai* see also Strab. 15.1.34 (= Onesikrates FgrH 134 F24).

14 For the Mariandyni see Strab. 12.3.4 (see also above n. 3); for the Cretan *a(m)phamiōtai* see Callistratus apud Athen. 6.84 (see above n. 12).

15 The terms *woikeús* and *woikéa* are only attested in Cretan inscriptions (Michael Gagarin, "Slaves and Serfs at Gortyn," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte* 127 (2010): 14–31, here 16).

16 Hesych. α 8548 s.v. ἀφαμιῶται· οἰκέται ἀγροῖκοι, περίοικοι. For the *aphamiōtai* and a possible epigraphic attestation, see Gagarin, "Slaves and Serfs at Gortyn": 15, n. 1; Hans-Joachim Gehrke, "Gewalt und Gesetz: Die soziale und politische Ordnung Kretas in der Archaischen und Klassischen Zeit," *Klio* 79 (1997): 23–68, 26, n. 10 follows Henri van Effenterre, who states that *apamía* is "eine lokale Bezeichnung für Land-, insbesondere Grenzgebiet." (Henri van Effenterre, "Terminologie et formes de dépendence en Crète," in *Rayonnement grec. Hommages à Charles Delvoy*, ed. Lydie Hadermann-Misguich and Georges Raepsaet (Brussels: Editions de l'Université de Bruxelles, 1982): 35–44, here 38–41; Paula Perlman, "Tinker, Tailor, Soldier, Sailor. The Economies of Archaic Eleutherna, Crete," *Classical Antiquity* 23 (2004): 95–137, here 103). According to Angelos Chaniotis, *mnoitai* were public slaves who work communal land, while *aphamiotai* were the unfree peasants who farmed the *aphamía*, land on the periphery of the *pólis* territory. In this model, citizens reclaimed marginal, less fertile land near the border, took possession of it and had it worked by slaves (Angelos Chaniotis, *Das antike Kreta* [Munich: Beck, 2004]: 76).

bought, and as such were their masters' personal property (the so-called "urban slaves," οἰκέται κατὰ πόλιν, or *chrysōnētoi*).[17]

David M. Lewis argues in his 2018 work, *Greek Slave Systems in their Eastern Mediterranean Context, c. 800–146 BC*, that the dependent populations of Crete, Sparta and Thessaly should not be described as serfs. He sees instead compelling reasons for classifying *klarōtai*, helots and *penéstai* as "privately owned slaves," and believes that ancient Sparta should therefore be considered an extreme example of a "slave society." In his view none of the three groups had any rights, including that of owning property. By arguing that helots, *penéstai* and *klarōtai* were not tied to the soil and had not been allotted to the citizens (who thereby received a share of the usufruct of their work on the land), and that they were instead owned by individual masters and could be sold, David Lewis positions himself in direct opposition to Moses I. Finley, who had regarded this form of dependency as singularly positioned between freedom and slavery. Helots, *penéstai* and *klarōtai* could only be termed "serfs" if they had been inalienable from the point of view of private citizens because they belonged to the *pólis*, and tied to the individual plot of land – a point refuted by David Lewis.[18] Instead, Lewis believes that literary and epigraphical sources provide

17 There is extensive debate among scholars whether *woikeís*, *klarōtai*, *aphamiōtai*, *mnōtaí*, *dóloi* and *chrysōnētoi* were different or identical unfree groups, and the ways in which their legal or social status may have differed. Lotze, *Μεταξὺ ἐλευθέρων καὶ δούλων*; Detlef Lotze, "Zu den ϝοικέες von Gortyn," *Klio* 40 (1962): 32–43; Fritz Gschnitzer, *Studien zur griechischen Terminologie der Sklaverei*, vol. 2, Forschungen zur antiken Sklaverei 7 (Wiesbaden: Steiner, 1976): 75–82; Claude Mossé, "Le problème des dépendants paysans dans le monde grec," in *Actes du colloque sur l'esclavage (Nieborów 2–6 XII 1975)*, ed. Iza Bieżuńska-Małowist and Jerzy Kolendo (Warsaw: Wydawnictwo Uniwersytetu Warszawskiego, 1979): 57–64; Yvon Garlan, *Les esclaves en Grèce ancienne* (Paris: La Découverte, 1982): 99–133; Reinhard Koerner, *Inschriftliche Gesetzestexte der frühen griechischen Polis* (Cologne: Böhlau, 1993); Alberto Maffi, *Il diritto di famiglia nel Codice di Gortina* (Milan: CUEM, 1997): 120–21; Claude Brixhe (with Monique Bile), "La circulation des biens dans les Lois de Gortyne," in *Des dialectes grecs aux lois de Gortyne*, ed. Catherine Dobias-Lalou (Nancy: de Boccard, 1999): 75–116, here 93–97; Stefan Link, "'Dolos' und 'Woikeus' im Recht von Gortyn," *Dike* 4 (2001): 87–112; David M. Lewis, *Greek Slave Systems in their Eastern Mediterranean Context, c. 800–146 BC* (Oxford: Oxford University Press, 2018): 150–53.

18 David Lewis, "Slave Marriage in the Laws of Gortyn: A Matter of Rights?," *Historia* 62 (2013): 390–416, 394. Stefan Link (*Das griechische Kreta. Untersuchungen zu seiner staatlichen und gesellschaftlichen Entwicklung vom 6. bis zum 4. Jahrhundert v. Chr.* (Stuttgart: Steiner, 1994): 31–44) similarly disputed that *woikeís* were inalienable and that they had a right to property and to marriage. He believes that legally, there were only quasi-institutions akin to the Roman *peculium* and *contubernium*, respectively. But Edmond Lévy ("Libres et non-libres dans le code de Gortyne," in *Esclavage, guerre, économie en Grèce ancienne*, ed. Pierre Brulé and Jacques Oulhen (Rennes: Presses universitaires de Rennes, 1997): 25–41, here 32–40), believes that *woikées* could not be sold and had (albeit limited) property rights and marriages that were legally recognized; as does Paul Cartledge (*Sparta and Laconia. A Regional History 1300–362 BC* (London: Routledge & Kegan Paul, 1979): 164–65; Cartledge, "Raising Hell? The Helot Mirage – a Personal Review," in *Helots and their Masters in Laconia and Messenia. Histories, Ideologies, Structures*, ed. Nino Luraghi and Susan

proof that Laconic helots and Cretan *klarōtai* were private property, with the only restriction that they could not be sold beyond the borders.[19] This ban on selling *beyond* the borders implied the right to sell them *within*, i.e. to other citizens.[20] Lewis sees the ban on manumitting and selling abroad Mariandyni, helots or *klarōtai* as a restriction of the otherwise unimpeded property rights of slave owners. He draws a parallel to classical Athens where in emergencies the authorities could legally manumit slaves who served as combatants in the army or the fleet – even without their masters' consent.[21] The reported agreement between Heracleians and Mariandyni he regards as an "obviously apocryphal 'contract of servitude'." Instead, Lewis prefers to interpret such "'contract' stories as charter myths that seek to account for the origins of genuine historical bans on sale."[22] Such treaties between victors and vanquished are in fact more likely to have been a voluntary commitment by the citizens of Heracleia (or of Sparta) not to sell off or manumit any Mariandyni (or helots) and to allow only the *pólis* authorities to effect manumissions.[23] Even so, I do not agree that the property rights of masters over dependents were as clear-cut as David Lewis claims.

Alcock (London: Harvard University Press, 2003): 12–30; Cartledge, "The Helots: A Contemporary Review," in *The Cambridge World History of Slavery*, vol. 1, *The Ancient Mediterranean World*, ed. Keith Bradley and Paul Cartledge (Cambridge: Cambridge University Press, 2009): 74–90). For marriage law see Lotze, *Μεταξὺ ἐλευθέρων καὶ δούλων*: 20–25 and Maffi, *Il diritto di famiglia nel Codice di Gortina*: 139–47.

19 Lewis, "Slave Marriage": 395: "Helotage was a system of private slavery" and, "the Gortynian laws make it clear that slaves could be privately sold." Jean Ducat, *Les Hilotes* (Paris: de Boccard, 1990): 19–29 and Nino Luraghi, "Helotic slavery reconsidered," in *Sparta: Beyond the Mirage*, ed. Anton Powell (London: Duckworth, 2002): 227–48, here 228–33 also argue that slaves were privately owned.

20 Ephorus FgrH 70 F117 (πωλεῖν). For *penestai* and Mariandyni see Poseidonius FgrH 87 F8 (see above n. 6) and Archemachus FgrH 424 F1 (see below n. 23).

21 For slaves serving in the army and navy, and being manumitted before or subsequent to serving, see Peter Hunt, *Slaves, Warfare and Ideology in the Greek Historians* (Cambridge: Cambridge University Press, 1998); Brian Bertosa, "The Social Status and Ethnic Origin of the Rowers of Spartan Triremes," *War and Society* 23 (2005): 1–20; Melina Tamiolaki, *Liberté et esclavage chez les historiens grecs classiques. Le discours historique et politique d'Hérodote, Thucydide et Xénophon* (Paris: Presses de l'Université Paris-Sorbonne, 2010); Karl-Wilhelm Welwei, "Militärdienst," in *Handwörterbuch der antiken Sklaverei*, vol. 2, ed. Heinz Heinen (Stuttgart: Steiner 2017): 1940–49.

22 Lewis, *Greek Slave Systems*: 138.

23 Ephorus (apud Strab. 8.5.4–365 C) calls the helots δοῦλοι ἐπὶ τακτοῖς τισιν, "slaves in a way" (who could neither be set free nor sold outside the borders of the country, μήτ' ἐλευθεροῦν μήτε πωλεῖν). Perhaps more plausible is the mutual arrangement in which the Boeotians were reported to have agreed to submit to the Thessalians. Archemachus relates that a number of the Boeotians who had settled near Arne did not return to Boeotia, but preferred to stay (presumably despite the conquest of the area by the Thessalians). They entered into voluntary dependency on the Thessalians (*douleúein*) "by agreement (*homología*), to be their slaves; on condition that they should not take them out of the country (*chōra*), nor put them to death, but that they should cultivate the country for them, and pay them a yearly revenue (*syntáxeis*) for it." Archemachus even goes on to claim that "many of them are richer than their masters." (FgrH 424 F1; Athen. 6.84, p. 263e–264a).

I would like to look at three aspects to illustrate my view that Mariandyni, *penéstai*, helots and *klarōtai* were dependent rural populations whose living conditions and form of life were fundamentally different from the slavery practised in classical Athens and many other Greek cities.

1 The Law on Marriage in Ancient Crete

Numerous law texts survive in inscriptions from ancient Crete, beginning in the mid-seventh and extending into the fifth century. The best known is the so-called Great Code of Gortyn, which is today on display in the Roman Odeion at the archaeological site of Gortyn. The Code lists a large number of laws in twelve columns. The first column covers status and slave ownership, continuing in the second with comprehensive rules about rape and adultery:

> If someone rapes a free man (*eleútheros*) or woman (*eleuthéra*), he will pay a hundred staters [200 drachmas] [. . .] If a slave (*dólos*) [rapes] a free man or woman, he will pay double. If a free man [rapes] a *woikeús* or *woikéa*, [he will pay] five drachmas. And if a *woikeús* [rapes] a *woikeús* or *woikéa*, five staters [= 10 drachmas].[24]

On adultery, the Code states:

> If someone is caught committing adultery (*moikíōn*) with a free woman (*eleuthéra*) in her father's or brother's or husband's [house], he will pay a hundred staters. And if in someone else's house, fifty. [. . .] And if a slave (*dólos*) with a free woman (*eleuthéra*), [he will pay] double. *vacat* And if a slave (*dólos*) with a slave's (*dólos*) [woman], five [staters]. Let [the captor] declare before three witnesses to the relatives (*kadestaí*) of the one who is caught that he is to be ransomed within five days. *vacat* And to the master (*pástas*) of the slave (*dólos*) before two witnesses.[25]

What is interesting here is the use of the terms *woikeús* and *woikéa* alongside *dólos* and *dóla*. The question of whether *woikeís* and *dóloi* were two different unfree groups or whether the terms may be used synonymously has been long and hotly

24 ICret IV 72 col. 2.2–10: vac. αἴ κα τὸν ἐλεύθερον ἢ τὰν ἐλευθέραν κάρτει οἴπει, ἑκατὸν στατῆρανς καταστασεῖ· [. . .] αἰ δέ κ' ὁ δῶλος τὸν ἐλεύθερον ἢ τὰν ἐλευθέραν, διπλεῖ καταστασεῖ· αἰ δέ κ' ἐλεύθερος ϝοικέα ἢ ϝοικέαν, πέντε δαρκνάνς· αἰ δέ κα ϝοικεὺς ϝοικέα ἢ ϝοικέαν, π[έν]τε στατῆρανς. vac. See Gagarin and Perlman, *The Laws of Ancient Crete*: 345–50, who translate *woikeús* as "serf": "[I]n this section, in particular, the terms appear to be legally interchangeable, but that would not mean they are synonyms" (348). Brixhe with Bile, "La circulation des biens": 75, n. 2 place the stress on the first syllable: *woíkea*.

25 ICret IV 72 col. 2.20–33: vac. αἴ κα τὰν ἐλευθέραν μοικίον αἰλεθῆι ἐν πατρὸς ἢ ἐν ἀδελπιῶ ἢ ἐν τῶ ἀνδρός, ἑκατὸν στατῆρανς καταστασεῖ· αἰ δέ κ' ἐν ἄλο, πεντέκοντα· [. . .] αἰ δέ κ' ὁ δῶλος τὰν ἐλευθέραν, διπλεῖ καταστασεῖ· vac. αἰ δέ κα δῶλος δόλο, πέντε. προϝειπάτο δὲ ἀντὶ μαιτύρον τριῶν τοῖς καδεσταῖς τῶ ἐναιλεθέντος ἀλλύεθθαι ἐν ταῖς πέντ' ἀμέραις· vac. τῶ δὲ δόλο τῶι πάσται ἀντὶ μαιτύρῶν δυῶν. vac.

debated among ancient historians and legal historians. Most scholars are of the opinion that the Code uses those terms interchangeably.[26] Only if we assume that both terms signify the same group of people does the text list all possible situations of rape and adultery in which in all possible configurations of free and unfree persons may be perpetrator or victim. But we still need to explain why a legal text – which would surely strive for semantic precision – continually switches between *woikeús*/*woikéa* and *dólos*/*dóla*. One explanation could be that this law, which was written down in or at the beginning of the first half of the fifth century, takes into account earlier legal texts in which the dependents of a master (*pástas*) were called *woikeús* and *woikéa*; while the later, more comprehensive, redaction employed the terms *dólos* and *dóla*.[27] And it is in fact the case that *woikeís* is attested in earlier inscriptions, while *dóloi* is only found in later ones and then increasingly becomes the more common term. W*oikeús* and *woikéa*, on the other hand, are not attested later than in the Great Code of Gortyn.[28]

However, in an article published in *Zeitschrift für Rechtsgeschichte*, Michael Gagarin suggested a more subtle and convincing explanation for the different usages of *woikeús*/*woikéa* and *dólos*/*dóla*.[29] He posits that they are different groups. *Dólos/dóla* should be understood as the general signifier for servile status, which in some

26 Link, *Das griechische Kreta*: 44–47; for the most extensive discussion see Link, "'Dolos' und 'Woikeus'": 87–112; see also Lewis, *Greek Slave Systems*: 150–53 and Lewis, "Slave Marriage": 392–93; Maffi, *Il diritto di famiglia nel Codice di Gortina*: 120–21; Karen Rørby Kristensen, "On the Gortynian ΠΥΛΑ and ΣΤΑΡΤΟΣ of the 5th Century BC," *Classica et Mediaevalia* 53 (2002): 65–80, here 73. For a different position see Lotze, *Μεταξὺ ἐλευθέρων καὶ δούλων*: 16–18; Lotze, "Zu den ϝοικέες von Gortyn"; Ronald F. Willetts, "The rights of ἐπιβάλλοντες," *Eirene* 5 (1966): 13–16; Andreas Wittenburg, "Zum sozialen Gefüge in Kreta," *Opus* 1 (1982): 67–74; Koerner, *Inschriftliche Gesetzestexte*: 467–70; Lévy, "Libres et non-libres": 30–31; cf. Karl-Wilhelm Welwei, "Ursprung, Verbreitung und Formen der Unfreiheit abhängiger Landbewohner im antiken Griechenland," in *Unfreie und abhängige Landbevölkerung*, ed. Elisabeth Herrmann-Otto (Hildesheim: Georg Olms Verlag 2008): 1–52, here 2–3.

27 Lewis, *Greek Slave Systems*: 153. As a rule, Anglophone scholars tend to translate *woikeís/woikéa* as "serf," see e.g. Gagarin and Perlman, *The Laws of Ancient Crete*: 81, n. 216: "We translate *woikeis* by 'serf' for convenience, without claiming an exact correspondence. Although a serf may be defined as 'an agricultural laborer bound under the feudal system to work on his lord's estate' (*The New Oxford American Dictionary*), the term is often used more broadly." Lewis disagrees with this understanding of *woikeís* as "serfs," see Lewis, "Slave Marriage" and Lewis, *Greek Slave Systems*: 147–65.

28 *Woikeús* is the more ancient term, attested in two (probably sixth-century) inscriptions as τõ ϝοικήος (Gagarin and Perlman, *The Laws of Ancient Crete*: G23 l. 3; L5 l. 14) and in ICret IV 41 col. 4.6 and the Great Code of Gortyn, but has not been found to occur later (Gagarin, "Slaves and Serfs at Gortyn": 16; Gagarin and Perlman, *The Laws of Ancient Crete*: 81).

29 Gagarin, "Slaves and Serfs at Gortyn": 14–23, which builds on positions in Brixhe with Bile, "La circulation des biens": 93–97 and Lévy, "Libres et non-libres": 25–41. In a similar vein, Gagarin and Perlman, *The Laws of Ancient Crete*: 81–84.

regulations included the *woikeís*.[30] It depends on the context in each case, Gagarin argues, whether the law uses the more specific terms, *woikeús* and *woikéa*, or the more general ones, *dólos/dóla*. Where it is a question of legal status and the opposition and juxtaposition of free (*eleútheros*/*eleuthéra*) and unfree, the text employs *dólos* and *dóla*.[31] In these cases the *woikeís* were subsumed under the term *dóloi*, since both were unfree for legal purposes, and penalties applied equally to both.[32]

In the case of rape, the penalty for an unfree perpetrator was twice that for a free one, reflecting the increased loss of honor for the victim. The *law on rape* includes offences where the victim was a *woikeús* or a *woikéa*.[33] In the case of adultery – where, again, the perpetrator could be free (*eleútheros*) or unfree (*dólos*) – it was clear that the woman referred to, who was wife to a *dólos*, had to be a *woikéa*, as only *woikeís* could enter into marriages protected by law.[34]

So the law on rape and adultery uses the term *dólos* because the central issue is the contrast between "free" and "unfree," and *woikeís* are considered "unfree"; the term *woikeús* is employed only when there is an additional need to clarify that of all the unfree, only the *woikeís* are meant. So the two laws do not contradict the assumption that in Gortyn (and in other Cretan cities) there lived two groups of unfree persons, the *woikeís* and the other slaves. But the law also shows that in the first half of the fifth century the *woikeís* could be subsumed under the term *dóloi*, that they were "unfree": "slaves."[35] Other sources (see below) also make it seem plausible that *woikeís* could enter into legally protected marriages,[36] and at least possible that a *woikeús* perpetrator was liable himself to pay his fine, and a *woikeús* victim liable himself to receive his compensation, rather than his master paying or receiving

30 Gagarin, "Slaves and Serfs at Gortyn": 15–16: "The words refer to two different kinds of slaves but in most cases the law treats both groups identically." Detlef Lotze had previously advanced the same argument, see Lotze, "Zu den ϝοικέες von Gortyn."

31 Such as e.g. in ICret IV 72, col. 1, which is about status disputes. Lévy, "Libres et non-libres": 31; Gagarin, "Slaves and Serfs at Gortyn": 18.

32 He concludes, "Thus, there do seem to be reasons why one term or the other is used in the laws. First, each term is used when the law applies exclusively or primarily to one group and not the other: thus, *woikeus* is used of serfs living in a town house [. . .], and *dolos* is used of slaves bought in the agora [. . .] Second, *dolos* is used whenever the law designates a servile person in general, especially in contrast with an *eleutheros* [. . .]" (Gagarin, "Slaves and Serfs at Gortyn": 22). For the legal status of *woikeís* as an unfree group, see also Lewis, *Greek Slave Systems*: 165.

33 Presumably this law did not concern itself with the rape of chattel slaves.

34 Lévy, "Libres et non-libres": 31: "Il est donc clair que dans la ligne 27 *doulos* désigne un *woikeus* et uniquement un *woikeus*." See also Gagarin, "Slaves and Serfs at Gortyn": 16–18.

35 Lewis, "Slave Marriage": 392–93 is then correct in arguing that *woikeís* signified an unfree population group.

36 For marriage law in Gortyn see Lévy, "Libres et non-libres": 39–40; Gagarin, "Slaves and Serfs at Gortyn": 23–24; Lewis, "Slave Marriage": 396–402. By contrast, Lewis argues that those living at the time would have known who paid or received the fine in question – the masters or the *woikeís* – so that there was no need to have this information included in the written text.

payment for him, respectively. In principle, the fines to be paid by *dóloi* perpetrators were twice as high as those by free ones, whereas a *wokeús* victim would only receive one fortieth of the compensation paid to a free victim. A clause in column 3/4 points to the legal recognition of marital ties even between *woikeís*:

> If a divorced woman (γυνὰ κε[ρ]ε[ύο]νσα) should bear a child, [she] is to bring it to her [former] husband at his house (*stéga*) before three witnesses. [. . .] *vacat* If a divorced *woikéa* should bear a child (αἰ δὲ ϝοικέα τέκοι κερεύονσα), [she] is to bring it to the master (*pástas*) of her husband, who married [her] (ἐπελεῦσαι τõι πάσται τõ ἀνδρός, ὃς ὄπυιε), in the presence of two witnesses. And if he does not accept it, the child is to be in the hands of the master of the *woikéa*. And if she should marry the same [man] again within a year, the child is to be in the hands of the master of the *woikeús*.[37]

So the biological mother, the *woikéa*, and the biological father, the *woikeús*, have no claim to their child: it belongs to their master. But what is remarkable here is that the primary right of deciding whether to accept or abandon the child lies not with the mother's, but with the *father's* master.[38] In chattel slavery, the child of a slave is always the property of her master, since slaves cannot legally marry and, in law, a slave child has no father. But under the laws of Gortyn, we have patrilineality, just as in any regular marriage in the ancient Greek world.[39] It is also noticeable that the father and the mother did not necessarily have the same master.

This "right" of paternal descent also shows in another clause: "If an unmarried *woikéa* (ϝοικέα μὲ ὀπυιομένα) should be pregnant and give birth, the child is to be in the hands of her father's master; but if the father is not alive, it is to be in the hands of the masters of her brothers."[40] The assumption is that a *woikéa* will have a

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37 ICret IV 72 col. 3.44–4.6: vac. αἰ τέκοι γυνὰ κε[ρ]ε[ύο]νσα, ἐπελεῦσαι τõι ἀνδρὶ ἐπὶ στέγαν ἀντὶ μαιτύρον τριõν. [. . .] vac. αἰ δὲ ϝοικέα τέκοι κερεύονσα, ἐπελεῦσαι τõι πάσται τõ ἀνδρός, ὃς ὄπυιε, ἀντὶ μαιτύρον δ̣[υ]õν. αἰ δέ κα μὲ δέκσεται, ἐπὶ τõι πάσται ἔμεν τὸ τέκνον τõι τᾶς ϝοικέας. αἰ δὲ τõι αὐτõι αὖτιν ὀπυίοιτο πρὸ τõ ἐνιαυτõ, τὸ παιδίον ἐπὶ τõι πάσται ἔμεν τõι τõ ϝοικέος. Gagarin and Perlman, *The Laws of Ancient Crete*: 357–61.

38 Lewis does not regard these and other legal regulations as "slave rights" of marriage or ownership: "[T]he rules may well be aimed at clarifying the property rights of other interested parties" (Lewis, "Slave Marriage": 402); he argues that marriages or unions between the slaves of different masters are not a singular phenomenon, but that they may be found in many slave societies.

39 Again, there is no distinction in how the terms for "to marry" (*opyíen*) and "to divorce" (*kereúen*) are used for free and for *woikeís*. Gagarin, "Slaves and Serfs at Gortyn": 19, n. 15 points out: "The verbs for divorce are *krinen* for *woikeis* (3.41) and *diakrinen* for free persons (2.46), but *krinen* is used of the divorce of free persons in 11.46"; similarly: 23–24; Gagarin and Perlman, *The Laws of Ancient Crete*: 83, 360 and see already Lévy, "Libres et non-libres": 39. Gagarin also sees the ruling about the children born by a *woikéa* as confirmation for the existence of legally recognized marriages. While Lewis, "Slave Marriage" concedes that the terminology is the same, he argues that "there is no *a priori* reason, therefore, to suppose that the identical use of vocabulary for free and slave marriages in Gortyn need imply legal equivalency" (402).

40 ICret IV 72 col. 4.18–23: vac. αἰ κύσαιτο καὶ τέκοι ϝοικέα μὲ ὀπυιομένα, ἐπὶ τõι τõ πατρὸς πάσται ἔμεν τὸ τέκνον· αἰ δ' ὁ πατὲρ μὲ δόοι, ἐπὶ τοῖς τõν ἀδελπιõν πάσταις ἔμεν. vac.

father and brothers who are legally relevant – again, unlike chattel slaves, who had no family ties and, as such, no family members; a state for which Orlando Patterson coined the term "natal alienation."[41] If the law states that the child born to the unmarried *woikéa* is "to be *in the hands* of her father's master" (ἐπὶ τõι τõ πατρὸς πάσται ἔμεν), it suggests that the child was not his property, but merely under his control (as the head of household).[42] It seems that when a *woikéa* got married, she came under the authority of her "husband's" master (the text says in col. 3.54, τõ ἀνδρός, not τõ δόλο or τõ ϝοικέος) and lived with her husband, i.e. a virilocal relationship. If they divorced, she returned to her former master. Compensation does not seem to have been paid in such a case; the clause that deals with the woman's property states, "If a *woikéa* is separated from a *woikeús*, either while he is living or by his death, she is to have her own things (τὰ ϝὰ αὐτãς), but if she should carry away anything else, it is a matter for trial."[43] So a *woikéa* had some sort of personal property; or she might have been given a dowry by her master which she could take with her after a divorce or the death of her husband. Unlike a free woman, a *woikéa* was not entitled to any gifts from her husband, not even half of what she had produced in the marriage, or her share of what was in the house. During their marriage, all proceeds of her work went to her husband's master.[44] To my mind, the only possible conclusion from the clause about the divorced or widowed *woikéa* is that the woman's original master was not entitled to compensation for the loss of her labor after she had gone to live with her husband in his master's house. I

41 Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge, MA: Harvard University Press, 1982): 35–76; Orlando Patterson, "Sklaverei in globalhistorischer Perspektive. Von der Antike bis in die Gegenwart," in *'Die Sklaverei setzen wir mit dem Tod gleich' – Sklaven in globalhistorischer Perspektive,* ed. Winfried Schmitz (Stuttgart: Steiner, 2017): 67–104, 68.

42 For ἐπὶ see Gagarin and Perlman, *The Laws of Ancient Crete*: 359, "in the hands of"; for further references with ἐπὶ see 366, "in none of these cases does it indicate ownership, though the master of a serf does own the baby. Here [in col. 4.37] it is assumed by all scholars that the expression indicates ownership, since the items mentioned are part of an estate to be inherited. But in 5.32–3 [. . .] the expression clearly designates only temporary possession of the property."

43 ICret IV 72 col. 3.40–44: vac. αἴ κα ϝοικέος ϝοικέα κριθεῖ δοõ ἓ ἀποθανόντος, τὰ ϝὰ αὐτãς ἔκεν· ἄλλο δ' αἴ τι πέροι, ἔνδικον ἔμεν. Gagarin and Perlman, *The Laws of Ancient Crete*: 356–57. This clause applies exclusively to unfree rural people, not to chattel slaves in the city, so only the terms *woikeús* and *woikéa* are used. Gagarin, "Slaves and Serfs at Gortyn": 19, concludes that "[t]hese rules show that *woikeis* could marry in the same way as free persons." I am however skeptical about his subsequent conclusion that the same applied to *dóloi* (19–20). Lewis, "Slave Marriage": 399 argues from the context that τὰ ϝὰ αὐτãς was a *peculium* (as does Maffi, *Il diritto di famiglia*: 124) and that the purpose of this provision was to ensure a just division among the various owners. It cannot have meant that slaves enjoyed a formal right of ownership.

44 In the case of a free woman, the code states that upon the death of her husband she is entitled to have her own property back and to remarry (ὀπυίεθθαι). There is no such provision for the case of a married *woikéa*, which must mean decisions about her (re)marriage were made by her *pástas*. Compare ICret IV 72 col. 3.16–20: vac. αἰ ἀνὲρ ἀποθάνοι τέκνα καταλιπόν, αἴ κα λẽι ἁ γυνά, τὰ ϝὰ αὐτãς ἔκονσαν ὀπυίεθθαι with the provision in col. 3.40–44 (see n. 43).

conclude this from the fact that there is no provision in the Code for the return of such a payment after the *woikeús*' death or her divorce from him.

Things might have been different in the case of male *woikeís*. If an unmarried and fatherless *woikéa* had a child, it was to come under the authority of the masters of her brothers; in other words: the brothers could have different masters. This seems to indicate that male *woikeís* could be "sold" to other masters, whose *woikeís* had not produced male offspring who would continue to work their allotted land (*kláros*).[45] So it is perhaps not implausible if Strabo claims that members of these dependent groups could be sold, as long as they remained inside the territory. Of course, this is not a "right" granted to the dependents, but merely an arrangement between members of the ruling elite in order not to lose valuable labor.

In view of the epigraphic record I am not entirely certain whether those sales were the sort of transaction where property passes from one person to another. We read in Column 4:

> The fugitive *woikeús* (τὸν δὲ ϝοικέα τὸν ἐπιδιόμενον) is not to be sold (μὴ ἀποδόθθαι) when he has taken refuge in a temple (μήτε ναεύοντα) nor before one year has passed. If the fugitive (ὁ ἐπιδιόμενος) belongs to someone who is *kósmos*, he is not to be sold (μὴ ἀποδόθαι) while he is *kósmos* nor before one year has passed.[46]

However, an *epidiómenos* is not a runaway who has fled *from* someone, but one who has fled *to* someone.[47] You are not allowed to sell this "windfall" before a year has passed, because you only acquire the right to him – whether in terms of ownership or of (paternal) power – after that period. And perhaps we should not

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45 For the brothers' masters, see Gagarin and Perlman, *The Laws of Ancient Crete*: 361, "This implies that it was common for a master to sell some or all of the sons of his serfs."

46 ICret IV 41 col. 4.6–15: τὸν δὲ ϝοικέα τὸν ἐπιδιόμενον μὴ ἀποδόθθαι μήτε ναεύοντα μήτ' ἦ κ' ἀπέλθηι τõ ἐνιαυτõ. αἰ δέ κα κοσμίοντος ἦι ὁ ἐπιδιόμενος, μὴ ἀποδόθαι ἆς κα κοσμῆι μηδ' ἦ κ' ἀπέλθηι τõ ἐνιαυτõ. The translation given above has been slightly adapted from that by Gagarin and Perlman, *The Laws of Ancient Crete*. Cf. Lewis, "Slave Marriage": 395. See also ICret IV 72 col. 1.47–51: a *woikeús* who has been transferred as surety must be returned within the year, otherwise the recipient acquires legal ownership over him.

47 ἐπιδιόμενον derives from ἐπι-δίεμαι (δίεμαι "be scared away," "drive away," "flee"). For the uncertain meaning of ἐπιδιόμενον see Monique Bile, "IC 4.41 et le sens de ἐπιδίομαι," in *La codification des lois dans l'antiquité. Actes du Colloque de Strasbourg 27–29 novembre 1997*, ed. Edmond Lévy (Paris: de Boccard, 2000): 161–74. According to Bile's analysis, ἐπιδίομαι has the meaning "amener," "to bring"; she puts the provision into the context of a theft committed by a *woikeús*; for her interpretation and those attempted by other scholars, see Gagarin and Perlman, *The Laws of Ancient Crete*: 298. I believe the provision should be read as referring to the *woikeús* "taking/bringing himself (to another master)," "fleeing to (him)." He may then not be "sold" before the year is out because only after a year will the new master have acquired legal ownership based on continuous possession. For the question of whether μήτ' ἦ κ' ἀπέλθηι τõ ἐνιαυτõ should be understood to mean "not for one year after he has run away" or perhaps rather "not before a year has expired," see Bile, "IC 4.41 et le sens de ἐπιδίομαι": 172–73. Cf. Lévy, "Libres et non-libres": 32, who suggests the *epidiómenos* is not a "*woikeus* fugitive," but "un *woikeus* poursuivi en justice."

translate ἀποδόθθαι as "to sell," either; it might be better understood in the sense of "to yield" or "to give up (i.e. into the authority of another person)"; this would have included the payment of compensation for the labor of the *woikeús*.[48]

So what we have in Gortyn is a situation where *woikeís* were able to enter into marital, virilocal and patrilineal relationships with each other which were, however, arranged by their respective masters. Upon marriage the *woikéa* came under the authority of her husband's master, who was also entitled to the fruits of her labor. In the case of divorce or the death of her husband, the *woikéa* received back any moveable property she had brought into the marriage. Neither of the biological parents had any rights to their children. These laid instead, first, with the husband's master, second with the wife's, or if the *woikéa* was unmarried, with her father's or her brothers' master or masters. This also meant that before her marriage, a *woikéa* would grow up in her father's or one of his brothers' house, even though her relatives had no rights over her and could not make any decisions regarding her marriage.[49] If no sons were born to the marriage between a *woikeús* and a *woikéa*, their master was entitled to have another *woikeús* "given up" to him, to whose master he probably paid some form of compensation. If a *woikeús* escaped and was taken in by someone, this person had to wait for one year; if his old master laid no claim to him during that period, he came under the authority of the new master. *Woikeís* could also seek refuge in a sanctuary.

2 The Law of Inheritance

If the *woikeís* were "privately owned slaves," as David Lewis posits, we should find this reflected in the law of inheritance, which is the litmus test for slave ownership. Among the dependent groups we know of in ancient Greece, it is only for the dependent population of Crete, the *klarōtai*, that we have any more specific information about regulations regarding inheritance. These are part of the so called Great Code of Gortyn.

48 For *apodóththai* see Gagarin and Perlman, *The Laws of Ancient Crete*: 298: "Here the verb in each case could be middle – '(one) is not to sell' – or passive – the serf 'is not to be sold' or 'is not to be given back'. But 'sell' is the more likely meaning (whether middle or passive)." However, I do not find Gagarin's and Perlman's subsequent interpretation of the one-year interval convincing. The passage can only mean that to acquire the *woikeús* legally, the master must have been in his possession for a full year, so that he cannot "sell" him before that time. Ephorus employs the verb *pōleín* ("sell") for the ban on "selling" helots outside the borders of the country (see above n. 20).

49 Lewis again interprets the absence of the *woikeís*' right to their children as evidence for the fact that they were their masters' privately owned slaves (Lewis, "Slave Marriage": 398); he sees it as solely a matter of the owners' property rights (403–4).

Regulation on inheritance for citizens is fairly comprehensive. The Code states:

> And when one dies, the houses (*stégai*) in the city (*pólis*) and whatever is inside the houses (*stégai*) – those in which a *woikeús* who lives (*enwoikeî*) in the country (*chṓra*) is not residing, – and the livestock, small and large – that are not those of a *woikeús* –, are to be in the hands of the sons; and all the rest of the property (*chrḗmata*) is to be 'nicely' (καλῶς, i.e. fairly) divided, and the sons, however many there are, are to receive two shares each, and the daughters, however many there are, [are to receive] one share each. The maternal estate too is to be divided, when she dies, in the same way as is written for the paternal estate. And if there should be no property (*chrḗmata*) but [only] a house (*stéga*), the daughters are to receive their share as is written. *vacat*.[50]

The law indicates a fundamental spatial separation: the citizens of Gortyn have "houses" in the city. The inheritance that goes to the sons includes houses as well as "whatever is inside the houses": the word *stéga* must mean a building. It should not be understood as being synonymous with *oíkos*, which is descriptive of a residence that includes land and cattle and both free and unfree inhabitants: a household. The term *stéga* itself, which in the narrower sense means a roof, similarly indicates that what is meant is the residence as a building. The sons' inheritance explicitly excludes *stégai* (in the city) "inhabited" (ἐνϝοικεῖι) by a *woikeús* who lives in the country. So, as a rule, free Gortynians and *woikeís* are separated in spatial terms: free citizens live in the city while the *woikeís* live in the country (*chṓra*). Only in exceptional cases does a *woikeús* live in the city.[51] He was probably one of the *woikeís* mentioned in one of the clauses in the Great Code of Gortyn:

> [If the unfree man] goes to a free woman (*eleuthéra*) and marries her (*opyíei*), their children are to be free (*eleúthera*). *vacat* But if the free woman (*eleuthéra*) [goes to] the slave (*dólos*), their children are to be slaves (*dóloi*). *vacat* And if free and slave children are born from the same

50 ICret IV 72 col. 4.31–48: ἔ δέ κ' ἀποθάνει τις, 'τέγανς μὲν τὰνς ἐν πόλι κἄτι κ' ἐν ταῖς 'τέγαις ἐνẽι αἷς κα μὲ ϝοικεὺς ἐνϝοικẽι ἐπὶ κόραι ϝοικίον καὶ τὰ πρόβατα καὶ καρταί̣ποδα ἄ κα μὲ ϝοικέος ἔι, ἐπὶ τοῖς υἱάσι ἔμεν, τὰ δ' ἄλλα κρέματα πάντα δατẽθθαι καλῶς, καὶ λανκάνεν τὸς μὲν υἱύνς, ὀπόττοι κ' ἴοντι, δύο μοίρανς ϝέκαστον, τὰδ δὲ θυγατέρανς, ὀπότται κ' ἴοντι, μίαν μοῖραν ϝεκάσταν. δ̣ατẽθ[θ]αι δὲ καὶ τὰ ματρῶια, ἔκ' ἀποθά̣[νε]ι, ἇιπερ τὰ [πατρῶ]ι' ἔγ̣[ρατ]ται. αἰ δὲ κρέματα μὲ εἴε, στέγα δέ, λακὲν τὰθ θ[υ]γατέρας ἇι ἔγρατται. vac. See Gagarin, "Slaves and Serfs at Gortyn": 20–21; Lewis, "Slave Marriage": 406–8; Gagarin and Perlman, *The Laws of Ancient Crete*: 361–67. For a discussion of the question of whether we should read ἐπὶ κόραι (= ἐπὶ χῶρᾳ) or ἐπικόρα (= ἐπικουρία), see Brixhe with Bile, "La circulation des biens": 89–90, who put forward good reasons for maintaining the reading ἐπὶ κόραι ("in the country").

51 Gagarin, "Slaves and Serfs at Gortyn": 20 comments on the phrase ϝοικεὺς ἐνϝοικẽι ἐπὶ κόραι ϝοικίον: "Thus it is likely that ἐπὶ κόραι, though perhaps not strictly necessary, helps explain the sense: the sons are given houses in the town for their residences, though occasionally a serf, who normally resides in the country, may be living in a town house." I.e. this provision only applies to *woikeís* and not to urban slaves (*dóloi*), who would have lived in houses in the city.

> mother, when the mother dies, if there is property (*chrḗmata*), the free children are to have it; but if there should be no free children, her relatives are to inherit it.[52]

This clause appears to target primarily cases in which a free widow after the death of her first husband enters into a second relationship, this time with an enslaved man who lives "in the country" (*chṓra*). As the focus here is again on issues of status, *dólos* is employed as the opposite to *eleuthéra*. As, however, the unfree man "goes to the woman to marry her" (ἐπὶ τὰν ἐλευθέραν ἐλθὸν ὀπυίει) and the free woman "to the unfree man" (ἐπὶ τὸν δõλον), *dólos* can only refer to the *woikeús* living in the county. If he goes to the free woman in the city and weds her, the house (*stéga*) will be lost to her brothers as part of their inheritance, as there is now "a *woikeús* residing in it." Unlike the livestock, which "is" that of a *woikeús*, the *woikeús* only "resides" in the *stéga*.[53] This means that the house will pass to the free children from the marriage between free mother and *woikeús* father. It will provide them with a permanent livelihood, since they cannot expect an inheritance from their father, who cannot leave any property to them. If the free woman takes a *woikeús* into her house "in the city," their child is born and grows up there among the free citizens, and, on reaching adulthood, becomes one of them. But if the woman should join her second husband "in the *chṓra*," she relinquishes her citizen status, and their child will be a *woikeús* or *woikéa*.

The fact that the sons explicitly inherit the houses in the city plus their contents and livestock indicates that the land was not part of the inheritance – if it was, it should have been mentioned.[54] Again, in the case of livestock, excluded from the

52 ICret IV 72 col. 7.1–10: [– αἴ κ' ὁ δõλος] ἐπὶ τὰν ἐλευθέραν ἐλθὸν ὀπυίει, ἐλεύθερ' ἔμεν τὰ τέκνα. αἰ δέ κ' ἁ ἐλευθέρα ἐπὶ τὸν δõλον, δõλ' ἔμεν τὰ τέκνα. {palmula} αἰ δέ κ' ἐς τᾶς αὐτᾶς ματρὸς ἐλεύθερα καὶ δõλα τέκνα γένεται, ἓ κ' ἀποθάνει ἁ μάτερ, αἴ κ' ἓι κρέματα, τὸνς ἐλευθέρονς ἔκεν. αἰ δ' ἐλευθέροι μὲ ἐκσεῖεν, τὸνσς ἐπιβάλλον τανς ἀναιλẽθαι. vac. I agree with Michael Gagarin that *dólos* is being used here in opposition to *eleútheros*. Where questions of status were concerned, there were only either the "free" or the "unfree"; whereas significant differences could and probably did exist in the actual lives of rural *woikeís* and chattel slaves in the cities. It is therefore likely that this provision was primarily concerned with the marriages of free women to *woikeís*, esp. since the woman is spoken of as going "to the unfree man" (ἐπὶ τὸν δõλον).

53 This is also highlighted by Gagarin, "Slaves and Serfs at Gortyn": 26: "This law shows that serfs could certainly own livestock, but it also implies that the serf is only residing in the house and does not own it. Serfs, then, could own moveable property but perhaps not real property."

54 Gagarin and Perlman, *The Laws of Ancient Crete*: 365 also discuss the possibility of understanding this rule on inheritance as stating that the sons were to inherit the "houses in the city" as well as the furnishings of such houses in the country which were not being lived in by a *woikeús*, and the livestock (in the country) that was similarly not that of a *woikeús*. So in addition to the houses in the city, the sons would have inherited rural houses that had been vacated by *woikeís* without descendants. But the text should not be read in this way. The provisions pertaining to the claims of heiresses and the relatives they are required to marry stipulate that, if the heiress refuses to marry the nearest eligible relative or to wait until he has come of age, she "is to have the house (*stéga*), if there is one in the city, and whatever is in the house, and she is to receive half of the remaining"

sons' inheritance are those "of a *woikeús*." A further clause divides "all the rest of the *chrḗmata*," giving daughters half the share of sons. Some scholars suggested that these *chrḗmata* might have included both the land and the *woikeís* who worked there, in order to explain why explicit mention is made of the house and livestock, but not of the land and the *woikeís*.[55] The latest of these is David Lewis, who follows Stefan Link's view that both the land and the *woikeís* who worked it are included in τὰ δ' ἄλλα κρέματα πάντα, and would have been divided between sons and daughters.[56] However, the order in which they are named argues against this view: one would expect strategic property – the house, land, farming equipment, flocks and herds – to be named first, followed by other, mobile assets.[57] In addition, we find that literary evidence for this clause has been preserved by Ephorus, a fourth-century BCE author. He points to an idiosyncrasy of Crete whereby a daughter who has brothers receives half of her brothers' portion as *pherné*.[58] This term can denote a dowry; however in the classical era dowries only comprised mobile assets, never a house, land or livestock. In classical Athens, *pherné* is the word for the personal

(col. 7.52–8.7: vac. αἰ δέ κα τõι ἐπιβάλλοντι ἐβίονσα μὲ λẽι ὀπυίεθαι ἒ ἄνορος ἒι ὀ ἐπιβάλ[λ]ον [κα]ὶ μ [ὲ λẽι μέν]εν ἀ πατροιõκος, στέγαμ μέν, αἴ κ' ἒι ἐν πόλι, τὰμ πατροιõκον ἔκεν κἄτι κ' ἐνẽι ἐν τãι στέγαι, τõν δ' ἄλλον τὰν ἐμί<ν>αν διαλακόνσαν ἄλλοι ὀπυίεθαι τãς πυλãς τõν αἰτιόντο¯ν ὄτιμί κα λẽι. vac.). The same wording is used here as in col. 4.31–33, making it clear that what is being referred to are "houses in the city" and "such contents as are in *these* houses."

55 Link, *Das griechische Kreta*: 79–82; Alberto Maffi, "Studi recenti sul Codice di Gortina," *Dike* 6 (2003): 175–80, here 175–76. For a brief summary of the arguments for both positions, see Gagarin, "Slaves and Serfs at Gortyn": 24–25. Cf. Gagarin and Perlman, *The Laws of Ancient Crete*: 365: "Serfs could own property in some sense (3.40–4), but serfs also belonged to a master and thus must have been included (along with *doloi*) in the total estate that was divided among all the children. Any cattle that a serf 'owned' presumably were inherited along with the serf himself by one of the children in the distribution of 'all the rest of the property'." Also 366: "'All the rest of the property' would include country houses together with their furnishings, slaves and serfs, livestock, and land." Brixhe with Bile ("La circulation des biens": 86, 108–15) however assume that there were goods (*chrḗmata*) that could be sold and others that could not, and that the town house could not be sold. Land, they believe, fell into the same category, and is therefore not mentioned in the law of inheritance.

56 Lewis, "Slave Marriage": 406; Link, *Das griechische Kreta*: 35. Gehrke, "Gewalt und Gesetz": 27, is more skeptical. However, Yvon Garlan, Ronald F. Willetts, Edmond Lévy and Claude Brixhe, all infer from this clause that the *woikeís* had their own right of possession.

57 Proponents of the view that the land cultivated by the *woikeís* was included among the "other goods" believe that the houses with inventory were reserved for the sons, whose status as members of a common mess depended on having a house; while a daughter left her father's house upon marriage and so did not need a dwelling of her own (Lewis, "Slave Marriage": 407–8). Lewis suggests that houses inhabited by *woikeís* may have been of a lower quality: "not of the same standard as the town houses in which a free citizen would live," and so would not have met the latter's expectations.

58 Ephorus FgrH 70 F149 (= Strab. 10.4.20–482 C): φερνὴ δ' ἐστίν, ἂν ἀδελφοὶ ὦσι, τὸ ἥμισυ τῆς τοῦ ἀδελφοῦ μερίδος. Link's assumption that a daughter received half a brother's portion of land, i.e. strategic property, seems highly unlikely given the term *pherné*.

belongings taken with her by a bride in addition to her dowry, such as jewelry or clothes. In column 4.31–48, the "other *chrḗmata*" are juxtaposed with the house (*stéga*), its contents and the livestock, as they are in the next clause: "And if there should be no property (*chrḗmata*) but (only) a house (*stéga*), the daughters are to receive their share as is written."[59] So *chrḗmata*, like *dólos*, can denote different things: *chrḗmata* can mean goods other than the house, its content and the cattle; or it can mean all assets.[60] The next section, which deals with intestate succession in Gortyn (col. 5.9–54), regulates who is to have the *chrḗmata* upon the death of a male or female citizen. Unlike col. 4.37 and col. 4.40/42, it does not speak of "sons" nor of "sons" and "daughters," but of "children" (*tékna*), which means that the inheritance is to be divided according to the preceding stipulations, i.e. one part to sons, another to sons and daughters. So in these clauses, again, the term *chrḗmata* probably encompasses all assets, immobile and mobile.

Informative for the question of which assets were bequeathed and in what matter are the provisions concerning heiresses in such cases where the deceased had no sons, but one or several daughters. The principle was the same as in Attic law, by which an heiress was required to marry the next male heir on her father's side to ensure that all property (especially strategic property) remained in the paternal family. However, the law of Gortyn provides for several cases in which this marriage did not take place. Significantly, the regulations on who was to receive which shares of the property again name "the house in the city" and "revenue," but do not mention land or *woikeís*. If both, i.e. the heiress and the nearest paternal relative, should be minors, "if there is a house (*stéga*), the heiress (*patroiókos*) is to have it, and the claimant to marry is to receive half of all the revenue (*epikarpía*) [from the estate]" (col. 7.29–35). If both the groom-elect and the heiress are of age but he does not wish to marry her, "all the property (*tá krémata pánta*) and the produce (*karpós*) are to be in the hands of the heiress until he marries [her]" (col. 7.35–40). So if the nearest male relative does not marry her according to the law, "the entire property" (*tá krémata pánta*) is to fall to the next in line, if there is one (col. 7.47–50). But if the heiress for her part refuses to marry the groom-elect or is unwilling to wait for him to reach his majority, she is "to have a house (*stéga*), if there be one in the city, besides whatever may be in it (κἄτι κ' ἐνεῖ ἐν τᾶι στέγαι), and, obtaining half a share of the rest, she is to be

59 ICret IV 72 col. 4.46–48.

60 For the meaning of *krḗmata* (= χρήματα) in the Great Code of Gortyn see Henri van Effenterre and Françoise Ruzé, *Nomima: Recueil d'inscriptions politiques et juridicques de l'archaïsme grec*, vol. 2 (Rome: École française de Rome, 1995): 180 no. 49 (stating that "other goods" did not include the house, its contents or livestock); Brixhe with Bile, "La circulation des biens": 86: "l'extension du champ couvert par *krḗmata* est liée au context." For the questions of whether or not *chrḗmata* included land, see Link, *Das griechische Kreta*: 31; Maffi, "Studi recenti": 175–80. Gagarin and Perlman, *The Laws of Ancient Crete*: 377: "Property (*kremata*) [. . .] refers to everything the deceased owned, almost certainly including land."

married to another [. . .]" (col. 7.52–8.7). So in all cases what is being discussed is the house as a building (*stéga*), located in the city; and "produce" and "revenues" (*karpós*, *epikarpía*), a term that probably means the proceeds of the *woikía* assigned to the family, but not the *woikía* including the *woikeís* themselves. This inventory does not exclude the house "in which a *woikeús* resides." These regulations concern daughters who at the time of their father's death are frequently still minors. At this point, the widow does not (yet) contemplate a second marriage with a *woikeús* who will share her house. Again, *chrḗmata* is used in a very broad sense: in col. 7.35–40, *tá krémata pánta* includes everything, the house and its contents, livestock and all other goods, excluding only the "produce" and "revenue" subsequently mentioned (presumably from the *woikía*); and in col. 7.47–50 it comprises everything, including the "revenue."

From the laws on inheritance we can reconstruct the following model of ownership and dependency in Gortyn: the houses in the city including all of their contents were the private property of citizens, who bequeathed them to their sons. Land was not private property, but divided into land lots (*klároi*) and farmed by the *woikeís* "living in the *chṓra*," who had to pay tribute to the citizens.[61] These tributes made up a large part of the "revenues" (*chrḗmata*) that, upon the death of a male or female citizen, were shared out between their sons and daughters. Each citizen of Gortyn was allotted a *kláros* over which, as *pástas*, they exercised the authority of a household head.[62] This authority over the *kláros* was probably passed on down the generations, because the heir was entitled to the "revenue" or "produce." But a *kláros* was not property, and so – like the *woikeís* themselves – could not form part of an inheritance.[63] Both land and *woikeís* were

61 This made them literally *perí̈oikoi*, "those who dwell around." Cf. Aristot. pol. 2.10, 1271b 40–42: ἔχει δ' ἀνάλογον ἡ Κρητικὴ τάξις πρὸς τὴν Λακωνικήν. γεωργοῦσί τε γὰρ τοῖς μὲν εἵλωτες τοῖς δὲ Κρησὶν οἱ περίοικοι. – "The Cretan organization is on the same lines as that of Sparta. In Sparta the land is tilled by the helots and in Crete by the *perí̈oikoi*." For use of the term *perí̈oikoi* for the Cretan *woikeís* see Lotze, Μεταξὺ ἐλευθέρων καὶ δούλων: 8–9; Link, *Das griechische Kreta*: 30–31; cf. Avram, "Bemerkungen zu den Mariandyni": 22–23. We know the names of settlements, *póleis*, of the Mariandyni, which makes it likely that at least some of them lived in self-contained settlements (Avram, "Bemerkungen zu den Mariandyni": 23–24, with references).

62 The word *pástas* is derived from *páomai*, "to purchase, to own" (Lewis, *Greek Slave Systems*: 151, n. 15). Cf. Alberto Maffi, "Droit et épigraphie dans la Grèce archaïque: A propos d'un ouvrage recent," *Revue historique de droit français et l'étranger* 75 (1997): 435–46, here 443–45.

63 Gagarin and Perlman, *The Laws of Ancient Crete*: 376 suggest that "in many cases joint ownership would clearly have been preferable to division. If the heirs could not agree, however, then the property could be sold and the proceeds divided among them." – If the *chrḗmata* were made up primarily of revenues from the *woikía*, it is quite conceivable that a daughter with e.g. two brothers will receive one fifth of the revenue upon her marriage. In the case of divorce, the wife is to have "her own property" as well as "half of the produce (*karpós*), if there is any from her own *chrḗmata*" (ICret IV 72 col. 2.45–50). Gagarin and Perlman, *The Laws of Ancient Crete*: 352–53, comment: "The natural sense of *karpos* is 'produce, fruit of the land'; [. . .] there is no good reason to deny this

public property.[64] But in order to safeguard his authority over the dependent population, the *pástas* was entitled to exercise the powers of a de-facto owner over the *kláros*: he made decisions on the *woikeís'* marriages and on whether their children would be accepted or exposed; if a *woikéa* got married he gave her a sort of dowry, released her from his authority as household head and transferred this authority for the duration of the marriage to another citizen; and "sold" one of "his" *woikeís* to any citizen on whose *kláros* no male children had been born. If a fugitive *woikeús* sought refuge with him, he was only allowed to "sell" him after one year had passed (and not while he was *kósmos*, i.e. while holding the highest office), because only after that time would he have acquired possession of him.[65] And because *kláros* has this very specific meaning, the word for an heiress was not *epíklēros* but *patrōiṓkos* (*patroúchos* in Attic Greek).

So the *woikeís* were a dependent population group, subjugated originally in war and forced into a state of slave-like dependency.[66] They had to deliver a share of their harvests to their master and could only get married if he agreed.[67] When she married, a *woikéa* came under the authority of another master, as did a *woikeús*

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sense here or to deny that women could own land at Gortyn, although perhaps landownership among women was not common." To my mind, however, this clause does not allow the conclusion that "*kremata* ('things, property') here must include land," since it may describe a wife's share of the revenues from her father's *woikía*, of which she may have inherited half a brother's share. Compare this with Plutarch's statement in his life of Lycurgus that each *kláros* was large enough to produce seventy bushels of barley for a man and twelve for his wife, with a proportionate amount of wine and oil (Plut. Lyc. 8.4: ὁ δὲ κλῆρος ἦν ἑκάστου τοσοῦτος ὥστε ἀποφορὰν φέρειν ἀνδρὶ μὲν ἑβδομήκοντα κριθῶν μεδίμνους, γυναικὶ δὲ δώδεκα, καὶ τῶν ὑγρῶν καρπῶν ἀναλόγως τὸ πλῆθος).

64 Claude Brixhe and Monique Bile also inferred that this was a case of a collective agricultural economy in which the annual yield at harvest was distributed among the families: "Si était exacte l'hypothèse – développée *infra* § 4.7 – d'une exploitation collective de la terre et d'une redistribution annuelle de ses produits à travers les familles nucléaires ou les branches familiales, [. . .]" (Brixhe with Bile, "La circulation des biens": 100); similarly 110: "Ainsi, on ne trouve dans les *Lois* aucun indice permettant de supposer que la terre agricole peut être divisée ou changer de main, ni même qu'elle était la propriété de quelqu'un. De toute évidence, il n'y a entre la terre et le citoyen aucun lien patrimonial" (cf. also their Conclusion, 113; 114–15).

65 Gagarin, "Slaves and Serfs at Gortyn": 26 also concluded that *woikeís* could be bought and sold, but assumed that, as a rule, they were bought or sold with the land; only in special circumstances could a *woikeús* change hands without the land. In his view, however, the master owned both. Lévy's view is very similar, cf. Lévy, "Libres et non-libres": 32.

66 The same conclusion is reached by Michael Gagarin and Paula Perlman: "They were primarily agrarian workers, who may have been working the land before chattel slaves were introduced to Crete, and thus continued to have certain rights not available to slaves." (Gagarin and Perlman, *The Laws of Ancient Crete*: 83).

67 David Lewis does not dispute that *woikeís* could be married, but stresses "that the servile marriage relationship for which this legislation was created was not a distinctively Gortynian institution but a common arrangement that can be found in many slave systems" (Lewis, "Slave Marriage": 391; a similar view was expressed in Lotze, Μεταξὺ ἐλευθέρων καὶ δούλων: 20–25). For

when he was "sold" to another *pástas*.[68] As the *woikeís* were not the property of their "owners," they could not be manumitted or sold outside Gortyn.[69] This was only possible for the *chrysōnētoi*, chattel slaves from elsewhere who had been bought for money. The *woikeís* did not own property: if they had been capable of ownership, we would have expected the inheritance regulations for free citizens, male and female, to have been followed by a section on *woikeís*, such as in the case with the offences of rape and adultery and the clauses on divorce.[70] It follows that *woikeús* and *woikéa* could enter into a legally protected marriage, but had no property rights.[71] Livestock that "belongs to a *woikeús*" remained in the possession of the city of Gortyn, as did all of the land. If a *pástas* died without leaving issue or other family members or any other persons who had a right "to the *woikía*," "those of the household composing the *kláros* are to have the 'property' (*chrḗmata*)."[72]

There is a lively discussion among scholars about whether *tás woikías* (τᾶς ϝοικίας) in this section refer to ἐπιβάλλοντες or to οἵτινες, in other words whether what is meant is, "if there are no claimants from the house [i.e. when there are no further relatives], the goods are to go to those who are the *kláros*"; or whether what is meant is, "if there are no claimants, those from among the *woikía* are to have the

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the question of whether *woikeís* had the legal capacity to be party to a lawsuit see Lévy, "Libres et non-libres": 34–5, and Gagarin, "Slaves and Serfs at Gortyn": 29–31, both of whom opine that they did (Gagarin and Perlman, *The Laws of Ancient Crete*: 84). Lewis, "Slave Marriage": 390, who is of the view that *woikeís* did not "hold rights," disagrees.

68 For the *woikéa*, see Gagarin, "Slaves and Serfs at Gortyn": 23, n. 28: "After a divorce, a serf couple would have different masters [. . .], but it is possible that a serf woman would automatically belong to her husband's master as long as they were married, and would then revert to her former master after the divorce."

69 There is no mention of manumission in the Great Code of Gortyn. Gagarin, "Slaves and Serfs at Gortyn": 24, however believes that manumissions did happen in the course of the adoptions of slaves or *woikeis*. The freedmen settled in Latosion (*apeleútheroi*) may have been the *woikeís* manumitted by the *pólis* of Gortyn in the context of a war (ICret IV 78).

70 It would also explain why there is no mention at all of *woikeís* in the columns that deal with heiresses and with adoption (cf. Lévy, "Libres et non-libres": 25–26).

71 Gagarin, "Slaves and Serfs at Gortyn": 26 (also Gagarin and Perlman, *The Laws of Ancient Crete*: 356) assumes that the *woikeís* had a right of possession (excluding land), since a divorced *woikéa* could take "her own things" (τὰ ϝὰ αὐτᾶς) away with her; he can however not explain why a divorced *woikéa* – unlike a free divorced woman – is not to have half the revenues from her own property, and half "of whatever she has woven within." He also fails to offer an explanation for why the Great Code of Gortyn makes no provision for *woikeús* inheritance. David Lewis disagrees with the conclusions drawn by Gagarin from the fact that a divorced *woikéa* could take "her own things," and interprets this provision instead as a reference to the fair division of property between the respective slaveowners (Lewis, "Slave Marriage": 405).

72 ICret IV 72 col. 5.25–28: {palmula} αἰ δὲ μὲ εἶεν ἐπιβάλλοντες τᾶς ϝοικίας, οἵτινές κ' ἴοντι ὁ κλᾶρος, τούτονς ἔκεν τὰ κρέματα. vac.

goods that are the *kláros*."[73] I do not propose to discuss here the various solutions proposed by scholars as to the possible meanings of *woikía* and *kláros* in this context, but rather to suggest another solution, which is that τᾶς ϝοικίας should be understood as an objective genitive, i.e., "if there are no claimants *to* the *woikía*, those who are the *kláros* are to have the goods." The objective genitive makes clear that what is meant is not the entire property of the deceased (the house in the city, its contents, livestock and more), but only the claim to the *woikía*, i.e. to the yields of the *kláros*.[74] In concrete terms, this means that the revenues generated by the *woikeís* reverted to and were divided among them upon the death of a citizen with no family and no descendants. As the sole issue was "entitlement *to* the *woikía*," this regulation does not imply that the *woikeís* on the *kláros* are to be manumitted or even gain the citizenship.[75]

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73 For the controversial question of whether τᾶς ϝοικίας refers to ἐπιβάλλοντες or to οἴτινες, and what precisely κλᾶρος means in this context see Link, *Das griechische Kreta*: 76–77, Brixhe with Bile, "La circulation des biens": 88, 108–10, and Gagarin, "Slaves and Serfs at Gortyn": 27 (cf. Gagarin and Perlman, *The Laws of Ancient Crete*: 375–76), according to whom the inheritance went to the unfree persons who made up the *kláros*. Like Lipsius and Kohler/Ziebarth before him, Lotze, Μεταξὺ ἐλευθέρων καὶ δούλων: 12–14, had assumed that during the early period the *klároi* of the ancestral lineages had been divided into small family estates. In his intensive discussion of the theses of K. M. Kolobowa, Detlef Lotze in 1962 reaffirmed his thesis that the ἐπιβάλλοντες τᾶς ϝοικίας would have included relatives of every degree (not only paternal ones), see Lotze, "Zu den ϝοικέες von Gortyn": 35; for a similar view see Lévy, "Libres et non-libres": 39. In the absence of "Anspruchsberechtigten der *woikía*," Lotze believed the inheritance (n.b. only the movable property) would have gone to the *kláros*.

74 This would also explain why the *epibállontes* are named 28 times in the Great Code of Gortyn, but never with a qualifier such as τᾶς ϝοικίας (Lotze, "Zu den ϝοικέες von Gortyn": 33; similarly, Lévy, "Libres et non-libres": 38). It is likely that the income from the *woikía* was usually shared among the heirs; cf. where it says in col. 3.24–29: "And if he [the deceased] should leave her [his wife] childless, she is to have her own property and half of whatever she has woven within and obtain her portion of the produce that is in the house along with [her husband's] lawful heirs (καὶ [τ]ὸ καρπ[ὸ] τῷ ἔνδ[ο]θεν πεδὰ τὸν ἐπιβαλλόντ[ον] μοῖραν λακὲν) [. . .]" (cf. the similar provision at col. 7.35–40; 8.47–50). A *woikía* is again mentioned in the decree honoring Dionysios (ICret IV 64; Nomima I 8). He was granted exemption from public burdens (*atéleia*) and rights equal to those of a citizen, as well as a *woikía* in Aulon and a house site (*oikópedon*). Does that mean the honorand was given a plot of land on which to build a house (*stéga*) and the right to the revenue of a *woikía* produced by *woikeís*? The honors were awarded by "all of Gortyn and those residing (*woikíontes*) in Aulon." Cf. Brixhe with Bile, "La circulation des biens": 88 ("on concède à Dionysios 'un terrain à bâtir à l'extérieur des terres'"); Gagarin and Perlman, *The Laws of Ancient Crete*: 330–32.

75 Link, *Landverteilung*: 110–14; Link, *Das griechische Kreta*: 48, 76–79 assumes a right of inheritance for the *woikeís* in this case, in consequence of which they would be considered as freedpeople but not as citizens. Many scholars consider it implausible that the *woikeís* could have inherited the house, land and livestock of their deceased master. They argue that this would necessarily require manumission and possibly even citizenship, and is therefore unlikely (rejected on these grounds by Koerner, *Inschriftliche Gesetzestexte*: 503, Maffi, *Il diritto di famiglia*: 59–61 and Lévy, "Libres et non-libres": 38). Gagarin, "Slaves and Serfs at Gortyn": 27–29 (also Gagarin and Perlman, *The Laws*

If in the inheritance law of Gortyn an inheritance consisted of houses, their contents, and livestock, while land was excluded, the social prestige of a citizen of Gortyn rested primarily on the livestock, the flocks of *próbata* and herds of *kartaípoda*,[76] that he owned, perhaps also on the furnishings of the "houses in the city." The produce from the *kláros* made up a large part of his *chrḗmata* and went towards his contribution to his common mess.[77] An *apétairos* was presumably a person who had lost his *kláros*, for whatever reason.

This model, which I have developed based on the Great Code of Gortyn, is consistent with our literary evidence about forms of dependency in Cretan city states:[78] Callistratus distinguished between Crete's "urban slaves" (οἰκέται κατὰ πόλιν), who were called *chrysṓnētoi* ("bought for gold" or "money"), and "rural slaves" (κατ' ἀγρόν) who were locals (ἐγχώριοι) and had been enslaved in war (δουλωθέντες κατὰ πόλεμον), and who were called *a(m)phamiṓtai*. These were also called *klarṓtai* because they are "allotted."[79] The "urban slaves," *chrysṓnētoi*, were chattel slaves; they

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of Ancient Crete: 376), however, believes it is possible: if a *woikeús* could live in a house in the city and own livestock, why should he not, absent an heir, acquire the property not just de facto, but also de jure, and be a free man forthwith, if only an *apétairos*?

76 Lotze, Μεταξὺ ἐλευθέρων καὶ δούλων: 10 similarly does not believe that free citizens practiced subsistence farming to any great degree. However, ICret IV 75 (Koerner, *Inschriftliche Gesetzestexte*: no. 147) lists a number of articles – very probably those that are exempt from being seized – which includes not only the loom, wool, iron implements and plough, but also the team of oxen (δυγὸν βοῦν).

77 According to Dosiades, in Lyttos in Crete every man had to contribute one tenth of his crops (*karpoí*) as well as the income from the city which the magistrates divided among the individual households; while each slave had to pay one Aeginetan stater (Athen. 4.22, p. 143a–b): οἱ δὲ Λύττιοι συνάγουσι μὲν τὰ κοινὰ συσσίτια οὕτως. ἕκαστος τῶν γινομένων καρπῶν ἀναφέρει τὴν δεκάτην εἰς τὴν ἑταιρίαν καὶ τὰς τῆς πόλεως προσόδους, ἃς διανέμουσιν οἱ προεστηκότες τῆς πόλεως εἰς τοὺς ἑκάστων οἴκους. τῶν δὲ δούλων ἕκαστος Αἰγιναῖον φέρει στατῆρα κατὰ κεφαλήν. διῄρηνται δ' οἱ πολῖται πάντες καθ' ἑταιρίας, καλοῦσι δὲ ταύτας ἀνδρεῖα.

78 For the literary sources on slavery in Crete see Lewis, *Greek Slave Systems*. 148–50. Strabo gives the most important features of the Cretan constitution as described by Ephorus: The lawgiver, says Ephorus, appears to have regarded liberty as a city state's greatest good, because only liberty makes property belong to its owner, while (the goods held) in slavery belong to the rulers, not the ruled. Does this description contain an echo of the fact that the *woikeís* produced their goods for the citizens of Gortyn while being unable to own any property themselves? And is it the lack of their own land that Ephorus refers to when he goes on to say that those who have liberty must guard it, and that harmony ensues when dissent has been removed, dissent which grows out of greed and luxury? "[F]or when all citizens live a self-restrained and simple life there arises neither envy nor arrogance nor hatred towards those who are like them." (Strab. 10.4.16–480 C; Ephorus FgrH 70 F149).

79 Callistratus FgrH 348 F4 and Ephorus FgrH 70 F29 (Athen. 6.84 p. 263e–f): καλοῦσι δὲ οἱ Κρῆτες τοὺς μὲν κατὰ πόλιν οἰκέτας χρυσωνήτους, ἀμφαμιώτας δὲ τοὺς κατ' ἀγρὸν ἐγχωρίους μὲν ὄντας, δουλωθέντας δὲ κατὰ πόλεμον· διὰ τὸ κληρωθῆναι δὲ κλαρώτας. ὁ Ἔφορος δ' ἐν γ' ἱστοριῶν· 'κλαρώτας, φησί, Κρῆτες καλοῦσι τοὺς δούλους ἀπὸ τοῦ γενομένου περὶ αὐτῶν κλήρου. Amerias und Hermon in Athen. 6.93, p. 267c (the same in the epitomes): Ἀμερίας δὲ ἑρκίτας φησὶ καλεῖσθαι τοὺς

could be bought in the agora and were mentioned as such in the Great Code of Gortyn.[80] According to Sosikrates and Dosiades, the Cretans used the term *mnoía* for communal slavery (*koinḗ douleía*), while private (*ídia* [*douleía*]) slavery was called *aphamiṓtai* and the subjects (*hypḗkooi*) *perí̄oikoi*.[81] Those who Callistratus terms "slaves on the land" (οἰκέται κατ' ἀγρόν), *klarṓtai* and *a(m)phamiṓtai*, are the equivalents of the *woikeís* in the Great Code of Gortyn. They farmed the land for the Gortynians and, because they lived "in the *chṓra*," were called *perí̄oikoi* by Aristotle, literally "those who live around [the *pólis*]." This dependent rural population had to pay tribute: to their masters, but also to the *pólis*. It was from these latter shares that the sacrifices to the gods and contributions to the common messes were financed.[82]

κατὰ τοὺς ἀγροὺς οἰκέτας. Ἕρμων δὲ ἐν Κρητικαῖς Γλώτταις μνώτας τοὺς εὐγενεῖς οἰκέτας. – "Amerias says that rural slaves are called *herkítai*, Hermon in the *Cretan Glossary* defines *mnṓtai* as indigenous [εὐγενεῖς should be emended to ἐγγενεῖς – 'native'] slaves (*oikétai*)." Eustathius, Comm. ad Il. 15.431 (p. 752) (see n. 13). For the synonymous use of *hypḗkooi, klarṓtai, mnṓtai* and *aphamiṓtai* see Gehrke, "Gewalt und Gesetz": 26.

80 ICret IV 72 col. 7.10–15: vac. α[ἴ] κ' ἐκς ἀγορᾶς πρ[ι]άμενος δõλον μὲ περαιόσει τᾶν ϝεκσέκοντ' ἀμερᾶν, αἴ τινά κα πρόθ' ἀδικέκει ἒ ὕστερον, τõι πεπαμένοι ἔνδικον ἔμεν. vac. – "If someone has bought a slave (*dólos*) from the market-place (*agorâ*) and has not terminated [the purchase] within sixty days, if [the slave] has done wrong to anyone before or after [the purchase], litigation is to be conducted against the one who has acquired him." This is very likely a reference to the slaves "bought for gold," as the addition "in the *agora*" shows (so also Gagarin, "Slaves and Serfs at Gortyn": 21–22: "The answer probably lies in the fact that the *dolos* in 7.10–15 is bought in the agora, and that if a *woikeus* could be sold, he would not be sold in the agora. This would make sense if *doloi*, some of whom would be new slaves captured in war or imported from abroad, were sold in the agora, but *woikeis*, as indigenous inhabitants, were only sold directly from one master to another, perhaps only as part of the land they lived on"). Cf. Gagarin, "Slaves and Serfs at Gortyn": 25: "there is no doubt that *doloi* could be sold [. . .], but if *woikeis* were attached to the land, it may not have been possible to sell them except with the land to which they belonged." Some scholars concluded on the basis of this provision that *woikeís* could be sold (Link, "'Dolos' und 'Woikeus'": 98–100; Lewis, "Slave Marriage": 395); Gagarin, "Slaves and Serfs at Gortyn": 25–26 is less positive.

81 Sosicrates FgrH 461 F4; Dosiades FgrH 458 F3 apud Athen. 6.84, p. 263f–264a: Σωσικράτης δ' ἐν δευτέρῳ Κρητικῶν 'τὴν μὲν κοινήν, φησί, δουλείαν οἱ Κρῆτες καλοῦσι μνοίαν, τὴν δὲ ἰδίαν ἀφαμιώτας, τοὺς δὲ ὑπηκόους περιοίκους.' τὰ παραπλήσια ἱστορεῖ καὶ Δωσιάδας ἐν δ' Κρητικῶν.

82 Aristot. pol. 2.10, 1272a 16–21: ἐν δὲ Κρήτῃ κοινοτέρως· ἀπὸ πάντων γὰρ τῶν γινομένων καρπῶν τε καὶ βοσκημάτων δημοσίων, καὶ ἐκ τῶν φόρων οὓς φέρουσιν οἱ περίοικοι, τέτακται μέρος τὸ μὲν πρὸς τοὺς θεοὺς καὶ τὰς κοινὰς λειτουργίας, τὸ δὲ τοῖς συσσιτίοις, ὥστ' ἐκ κοινοῦ τρέφεσθαι πάντας, καὶ γυναῖκας καὶ παῖδας καὶ ἄνδρας. – "[B]ut in Crete the system is more communal, for out of all the crops and cattle produced from the public lands, and the tributes paid by the *perí̄oikoi*, one part is assigned for the worship of the gods and the maintenance of the public services, and the other for the public mess-tables, so that all the citizens are maintained from the common funds, women and children as well as men [. . .]." The last point is in agreement with Ephorus FgrH 70 F149 (Strab. 10.4.20–483 C): τρέφονται δὲ δημοσίᾳ. This roughly corresponds to arrangements in Lyttos, where citizens had to contribute one tenth of their crops and slaves one Aeginetan stater each. A law whose text is extant in an inscription might refer to this; it lists (probably barley), figs and must and refers to the *karpodaístai* who are entitled to take produce that has been stolen or not distributed. Michael Gagarin and Paula Perlman have read this law as referring to the collection of

Even Aristotle's and Strabo's statements that these were "public slaves" and "public revenues" are quite true.[83]

3 "Between Free and Slave"

The *Onomasticon* is a dictionary produced in the second century AD by the lexicographer Pollux. In it, he subsumed Lacedaemonian helots, Thessalian *penéstai*, Cretan *klarṓtai* or *mnoítai*, the Mariandynian "bringers of gifts," the *gymnḗtes* of Argos and the *korynephóroi* at Sicyon under the heading "between free and slave."[84] David Lewis has empathically rejected Pollux, arguing that this late source does not provide a sufficient basis on which to argue for a specific legal or social status "between free and slave" of these populations.[85] Instead, he believes that all of these groups were slaves who were allowed to live communally; he explains the ban on manumission or sale outside the territory as due to specific circumstances: helots far outnumbered Spartan citizens, so that the *pólis* of Sparta saw itself obliged to make this concession, which did not however grant the helots any rights. The purpose of conceding *de facto* marriages and families was, in his view, to increase the helots' motivation to work, but also to ensure slave reproduction in sufficient numbers, since Sparta imported virtually no foreign slaves.[86]

But it is a curious fact that not only Pollux in the second century AD, but also earlier authors bracketed the helots of Sparta, the *penéstai* of Thessaly and the *klarṓtai* in the cities of Crete as specific, unfree groups whom they differentiated from the slaves in other cities. This is especially true for Aristotle, who lists helots, *penéstai* and *klarṓtai* among the *perioikoi*, literally "those who live around" – which is exactly what they were if they lived in the rural environs "around" the *pólis* of the citizens.[87]

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produce either for communal meals or as a fixed share for public use (Gagarin and Perlman, *The Laws of Ancient Crete*: no. G77).

83 Ephorus (Strab 8.5.4–365 C) uses the term δημόσιοι δοῦλοι in referring to the helots of Sparta. David Lewis ("Slave Marriage": 394) rejects the term on the grounds that the sources for it are late (Strabo and Pausanias).

84 Poll. 3.83; see also Eustathius, Comm. ad Il. 3, p. 537 l. 15; 3, p. 752 l. 18–p. 753 l. 2.

85 Lewis, *Greek Slave Systems*: 165: they were "not serfs or some other mysterious status 'between free men and slaves'."

86 Lewis, "Slave Marriage": 409–11; Lewis, *Greek Slave Systems*: 160. This would however still not explain why legally protected marriage had to be conceded to the *woikeís*, instead of stable concubinate arrangements such as existed in Athenian slavery.

87 For *perí̈oikoi* in the *Politics* see Aristot. pol. 2.9, 1269b 3 (*penéstai* in Thessaly, helots in Sparta and conditions in Crete); pol. 2.10, 1271b 30 and 1272a 18 (Crete); pol. 2.10, 1272b 18 (Cretan *perí̈oikoi* and helots); pol. 2.10, 1272a 1 (Cretan *perí̈oikoi* in analogy with the Spartan helots); pol. 5.3, 1303a 6–8 (Argive *perí̈oikoi*); pol. 7.6, 1327b 11 (the city of Heraclaea); pol. 7.9 and 10, 1329a 26 and 1330a 29 (in Aristotle's ideal state, those working the land [οἱ γεωργοί] ought to be slaves or "barbarian

Chattel slaves became the property of citizens through purchase: they could be beaten and whipped, inherited, lent and pledged, sold or manumitted. In Athens, they worked in many different sectors including agriculture, trade and commerce, mining and banking.[88] They had many different ("barbaric") origins and cultures and spoke different languages. By contrast, the helots, *penéstai*, *klarōtai* and Mariandyni "lived around" the *pólis* territory with their families in the country, the *chora*, that had originally been theirs; they shared an ethnic and cultural origin, which made them "sons of the land" or "locals" (*enchōrioi*); they worked the land and had to give up a part of their harvest to their masters or to the *pólis* as euphemistically titled "bringers of gifts." But they were not the property of their masters, they could not be manumitted or sold outside the territory, and probably only "given up" inside it. Aristotle calls them *perioikoi*, "those who live around," a term used in some ancient city states for populations who were free but did not enjoy citizen rights. He also points out that the Cretans had put themselves on an equal footing with their slaves (*doúloi*) in all respects, forbidding them only gymnastic exercises and the possession of weapons.[89] Aristotle agrees, then, that these populations enjoyed a significantly better position than chattel slaves. I believe that Pollux classified them as "between free and slave" because that was how he found these groups depicted in his sources. It was probably due to the increasing pervasiveness of chattel slavery that Greeks in the fifth and fourth centuries were familiar only with the extremes of either liberty or slavery, so that they equated the *woikeís* of Gortyn and the helots in Laconia and Messenia with slaves (*dóloi*).[90]

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perioikoi" whose nature is similar [παραπλήσιοι] to that of slaves). Gagarin, "Slaves and Serfs at Gortyn": 14, n. 1 points to an inscription that reads περιϝοι[– –] in ICret IV 65 l. 10, but admits that several other reconstructions are possible. Cf. Ronald F. Willetts, "The Servile Interregnum at Argos," *Hermes* 87 (1959): 495–506, here 496: Aristotle "normally in the *Politics* uses περίοικοι to mean *serfs* and not *perioikoi*."

88 For the components of the right of ownership and the legal definition of slavery see Lewis, *Greek Slave Systems*: 25–55.

89 Aristot. pol. 2.5, 1264a 20–22: ἐὰν μή τι σοφίζωνται τοιοῦτον οἷον Κρῆτες; ἐκεῖνοι γὰρ τἆλλα ταὐτὰ τοῖς δούλοις ἐφέντες μόνον ἀπειρήκασι τὰ γυμνάσια καὶ τὴν τῶν ὅπλων κτῆσιν. See also pol. 7,10, 1329b 1–3.

90 Gagarin, "Slaves and Serfs at Gortyn": 23: "At Gortyn it is likely that all *woikeis* were *doloi*, or could be classified as *doloi* for legal purposes, but not all *doloi* were *woikeis*." He concludes (31) that the *woikeís* "had a higher status and greater degree of independence than *doloi*, who were probably chattel slaves introduced to Gortyn later (perhaps in the sixth century). Despites these differences in origin, the two groups came to be treated the same for legal purposes, and *woikeis* appear to have been gradually assimilated to the status of *doloi*"; so also Gagarin and Perlman, *The Laws of Ancient Crete*: 357. Gehrke, "Gewalt und Gesetz": 27, aptly summarizes that "sie standen zwar auf der Skala μεταξὺ ἐλευθέρων καὶ δούλων letzteren sehr nahe, waren aber keine reinen Sklaven." Lévy, "Libres et non-libres": 40, believes that the emergence of chattel slavery reduced the status of the *woikeís*.

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2. Slaveries and Similar Dependencies

2.1. Regions and Epochs

Pre-Roman Italy

Martin Bentz and Patrick Zeidler. “Introduction,” in *Dependency and Social Inequality in Pre-Roman Italy*, ed. Martin Bentz and Patrick Zeidler (Berlin: De Gruyter, 2024): 1–12.

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Martin Bentz, Patrick Zeidler

Introduction

In the past, most studies on Pre-Roman societies of the first millennium BCE on the Italian Peninsula focused on the social elites, their self-representation and cultural contacts. Recently, however, research on dependency and social inequality in pre-modern societies of various regions has considerably increased. During the last years, there have been several conferences and edited volumes about this topic that adopted either a more historical, anthropological, sociological or archaeological point of view, which opened a new scientific discourse on *non-elite*, *marginalized* or *subaltern* social groups.[1]

The approach of this volume, which is the result of a conference held at the *Bonn Center for Dependency and Slavery Studies* (*BCDSS*) on 16–18 June 2022, is based on the newly developed theoretical concept of '(strong) asymmetrical dependency'.[2] This

1 See, for example, Elisa Perego and Rafael Scopacasa, eds., *Burial and Social Change in First Millennium BC Italy: Approaching Social Agents: Gender, Personhood and Marginality* (Oxford: Oxbow, 2016), which concentrated on the funerary evidence; Richard Bussmann and Tobias Helms, eds., *Poverty and Inequality in Early Civilizations*, Studien zur Wirtschaftsarchäologie 4 (Bonn: Habelt, 2021), with a broad, worldwide view; Orlando Cerasuolo, ed., *The Archaeology of Inequality: Tracing the Archaeological Record* (Albany: State University of New York Press, 2021), with case studies from America and the Mediterranean, including Greece and Rome; Cyril Courrier and Julio Cesar Magalhaes de Oliveira, eds., *Ancient History from Below: Subaltern Experiences and Actions in Context* (London: Routledge, 2022), which focused mainly on written sources; Ute Kelp and Wolf-Rüdiger Teegen, eds., *Wealthy and Healthy? Methodological Approaches to Non-Elite Burials, Panel 1.2, Proceedings of the 19th International Congress of Classical Archaeology, Cologne and Bonn 2018*, vol. 1 (Heidelberg: Propyläum, 2022), https://books.ub.uni-heidelberg.de/propylaeum/catalog/book/926 [accessed 25.07.2024]; Petra Amann and Luciana Aigner-Foresti, eds., *Beiträge zur Sozialgeschichte der Etrusker: Akten der internationalen Tagung, Wien, 8.–10.6.2016*, Phersu. Etrusko-italische Studien 1 (Vienna: Holzhausen, 2018).

2 A comprehensive and generally accepted theory of (strong) asymmetrical dependency does not yet exist in sociology and social theory. For some preliminary works, see Richard M. Emerson, "Power-Dependence Relations," *American Sociological Review* 27, no. 1 (1962): 31–41; James S. Coleman, *Foundations of Social Theory* (Cambridge, MA: Harvard University Press, 1990); Tiziana Casciaro and Mikolaj J. Piskorski, "Power Imbalance, Mutual Dependence, and Constraint Absorption: A Closer Look at Resource Dependence Theory," *Administrative Science Quarterly* 50, 2 (2005): 167–99. The theoretical concept used in this volume is based on the working definition provided by the *Bonn Center for Depen-*

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seems to be beneficial as it allows us to overcome the outdated dichotomy of 'slavery' and 'freedom',[3] which is not only too simplistic, but also ideologically charged as it is closely connected to Eurocentric views and the events associated with the transatlantic slave trade.[4] According to this definition, the emergence of asymmetrical dependency is based on the ability of one actor to control the actions and the access to resources of another actor. By doing so, one of the actors loses his autonomy and an unequal distribution of power is established. Usually, such dependency relationships are permanent and supported by an institutional background, which prevents a dependent actor from changing his or her situation by either going away ('exit') or articulating protest ('voice'). Asymmetrical dependencies do not arise by chance, but rather have to be considered as constitutional elements that shape the respective society. Moreover, the concept can be applied to some scenarios that do not directly refer to human relationships but condition them, such as resource dependency or dependency on other non-human factors like divine beings or climate conditions (droughts, natural disasters).

We use the concept of 'asymmetrical dependency' in this volume as an umbrella term for a relatively broad range of phenomena that has been studied in archaeological and historical research under various key terms, such as power imbalance (for example, slavery, captivity, patron-client relationships), social inequality (expressed by poverty or marginality) as well as social inclusion or exclusion as seen through the concept of 'otherness' or alterity (for example, strangers, 'barbarians', persons with short stature, physical deformities, etc.). Our aim is to look at social groups such as servants, peasants, mercenaries, captives, 'foreigners', women and children, who are less visible in the archaeological, epigraphical and literary records of societies from Iron age and later Pre-Roman or Early Roman Italy. We also aim to discuss the methodological challenges connected to this quite new field of research: Is the evidence representative enough for the definition of different forms of dependency and inequality? Can we rely on written and pictorial sources, or do they only reflect the external Greek and Roman points of view and their respective iconographic conventions? Which social groups can be traced in the literary and archaeological record, and is it possible to denominate them specifically (slaves, freedpeople, clients)?

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dency and Slavery Studies, which has recently been formulated in two papers: Julia Winnebeck et al., "The Analytical Concept of Asymmetrical Dependency," *Journal of Global Slavery* 8, no. 1 (2023): 1–59; Christoph Antweiler, "On Dependence, Dependency, and a Dependency Turn: An Essay with Systematic Intent," *BCDSS Discussion Paper* 1 (2022), https://www.dependency.uni-bonn.de/images/pdf-files/discussion-papers/dp-1-antweiler.pdf [accessed 25.07.2024].

3 For the opposition between 'slavery' and 'freedom' in previous research, see, for example, Tom Brass, "Introduction: Free and Unfree Labour: The Debate Continues," in *Free and Unfree Labor: The Debate Continues*, ed. Tom Brass and Marcel van der Linden (Bern: Peter Lang, 1997): 11–42 for the field of labour history.

4 Christian G. De Vito et al., "From Bondage to Precariousness? New Perspectives on Labor and Social History," *Journal of Social History* 54, no. 2 (2020): 1–19.

The period we are dealing with – roughly the first millennium BCE – is a period of profound social and economic changes in Italy, which was inhabited by a heterogeneous mix of different population groups. We can observe colonization, population growth and urbanization processes in many regions as well as their integration into the Mediterranean economy, which brought about globalization phenomena and different local responses. With the growing Roman hegemony on the Italian Peninsula since the fourth century BCE, the situation changed again.

Needless to say, it is impossible to cover all aspects of such a vast topic, but we tried to look at it from complementary perspectives using different methods, relying on written as well as various material sources coming from a broad range of contexts. Most phenomena dealt with in this volume are situated on a relatively microscale level and are therefore less concerned with a macro-orientated dependency theory and global phenomena. Consequently, our approach is based on the insight that 'microhistory can provide the epistemological foundations for a renewed social history'.[5] This is also due to the fact that there are such few older studies to rely on that we first have to create a new basis in order to be able to start the discussion. It has become very clear that there are no simple answers, but that we have to consider many regional patterns which change over time.

In the following part, we have focused on a few fields which are mostly defined by the different kinds of sources or contexts that they deal with: historical and epigraphical studies, images, material culture from sanctuaries and necropoleis. Within these fields, the authors of the individual contributions adopted very different methods to be able to detect indicators for measuring different degrees of social inequality and dependency.

1 Historical and Epigraphical Sources

When studying early societies, one challenge is the lack of written sources. For the history of Pre-Roman Italy, there are almost no Etruscan/Italic literary sources, but at least some Greek and Roman ones are available. However, the latter provide us only with a perspective from outside, which is not always reliable due to the chronological distance, cultural misunderstandings as well as the specific ideological intentions of the respective authors. Connected with this is the common practice in research to adapt the well-known Greek and Latin terminology for dependency (*patronus*, *servus*, *cliens*, *penestai*, etc.) to the situation in Etruscan/Italic societies. As *Petra Amman* shows in her contribution, this has led to a biased and too simplistic concept of an Etruscan society consisting only of free masters and unfree servants. This outdated

5 Winnebeck et al., "Dependency": 6.

dichotomy has to be modified through rigorous source criticism and by including evidence from material culture.

Slaves and manumitted slaves can be traced in the numerous epigraphical record in Etruria, which is one of the main sources for the reconstruction of Etruscan social history.[6] *Enrico Benelli* argues against a presumed standardized typology of name forms in all of Etruria that gives information on unfree birth. He argues in favour of a more differentiated regional and chronological view. Using funerary inscriptions, he notes the occurrence of social change in the territory of Chiusi around the middle of the second century BCE: the disappearance of large estates owned by elite families and their transformation into smaller plots assigned to freedpeople and other non-elite families.

2 The Iconography of Dependency in Visual Art

We have a large corpus of images from the eighth century BCE onwards – paintings, sculpture, reliefs, etc. – depicting scenes from ritual, everyday-life and mythological contexts, which include dependent and marginalized persons. These images, most of them from Etruria, can be analyzed with the well-proven iconographic method.[7] This analysis was performed systematically for Etruscan art by *Patrick Zeidler* in his recently concluded PhD thesis.[8] In general, physiognomic characteristics, size, hairstyle, clothing, attributes and other iconographic markers in combination with the narrative context of the image can provide us with information about the social status, ethnic origin, social relationships and labour conditions of the depicted persons.[9] However, as images are

6 Enrico Benelli, "La società etrusca: Il contributo dell'epigrafia," in *Beiträge zur Sozialgeschichte der Etrusker: Akten der internationalen Tagung, Wien, 8.–10.6.2016*, ed. Luciana Aigner-Foresti and Petra Amann, Phersu. Etrusko-italische Studien 1 (Vienna: Holzhausen, 2018) 219–26.

7 The iconographic method was originally developed in art history; see, for example, Erwin Panofsky, "Zum Problem der Beschreibung und Inhaltsdeutung von Werken der bildenden Kunst," in *Ikonographie und Ikonologie: Theorien – Entwicklung – Probleme*, ed. Ekkehard Kaemmerling, Bildende Kunst als Zeichensystem 1 (Cologne: DuMont, 1979): 185–206; Erwin Panofsky, "Ikonographie und Ikonologie," in *Ikonographie und Ikonologie: Theorien – Entwicklung – Probleme*, ed. Ekkehard Kaemmerling, Bildende Kunst als Zeichensystem 1 (Cologne: DuMont, 1979): 207–25.

8 Patrick Zeidler, "Sklaverei und soziale Ungleichheiten in Etrurien: Eine Studie zur Ikonographie der Abhängigkeit in der etruskischen Bildkunst" (PhD diss., University of Bonn, 2023, publication in preparation).

9 For the adaption of the iconographic method for the analysis of ancient images of slaves, see Nikolaus Himmelmann, *Archäologisches zum Problem der griechischen Sklaverei*, Abhandlungen der Geistes- und Sozialwissenschaftlichen Klasse 13 (Mainz: Verlag der Akademie der Wissenschaften und der Literatur, 1971).

intentionally constructed by the artists and their customers,[10] we have to consider how reliable and 'realistic' these depictions are. Since most of the images seem to have been commissioned by members of the elite, the numerous representations of slaves and other dependent individuals have to be considered as an expression of status and wealth. Moreover, it has to be analyzed, which Greek (or other) iconographic conventions were imitated in Etruscan art and in how far they were adapted to local cultural habits. Finally, the context of the images and the function of the objects have to be considered for their interpretation.

These methodological challenges are discussed in two case studies. *Cornelia Weber-Lehmann* was able to recognize power imbalances and status differences between different types of figures (for example, cupbearers, athletes) in Tarquinian wall painting. However, without inscriptions, we cannot be sure about their concrete legal (and social) status. The influence of Greek mythology and iconography on Etruscan imagery is discussed by *Patrick Zeidler*, who studies numerous representations of captives. Most of them, of course, depict scenes of extreme dependency, but in the course of time, some examples of bound persons also appear in religious or magical contexts with quite a different (metaphorical) meaning and function.

During the conference, *Bouke van der Meer* presented a paper (which could unfortunately not be included in this volume) about urn reliefs from Hellenistic Volterra and their relation to certain social groups, while also considering inscriptions and grave contexts.

3 Dependencies and Status Differences in Urban and Sacral Spaces

Urban spaces as well as city and house planning are not represented properly in this volume, partly due to a lack of current research in this field. There are many recent studies on early urbanization in central Italy that reflect social changes.[11] In archaeological evidence, this process is often reflected more in the associated graves than in the urban structures themselves, which are rarely excavated in an extensive area. However, a recently published PhD thesis comprising a catalogue of all preserved house structures in Central and Northern Italy from the late sixth to the early second century BCE serves as a new basis for further studies in the future, which, up to now, have

10 For theoretical and methodological considerations on the construction of images, see Ralf von den Hoff and Stefan Schmidt, "Bilder und Konstruktion: Ein interdisziplinäres Konzept für die Altertumswissenschaften," in *Konstruktionen von Wirklichkeit: Bilder im Griechenland des 5. und 4. Jahrhunderts v. Chr.*, ed. Ralf von den Hoff and Stefan Schmidt (Stuttgart: Steiner, 2001): 1–25.

11 See the contribution by Francesca Fulminante in this volume, with further references.

mainly focused on architecture and less on social-historical arguments.[12] In the Archaic period, we can distinguish between 'palaces' and smaller standardized houses, and we can see growing functional differentiations of space within each house. In the relatively large and well-known Etruscan settlement of Marzabotto (sixth–fifth century BCE), along the main street, we can identify large plots and houses of the elite containing elaborate spaces for different social functions, whereas the other houses seem to be rather uniform in size and might be labelled as 'middle-class'. Spaces or dwellings for subaltern social groups, however, cannot be recognized in the urban archaeological record.[13]

The transformation of elite structures can offer strong arguments for the changes in the power balance of a community and the participation of subaltern groups. The de-monumentalization and ritual obliteration of late Archaic elite buildings and the related cults at Monte Iato (Sicily) are studied by *Erich Kistler*. Comparably, *Robinson P. Krämer* analyzes the transformation of the Etruscan sacred landscape in the same period: the old 'palaces' are replaced by monumentalized sanctuaries and spaces for public meetings; the smaller finds show that larger parts of the population could now participate in cult activities.

The conference contribution of *Stephan Steingräber* on anatomical votive terra-cottas in sub-urban and extra-urban sanctuaries, which he interpreted as typical for lower social classes, could unfortunately not be included in this volume.

Elisa Perego and *Rafael Scopacasa* present in their collaborative contribution two case studies on burial contexts and settlement dynamics in different times and regions (Iron Age Veneto and Hellenistic Apulia), which allow for a reflection on the impact of environmental stress and climate shifts on social developments and inequalities.

4 Dependencies, Status Differences and Funerary Archaeology

Burials constitute the largest field of research in the study of Pre-Roman Italy as they yield an enormous amount of evidence: different grave types and architecture, the spatial distribution of burials within the necropolis, great quantities of grave goods as well

12 Silva Katherina Bruder, *Man lebt, wie man wohnt: Untersuchungen zur Wohnhausarchitektur Mittel- und Norditaliens vom ausgehenden 6. Bis zum beginnenden 2. Jh. V. Chr.* (Heidelberg: Propylaeum, 2022), https://doi.org/10.11588/propylaeum.1044, with detailed analyses and references.

13 For the houses in Marzabotto, see Martin Bentz and Christoph Reusser, eds., *Marzabotto: Planstadt der Etrusker* (Mainz: Zabern, 2008): 40–47. For some general considerations, see also Petra Amann, "Wer wohnt im Haus? Familienstruktur und Hausarchitektur als sich ergänzende Forschungsberichte," in *Etruskisch-italische und römisch-republikanische Häuser: Kolloquium Bonn 2009*, ed. Martin Bentz and Christoph Reusser, Studien zur antiken Stadt 9 (Wiesbaden: Reichert, 2010): 29–42.

as human remains. Considering all of these together provides us with multiple levels of information about society, ideology and religious beliefs. The contributions in this volume cover a very broad geographical and chronological range (see Fig. 1), with case studies encompassing regions from Northern to Southern Italy (Veneto, Romagna, Etruria, Latium, Samnium, Apulia), extending chronologically from the Early Iron age to the Hellenistic period and using very different methodological approaches.

It is easy to recognize the outstanding *princely graves* of the leading families in the earlier periods, but it is extremely difficult to distinguish between the graves of other social groups. Therefore, it seems crucial to find the correct indicators: We know that graves cannot be regarded as 'mirrors' of the respective societies,[14] but is a large grave and/or a high quantity of grave goods nevertheless an indication of an elevated social status? Are some of the grave types linked to a specific social status? Is it not so much the quantity, but rather the quality and rarity of goods (for example, valuable imported objects) that are decisive for defining the status? Is it possible to measure and compare the material as well as the symbolic value of the objects? What significance does a central or more marginal position of a grave within the necropolis have? Can all these elements be inserted into one or more patterns, using, for example, a wealth index?[15] Certainly, there is also a huge difference between studying one or a few graves and a complete necropolis with many graves that can provide the possibility to use statistical analyses. Some examples for this kind of research are the contributions by *Francesca Fulminante* and *Rafael Scopacasa* in this volume, both of which use a micro-historical approach and contextual spatial analyses in order to calculate a wealth index, which is also related to criteria such as age and gender.

The hierarchy and status differences within wealthy Etruscan *gentes* are analyzed by *Laura Nazim*, who investigates sarcophagus burials within chamber tombs and

14 'As it is well-known, for over 30 years the question of whether funerary practices can provide an "accurate" image of society, its stratification and its complexity, has been the central issue in the archaeological study of funerary sites'; see Mariassunta Cuozzo, "Theoretical Issues in the Interpretation of Cemeteries and Case Studies from Etruria to Campania," in *Burial and Social Change in First Millennium BC Italy: Approaching Social Agents: Gender, Personhood and Marginality*, ed. Elisa Perego and Rafael Scopacasa (Oxford: Oxbow, 2016): 3. For a summary of the long-lasting discussion in research about processual and post-processual approaches as well as the 'Ideologia funeraria', see Orlando Cerasuolo, "Archaeological Perspectives on Inequality," in *The Archaeology of Inequality: Tracing the Archaeological Record*, ed. Orlando Cerasuolo (Albany: State University of New York Press, 2021): 1–20; Elisa Perego and Rafael Scopacasa, "Introduction: Burial and Social Change in First Millennium BC Italy: An Agent-Focused Approach," in *Burial and Social Change in First Millennium BC Italy: Approaching Social Agents: Gender, Personhood and Marginality*, ed. Elisa Perego and Rafael Scopacasa (Oxford: Oxbow, 2016): xi–xxxiv; Cuozzo, "Theoretical Issues," with references.

15 See, for example, the discussion about the Gini coefficient, used in modern economic research and adapted for archaeology: Timothy A. Kohler and Michael E. Smith, eds., *Ten Thousand Years of Inequality: The Archaeology of Wealth Differences: Symposium at the 81st Annual Meeting of the Society for American Archaeology, Orlando, Florida, 2016*, Amerind Studies in Anthropology (Tucson: The University of Arizona Press, 2019), with different uses and references.

Fig. 1: Map of the Italian Peninsula showing the most important sites mentioned in the essays.

takes inscriptions and spatial arguments into account for her interpretation. A further example for the contextual analysis of tombs is the study by *Massimiliano Di Fazio* on the graves of pastoral societies in Central Italy.

The two case studies by *Marina Micozzi* and *Claudio Negrini* demonstrate that infants and children were, in some periods, not considered as an equal part of the adult society and were therefore excluded from formal burials or buried elsewhere.

Anthropological and bioarchaeological methods, which have developed very fast in the last years, have become more and more important as they can provide us with information in regard to age, sex, origin, family relations, diet, health status but also burial rituals – important arguments for interpreting grave contexts. A peculiar single burial with a shackle-bound skeleton from Etruscan Populonia is studied by *Giorgio Baratti et al.* in a comprehensive way, taking bioarchaeological and spatial arguments into account. The authors propose that the male individual was of foreign origin and belonged to a marginal social group, possibly a slave who had to wear shackles as a punishment. *Mauro Rubini* uses a larger dataset of skeletons from Sicily and discusses markers of inequality comparing colonial Greek and indigenous individuals of different sex, also in comparison with data from Central Italy. The contribution by *John Robb* on "Inequality, the Skeleton, and Treatment of the Dead: Basic Principles and Some Case Studies from Prehistoric Italy" and *Andrea Acosta*'s "In Search of the Roman *Gens*: A Bioarchaeological Study of Family Structure and Social Change in Iron Age Italy (900–700 BCE)," both of which were presented at the conference, could unfortunately not be included in this volume.

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Fig. 1 Map created by Till Müller; dataset: Tinitaly DEM (© Istituto Nazionale di Geofisica e Vulcanologia), https://doi.org/10.13127/tinitaly/1.1

2. Slaveries and Similar Dependencies

2.2. Regions and Epochs

Inca State

Karoline Noack. "Mobilization as Dependency: The Case of Mitimaes in the Inka State as a Hotspot of Early Glocalization," in *Comparative and Global Framing of Enslavement*, ed. Stephan Conermann, Youval Rotman, Ehud R. Toledano, and Rachel Zelnick-Abramovitz (Berlin: De Gruyter, 2023): 81–116.

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Karoline Noack

Mobilization as Dependency: The Case of Mitimaes in the Inka State as a Hotspot of Early Glocalization

1 Introduction: Globalization and Glocalization in the Pre-Hispanic Andes

Like other polities in the pre-Hispanic Americas, the Inka state was established completely independently from historical developments in other regions of the world. Yet, no other polity in the Americas has been discussed in so many different ways. The Inka state, or Tawantinsuyu, encompassed southern Columbia, Ecuador, Peru, Bolivia, and from northwest Argentina up to central Chile, making it the largest state in the Americas in terms of geographic extent. With its manifold landscapes ranging from coast to hot and fertile valleys, from arid highlands to the eastern slopes of the Andes and the rainforest, Tawantinsuyu was a global phenomenon in and of itself. It is estimated that between six and thirteen million people lived under the control of Inka rulers at its peak.[1] This raises pertinent questions as to how such a large empire was consolidated and managed from a single center, the capital of Cusco, and all within just 100 years.

Scholarship about the Inka state has a long and varied history, and has almost always been conducted within a global framework. Many questions that have been raised over time remain unanswered today. A turning point was the work of John V. Murra, who posed new questions inspired by approaches from social anthropology research on African kingdoms. He applied them in his study of the Americas and offered a new reading of the literary sources: early Spanish eyewitness accounts and historical chronicles written by cosmographers, travelers, and Spaniards married into Inka families. These also included visitation reports of the Spanish colonial administration (*visitas*), previously overlooked sources which Murra showed can provide insight into social life down to the household level. Thanks to these sources, many of the central institutions and categories of the Inka state can be recognized as deeply rooted in local communities and in institutions much older than the Inka state itself. In this way, various local perspectives were brought into the discussion and changed

1 John W. Verano and Douglas H. Ubelaker, eds., *Disease and Demography in the Americas* (Washington, DC: Smithsonian Institution Press, 1992): 16.

Note: The first draft of this paper was presented at the joint workshop of Tel Aviv University and the University of Bonn "What is Global about Global Enslavement?" which was held in Tel Aviv in December 2019 and organized by Stephan Conermann, Youval Rotman, Ehud R. Toledano, and Rachel Zelnick-Abramovitz.

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the global picture of the Inka state. Could the more recent concept of "glocalization" fit into such a framework?[2] In this article, I would like to examine this question by focusing on socio-economic and political forms of dependency.

Integrating new concepts into Inka research is necessary and challenging. Concepts such as glocalization and glocal are promising and productive for Inka studies because they describe the "the simultaneous occurrence of both universalizing and particularizing tendencies."[3] Both must be understood in order to grasp the particularities of the Inka state and its political and socio-economic organization, including relations of dependency. The Inka state, possibly more than any other "early state"[4] in the Americas and beyond, has been the subject of theoretical-conceptual debates from the beginning of scholarly research in the nineteenth century and up to the present, including approaches in (global) world-system perspectives from the archaeology of the Americas, which nevertheless continued to transmit earlier ideas. In this article, I would like to show that applying and studying the concept of glocal in Inka studies can lead to new insights in regard to the questions debated. The theoretically underdeveloped concept of glocalization "invite[s] a more extensive, transdisciplinary, and critical engagement with the notion of glocal."[5] Although some have argued that glocalization is a concept "that captures modern realities,"[6] others have emphasized that the glocal "offers an additional layer that allows social theory to capture the complexity and multifaceted nature of social processes" more generally.[7] It is to be expected that the impetus in applying the concept will go in both directions: toward further development of the concept itself as well as of Inka studies.

A related concept to be focused on here is that of dependency, specifically that of strong asymmetric dependency. With this concept, "the traditional European 'binary opposition of "slavery versus freedom"' still dominating slavery studies" is to be overcome.[8] Asymmetric dependency "encompasses all 'diverse forms that human bondage

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2 The term *glocal*, which since the 1990s has entered into various disciplines including sociology and anthropology, was defined by Robertson (Roland Robertson, *Globalization: Social Theory and Global Culture* [London: Sage, 1994]) as a metatheory relevant to understanding the globalized world of the twentieth and twenty-first centuries.

3 Joachim Blatter, "Glocalization," in *Encyclopedia Britannica*, 22.02.2022, https://www.britannica.com/topic/glocalization [accessed 03.04.2023].

4 Norman Yoffee, *Myths of the Archaic State: Evolution of the Earliest Cities, States and Civilizations* (Cambridge: Cambridge University Press, 2005).

5 Victor Roudometof, *Glocalization: A Critical Introduction* (London: Routledge, 2016): 16.

6 Philemon Bantimaroudis, Review of *Globalization: A Critical Introduction*, by Victor Roudometof, *International Journal of Communication* 11 (2017): 728–30. This characterization has seemed especially necessary since the onset of the twenty-first century, as the influence of the concept of globalization has begun to decline in the context of the finance crisis, the dawn of new social movements, and the advance of right-wing political groups.

7 Roudometof, *Glocalization*: 10.

8 Julia Winnebeck et al., "On Asymmetrical Dependency," *Concept Paper* 1, Bonn Center for Dependency and Slavery Studies (2021): 2.

and coercion have taken over time'"[9] as a "continuum of dependency."[10] The concept of dependency, if not slavery, hitherto hardly in focus in the sequence of theoretical approaches in Inka studies since the nineteenth century and largely based on European typologies, can be used to elaborate and sharpen the characteristics and globally integrated local particularities of the Inka state beyond those models. Above all, the view of the *yanacona* (Quechua, see below) as slaves, i.e., as the most dependent and "unfree" group, long discussed, is an effect of the importation of a universal-historical and Eurocentric view into Inka society, linked to the idea of a centralized state.

One thing is clear: we are not getting anywhere with concepts and terms from a Europe-centered universal history. Some of this terminology has morphed into a trope, which shows how persistent it is: this applies in particular to concepts like modes of production or socio-economic formations, debt bondage, and serfdom, but also of power, social differentiation and the group, stranger, coercion, freedom/un-freedom, and autonomy.[11] Before we can come to a new proposal for Inka research by exploring the concepts of glocalization and dependency, we must first track down the tropes, anchoring the investigation in a critical historiography of thought about the Inka.

Therefore, this paper introduces in the second part world-system perspectives from the archaeology of the Americas, discussed since the 1970s, which came very close to "glocal" insights. This is followed by a brief introduction of the Inka state in the third part. The fourth part will continue tracking down the tropes, discussing earlier interpretations of the Inka state within a universal framework marked by concepts of "modes of production" or "socio-economic formations," whose global notions had also appeared in the later world-system perspectives. Part five offers a still wider range of approaches to the political economy of the Inka state, including those nurtured by social anthropology, and will provide another facet of the global framework, among them those that have not been continued by later research. On that basis, part six will develop the conceptualization of the Inka state as an "early state" or "fragile state." Here, the emergence of *mitimaes* (together with *yanacona*, *camayoc*, *acllacuna and mitayos* as the other main social categories of the Inka state)[12] will be explained as part of a particular moment of state consolidation and expansion. This phenomenon is the subject of part seven, followed by a case study of *mitimaes* in the Cochabamba Valley in present-day Bolivia in the eighth

9 Quoted in Winnebeck et al., "On Asymmetrical Dependency": 2.

10 David Eltis and Stanley L. Engerman, "Dependence, Servility and Coerced Labor in Time and Space," in *The Cambridge World History of Slavery*, vol. 3, *AD 1420–AD 1804*, ed. David Eltis and Stanley L. Engerman (Cambridge: Cambridge University Press, 2011): 3, quoted in Winnebeck et al., "On Asymmetrical Dependency": 2.

11 See also Christian G. De Vito, "Five Hypotheses on Dependency" (unpublished manuscript, Bonn Center for Dependency and Slavery Studies, University of Bonn, n.d.).

12 *Camayoc* were producing "specialists" on different levels of society (community and state level) and *acllacuna* were "chosen women" who also performed specialized work, above all the production of *chicha* or maize "beer" and textiles for the Inka ruler in particular settings. The *mitayos* formed rotating forced labor groups.

part. This region will be discussed as a hotspot of early glocalization, the most prominent case of mobilization of people and goods as a power strategy, and the strongest expression of dependency in the Inka state. The paper will close with the thesis that the question of strong asymmetric dependency in the Inka state can be addressed only by examining it through an interdisciplinary case study and by reconsidering and combining wrongly ignored research strands into an innovative perspective of glocalization.

2 The World-Systems Perspective in the Archaeology of the Americas

Although archaeology is not mentioned among the fields invoked by the "glocal" perspective,[13] scholars have widely recognized over the last decade that many aspects of modern globalization were also characteristic of earlier periods in history, following an initial trend in scholarship from the 1970s toward examining the glocal in precapitalist world-systems.[14] In current debates in global archaeology, the world-system still "resonates" in concepts of "world," "core," and "periphery"; one of these "worlds" was the Andes.[15] Widespread systems of economic interdependence across political boundaries are thought of as cyclical globalization processes in the Americas, as "bursts of interregional interaction were followed by balkanization."[16] But "not all of these bursts of interaction should be considered as earlier globalizations."[17]

Globalization is understood "as complex connectivity, a condition created by a dense network of intense interactions and interdependencies between disparate

13 Roudometof, *Glocalization*: 27.

14 See Tamar Hodos, ed., *The Routledge Handbook of Archaeology and Globalization* (London: Routledge, 2017); especially Jennings, "Distinguishing Past Globalizations": 12, and Sillar, "Globalization without Markets?": 229–42.

15 Alexander Geurds, "Globalization Processes as Recognized in the Americas," in *The Routledge Handbook of Archaeology and Globalization*, ed. Tamar Hodos (London: Routledge, 2017): 174.

16 Jennings, "Distinguishing Past Globalizations": 12. The term "balkanization," used by Jennings and elsewhere by Covey (R. Alan Covey, "Intermediate Elites in the Inka Heartland, A.D. 1000–1500," in *Intermediate Elites in Pre-Columbian States and Empires*, ed. Christina M. Elson and R. Alan Covey [Tucson: University of Arizona Press, 2006]: 113) and other authors should not be applied to these contexts. It is a negatively connotated term coined at the end of the nineteenth century. To this day, it is still associated with violence, primitiveness, conservatism, and patriarchies. This discourse became particularly clear during the Yugoslav wars in the 1990s and early 2000s, "when a larger context unfoundedly and in a concrete or figurative sense 'bloodily' breaks up into a thousand pieces" (see interview with Martina Baleva, "Balkan. Das vollständig Andere. Die Historikerin Martina Baleva über die Erfindung des Balkans in der Kunst des 19. Jahrhunderts," interview by Samuela Nickel, Neues Deutschland Journalismus von links, 25.09.2020, https://www.nd-aktuell.de/artikel/1142315.balkan-das-unvollstaendige-andere.html [accessed 28.01.2023] [translation is mine]).

17 Jennings, "Distinguishing Past Globalizations": 12.

people brought together through the long-distance flow of goods, ideas, and individuals."[18] Glocalization is considered an integral part of these processes,[19] one that "emphasizes the local responses" and "the ways in which broadly shared ideas, goods, and practices are modified and adapted locally to accord with local practice, customs, habits, and beliefs."[20] This cultural impact and its variations in practice were identified as an obvious gap in previous studies. Lau noted that in "trying to reconstruct the political economies crucial in complexity, [. . .] much of 'the cultural' has been underemphasized, not least in considerations of Andean South America."[21] But unlike in previous debates, little attention is now being paid to social groups, labor categories, asymmetric dependencies, or socioeconomic frameworks in general. The necessary link between political economy and cultural processes merits examination in archaeological-ethnohistorical case studies, as will be outlined in part seven for the Cochabamba Valley.

It is important to remember that although the world-systems perspective has mostly been applied to capitalist Western societies, it is relevant to all societies in the world's history and present.[22] Its "tremendous potential for theory building in the social sciences," due to its "single theoretical framework in which to analyze both Western and non-Western societies,"[23] has led to rich debate in archaeology.[24] In his introduction, Peregrine proposes "to direct attention once again to the world-system perspective," because it has hardly been discussed in archaeology, especially in relation to case studies from the Americas.[25] Wallerstein's notion is based on the world-

18 Jennings, "Distinguishing Past Globalizations": 13.

19 Tamar Hodos, "Globalization: Some Basics. An Introduction to *The Routledge Handbook of Archaeology and Globalization*," in *The Routledge Handbook of Archaeology and Globalization*, ed. Tamar Hodos (London: Routledge, 2017): 7.

20 Hodos, "Globalization": 6–7.

21 George F. Lau, "On the Horizon: Art, Valuables and Large-Scale Interaction Networks in the Ancient Andes," in *The Routledge Handbook of Archaeology and Globalization*, ed. Tamar Hodos (London: Routledge, 2017): 195.

22 Immanuel M. Wallerstein, *The Modern World-System*, Studies in Social Discontinuity (New York: Academic Press, 1976).

23 Peter N. Peregrine, "Introduction: World Systems. Theory and Archaeology," in *Pre-Columbian World Systems*, ed. Peter N. Peregrine and Gary M. Feinman (Madison, WI: Prehistory Press, 1996): 1.

24 Jane Schneider, "Was There a Precapitalist World-System?" in *Core/Periphery Relations in Precapitalist Worlds*, ed. Christopher Chase-Dunn and Thomas D. Hall (Boulder, CO: Westview Press, 1991 [1977]): 45–66; Christopher Chase-Dunn and Thomas D. Hall, eds., *Core/Periphery Relations in Precapitalist Worlds* (Boulder, CO: Westview Press, 1991); Elizabeth M. Brumfiel, ed., *The Economic Anthropology of the State* (Lanham, MD: University Press of America, 1994); Peter N. Peregrine and Gary M. Feinman, eds., *Pre-Columbian World Systems* (Madison, WI: Prehistory Press, 1996); Michael E. Smith and Frances F. Berdan, "The Postclassic Mesoamerican World System," *Current Anthropology* 41, no. 2 (2000): 283–86; Michael E. Smith and Frances F. Berdan, eds., *The Postclassic Mesoamerican World* (Salt Lake City: University of Utah Press, 2003).

25 Peregrine, "Introduction": 1.

systems perspective. This concept allows scholars "to perceive the world as a set of autonomous political units linked into larger functioning unit through economic interdependence."[26] It assumes "that social action take [sic] place in an entity within which there is an ongoing division of labour, and seeks to discover *empirically* whether such an entity is or is not unified politically or culturally, asking *theoretically* what are the consequences of the existence or non-existence of such unity."[27] The "entity" is the world-system defined only by economic interdependence, not "by any specific geographical, political, or cultural units."[28] Ultimately, the world-systems perspective "hinges on two overlapping processes – one of competition between various geographically localized populations of unequal power; the other of differentiation, division of labor, and interdependence among these same units."[29]

The constellation of hierarchized populations constantly moving within determined geographic spaces and differentiated by their specialized labor also defines the more recent concept of the "fragile state."[30] The "fragile state," like the world-system, cannot be defined by geographical, political, or cultural borders; instead, economic, political, and cultural interdependencies constitute its multilayered reality.[31] For our case study of *mitimaes* in the Cochabamba Valley, however, this perspective makes way for reconsidering the specific socio-economic relationships that formed in the context of Inka conquests and state-building processes. From a world-systems perspective, they can be interpreted as asymmetric dependencies that form part of the understanding of glocalization outlined here.[32] This includes the notion of the "fragile state" as a concept that puts the Inka state into a global framework in a way that makes it comprehensible with respect to the dialectics of "center" and "local." In order to be able to present new forms of dependency in the Cochabamba Valley that can be understood in a glocal context, we first need to give an overview of the Inka state.

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26 Peregrine, "Introduction": 1; see also Smith and Berdan, "Postclassic Mesoamerican World System": 286.

27 Wallerstein: *The Modern World-System*: 345, quoted in Peregrine, "Introduction": 2.

28 Peregrine, "Introduction": 2.

29 Schneider, "Was There a Precapitalist World-System": 20, quoted in Peregrine, "Introduction": 2.

30 Norman Yoffee, "Introducing the Conference: There Are No Innocent Terms," in *The Evolution of Fragility: Setting the Terms*, ed. Norman Yoffee (Cambridge: McDonald Institute for Archaeological Research, 2019): 1–8; Tom D. Dillehay and Steven A. Wernke, "Fragility of Vulnerable Social Institutions in Andean States," in *The Evolution of Fragility: Setting the Terms*, ed. Norman Yoffee (Cambridge: McDonald Institute for Archaeological Research, 2019): 9–23. See Darrell La Lone, "An Andean World-System. Production Transformations under the Inka Empire," in *The Economic Anthropology of the State*, ed. Elizabeth M. Brumfiel (Lanham, MD: University Press of America, 1994): 18, 21; see part six.

31 See Peregrine, "Introduction": 2.

32 Interestingly, the pre-Columbian studies from the 1990s that assumed a world-systems perspective placed little emphasis on the Andes compared to other regions of the Americas, especially Mesoamerica (see La Lone, "Andean World-System"; Peregrine and Feinman, *Pre-Columbian World Systems*). The reasons are many and varied and include competing perceptions of the Inka state in the historiography, which made applying a world-systems approach more difficult.

3 The Inka State – An Overview

The Inka state arose through expansion during the hundred years or so before the Spanish conquest of Peru beginning in 1532. How did Inka rulers manage to establish a state of such great dimensions in such a short time? The success of the Inka control system relied on a combination of three social institutions whose interlocking structures were deeply rooted in Andean communities: the *mincca*, the *ayllu*, and the *mita*.[33] The *mincca*, local "mutual aid," was inseparably linked to the *ayllu*, the basic, household-based social organization of *hatun runa* or "commoners." Almost imperceptible to the *hatun runa*, these communal structures were used by the state to construct the *mita*, a form of labor organization by rotating shifts of the heads of households, the *mitayos*, and the main source of revenue for the Inka state. While the *mincca* was carried out at local levels with the coordination of local authorities, the *mita* was coordinated by the central authorities, the Inka, mediated by local rulers.

Social relations within the *ayllu* were structured on the basis of collective land ownership and the related principle of reciprocity. Members of local communities benefited from the *mincca* in agricultural work or house construction, for example. During Inka conquests, the local *mincca* began to assume the form of the state-organized *mita* and became part of a "redistributive" economy.[34] The state needed this form of extended labor obligation through rotating community members, or *mitayos*, to expand its productive agricultural base and infrastructure (e.g., roads, road stations, warehouses, administrative centers).

The Inka succeeded in achieving a subtle balance between population, social, political, and ecological diversities by maintaining local structures while (globally) unifying them in the Andes.[35] In the diverse Andean region, with its micro-landscapes and micro-climates, local agriculture was not only practiced at a single altitude level: for example, growing maize at about 3,000 meters or potatoes in the *puna* highlands, thus encompassing the diverse ecosystems of the high Central Andes. Local communities

33 John V. Murra, *The Economic Organization of the Inka State* (Greenwich: JAI Press, 1980); Franklin Pease, *The Incas* (Lima: Fondo Editorial de la PUCP, 2011).

34 Within this constellation, redistribution and reciprocity belonged to the central mechanisms of the Inka state (on the present-day validity of the approaches of Mauss and Polanyi, see Chris Hann, "Economic Anthropology," in *The International Encyclopedia of Anthropology*, ed. Hilary Callan [Hoboken: Wiley Blackwell, 2018]: 14). However, redistribution and reciprocity aimed to maintain a supposedly homogeneous power structure between the global (central) and the local in the Inka state, at least on a symbolic level; thus, it is still difficult to distinguish the associated structures of asymmetric dependencies.

35 Murra, *Inka State*; see Karoline Noack, "Die Staatsstruktur der Inka," in *Könige der Anden. Große Landesausstellung Baden-Württemberg im Linden-Museum Stuttgart vom 12. Oktober 2013 bis 16. März 2014*, ed. Inés Castro and Doris Kurella (Darmstadt: Wissenschaftliche Buchgesellschaft, 2013): 140–52.

controlled several vertical levels by establishing permanent colonies or "archipelagos"[36] in order to obtain a wider range of agricultural products. These levels were often inhabited by *mitimaes* or "colonists" of different origins[37] and different "classes."[38] Although social organizations such as *ayllus* and *mita* were retained in principle under Inka rule, new relationships of dependency were created in the course of state consolidation and integration – one of the most important being the institution of *mitimaes*. Inka rulers "globalized" this institution by systematically resettling families, groups, or even entire communities to new, strategic locations that became hotspots of state formation.

The *mitimaes* were decisive in expanding the productive base of the Inka state, with its growing need for storable goods such as maize. Therefore, the institution is an appropriate example for questioning the encounter between mobilized, uprooted, local groups and new, globalized modes of asymmetric dependency. In particular, I examine to what extent the asymmetric dependencies to which *mitimaes* were subject can be considered as *glocal*, mainly because *mitimaes* came from different origins with different identities and material cultures and experienced new modes of dependency. This will enable us to examine the broader question about the glocal framework of institutionalized asymmetric social dependency.

The increasing demands that Inka rulers placed on laborers to produce, store, and transport maize was a central element in state-building and found its most remarkable expression in Cochabamba in present-day Bolivia, close to the eastern slopes of the Andes. After the original population of Cochabamba was completely displaced, around 14,000 laborers were recruited to produce a huge surplus of maize, which was stored in around 4,000 granaries (*qollqas*). In no other region of the Inka state were so many storage buildings erected. The Inka administration altered access to resources, modified patterns of cultivable land ownership by establishing farms owned by the state or by individual rulers, and changed the succession of central leadership and the configuration of fragmented political elites.[39] But it remains far from clear who the laborers were, including whether they were all *mitimaes*. It is also unknown to what extent they can be distinguished from other dependent groups, above all from *mitayos* or *yana* (plural *yanacona*); the latter term is frequently translated as "slave" or "servant" and refers to individuals in a relationship of extreme personal dependency to a ruler.[40]

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36 John V. Murra, *Formaciones económicas y políticas del mundo andino* (Lima: Instituto de Estudios Peruanos, 1975).

37 Murra, *Formaciones económicas y políticas*: 59–115.

38 Within "classes," Pease differentiates between *mitimaes* sent by the Inka and "ethnic entities." Franklin Pease, "La formación del Tawantinsuyu: mecanismos de colonización y relación con las unidades etnicas," *Histórica* 3, no. 1 (1979): 103.

39 Murra, *Inka State*; Pease, *The Incas*.

40 See Karoline Noack, "'. . . los mitimaes temían a los naturales y los naturales a los mitimaes': políticas de reasentamiento y la construcción de la diferencia en el Estado inca," *Surandino Monográfico*, no. 4 (2018): 23–38. When the Spanish chronicles mention conquered and resettled peoples, they group

The expansion of Tawantinsuyu and the associated restructuring of economic and political relationships shortly before the Spanish conquest led to striking asymmetries of dependency. The transformations were part of pre-Hispanic globalization processes in the Andes that can be observed beginning in the Middle Horizon (AD 700–1000) and culminating in the Inka state.[41] But, as noted previously, the history of thought about the Inka state in terms of globalization pre-dates recent approaches that adopt a world-systems perspective from world archaeology.[42] The global or glocal frameworks within which scholars previously interpreted the Inka state were very different. Since these approaches affected and still affect our understanding of strong asymmetric relations of dependency, their history must first be outlined. Various concepts that have been used to describe the Inka state since the nineteenth century and their connotations still echo in more recent approaches. Only after considering them we can address the question of how to define and analyze space- and time-specific dependency relationships as part of multidimensional interactions between the global and the local, like those in the Cochabamba Valley.

4 Early Thinking about the Inka State in a Global Framework

Discourse about the Inka state, like those about other historical states, was first examined in a global framework of social evolution and development processes in the nineteenth century. Marxist concepts of political economy, such as "socio-economic formations" or "modes of production," served and still serve as a "model for a new universal or global history."[43] This Marxist model had significant repercussions when applied to the Inka state, as demonstrated in the ongoing world-systems debate.[44] It is still fruitful because it makes clear that asymmetric dependencies are "embedded" in modes of production and in the reproduction of society as a whole.[45] But the early debate in particular also suggests that forms of asymmetrical dependency are different in each "mode of production," or that a certain form of dependency is associated with each production method.

together persons of high socio-political status and others of low status under the general term *mitimaes*. Even if the different status categories overlapped in pre-Hispanic times, it can be assumed the terms referring to them underwent further changes under colonial influence in the sixteenth century, the period from which the earliest written sources about the Inka state originate (Murra, *Formaciones económicas y políticas*: 232–33).

41 See Lau, "On the Horizon."

42 See Geurds, "Globalization Processes."

43 Hann, "Economic Anthropology": 5.

44 See La Lone, "Andean World-System."

45 On the interrelation of production and reproduction, see Claude Meillassoux, *Anthropologie der Sklaverei* (Frankfurt am Main: Campus Verlag, 1989): 317–21.

The "modes of production" debate is directly connected to the category of *yana* (plural *yanacona*), "slave; servant," and its role and significance. According to Murra,[46] the dispute about the *yanacona* is as old as modern anthropology of the Inka state. It is remarkable that these debates have taken place in different academic fields, sometimes related to each other and sometimes not, and in global contexts. Since the early twentieth century, they have involved scholars from Germany (including both German states between 1949 and 1990), France, Peru,[47] the Soviet Union, the US, and Mexico.[48] According to Karl Marx,[49] the Inka represented a "natural community" (*naturwüchsiges Gemeinwesen*) or an "artificially developed communism" (*künstlich entwickelter Kommunismus*),[50] an idea that Heinrich Cunow also pursued in his first "ethnographic" studies on the Inka.[51] However, Rosa Luxemburg's argument for the Inka ruler as a "benevolent despot" and for "oriental despotism" as a global and necessary form of political organization at a certain stage of societal development[52] recalls a discourse persistent in European thought since antiquity.[53] According to this discourse, "Oriental despotism was one of the most influential ways of interpreting Asian society and politics in the eighteenth and nineteenth centuries,"[54] a statement which was and still is true for the Inka state as well.[55]

46 Murra, *Formaciones económicas y políticas*: 226.

47 In Peru from the 1920s up to the end of the 1980s especially, with a peak in the 1960s and 1970s.

48 See, e.g., Pedro Carrasco, "Comment on Offner," *American Antiquity* 46, no. 1 (1981): 62–68; Hans Neumann, "Ethnographie und (Alt-)Orientalistik. Irmgard Sellnow und die Periodisierung der frühen 'Weltgeschichte'," in *Ethnologie als Ethnographie: Interdisziplinarität, Transnationalität und Netzwerke der Disziplin in der DDR*, ed. Ingrid Kreide et al. (forthcoming). This is far from complete, and completeness is not intended here.

49 Karl Marx, *Das Kapital: Kritik der Politischen Ökonomie*, vol. 1 (Berlin: Dietz Verlag, 1966 [1890]): 102; and Karl Marx, *Das Kapital: Kritik der Politischen Ökonomie*, vol. 3 (Berlin: Dietz Verlag, 1966 [1894]): 884.

50 In contrast to Marx, many prestigious European authors and travelers during the nineteenth century questioned the "Peruvian" origin of the supposed founder of the Inka realm, Manco Capac, and searched for his origins instead in China, Armenia, Egypt, and among the Hebrews. Alexander von Humboldt also thought that the possible origin of the Inka was in the "Orient" (Mark Thurner, *History's Peru: The Poetics of Colonial and Postcolonial Historiography* [Gainesville: University Press of Florida, 2012]: 102–3).

51 Murra, *Formaciones económicas y políticas*: 296–97.

52 Rosa Luxemburg, *Gesammelte Werke*, vol. 5, *Ökonomische Schriften* (Berlin: Dietz, 1975); see Karoline Noack, "Buscando un Inca de aquí y de allá. Los incas de nuestro tiempo, Alemania y Lima, Perú," in *Perspectives on the Inca: International Symposium from March 3rd to March 5th, 2014*, ed. Inés de Castro et al. (Stuttgart: Linden-Museum, 2015): 18.

53 On the concept of "oriental despotism," which has its origins in the writings of Aristotle and Montesquieu, see Chen Tzoref-Ashkenazi, "Romantic Attitudes toward Oriental Despotism," *Journal of Modern History* 85, no. 2 (2013): 280–320.

54 Tzoref-Ashkenazi, "Romantic Attitudes": 281.

55 On the continuity of this discourse to the present, see Noack, "Buscando un Inca." Urs Willmann, "Die Schule der Diktatoren: Eine Ausstellung in Stuttgart zeigt die Pracht des Inkastaats – und wie die Despoten ihr Reich regierten" [An Exhibition in Stuttgart Shows the Magnificence of the Inka State – and How the Despots Ruled Their Empire], Die Zeit Online, Zeit Wissen, 02.10.2013, https://www.zeit.de/2013/41/ausstellung-peru-inka [accessed 29.01.2023].

Oriental despotism (or, alternatively, totalitarianism) has not been considered a "mode of production," but instead a form of government that could rule a "communist" (Marx), a "socialist,"[56] or even a slave-holding society.[57]

Aristotle's idea that in a despotic state, the "relationship between ruler and subjects resembled that between master and slaves"[58] brings us to the heart of a long-lasting debate that was ongoing in Peru from the 1950s through the early 1980s, with occasional influence from Soviet contributions.[59] The debate, which aside from a few exceptions like Espinoza Soriano largely lacked empirical grounding, questioned modes of production and with them the essence of asymmetric dependencies in the Inka state: did slaves exist? Were *yanacona* slaves? Was the Inka state a despotic, slave-holding society, as in the model favored by Emilio Choy,[60] Waldemar Espinoza Soriano,[61] Yuri Zubritski,[62] as well as Carlos Núñez Añavitarte[63] and Julio Valdivia Carrasco,[64] although the latter discussed only a slave society, not despotism?[65]

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56 Heinrich Cunow, *Die soziale Verfassung des Inkareichs: Eine Untersuchung des altperuanischen Agrarkommunismus* (Stuttgart: J.H.W. Dietz, 1896); Louis Baudin, *L'Empire socialiste des Inka*, Travaux et Mémoires de l'Institut d'Ethnologie (Paris: Institut d'Ethnologie, 1928); Louis Baudin, *Essais sur le Socialisme*, vol. 1, *Les Incas du Pérou* (Paris: Librairie de Médicis, 1944); Louis Baudin, *Die Inka von Peru* (Essen: Dr. Hans v. Chamier, 1947); Louis Baudin, *Der sozialistische Staat der Inka*, Rowohlts Deutsche Enzyklopädie (Hamburg: Rowohlt, 1956); Louis Baudin, *El Imperio Socialista de los Incas* (Santiago: Editorial Zig-Zag, 1978); Oscar Martens, *Ein sozialistischer Grossstaat vor 400 Jahren: Die geschichtliche, soziale und politische Grundlage des Reiches Tahuantinsuyu des Staatswesens der Incas, auf dem südamerikanischen Hochlande* (Berlin: Verlag von Emil Streisand, 1905); Rafael Karsten, *A Totalitarian State of the Past: The Civilization of the Inca Empire in Ancient Peru* (Helsinki: Ejnar Munksgaard Forlag, 1949); José Antonio Arze, *Fué socialista o comunista el imperio inkaiko?* (Bogotá: Argra, 1958); Hans-Gert Braun, "Die Planwirtschaften der Inkas und der Sowjetunion im Vergleich," *Wechselwirkungen, Jahrbuch aus Lehre und Forschung der Universität Stuttgart* (2004): 31–39; (cf. questioning the "socialist" character of the Inka) Hermann Trimborn, "El Socialismo en el Imperio de los Incas," *Sociedad Española de Antropología, Etnografía y Prehistoria. Actas y Memorias* 13 (1934): 235–38.

57 Emilio Choy, "Estructuras de Amortiguación y Lucha de Clases en el Sistema Esclavista Incaico," in *Atti del XL Congresso Internazionale degli Americanisti, Roma-Genova, 3–10 settembre 1972* (Genoa: Tilgher, 1973): 511–14; Waldemar Espinoza Soriano, *Los Modos de Producción en el Imperio de los Incas* (Lima: Editorial Mantaro, 1978); Yuri Zubritski, *Los Incas-Quechuas* (Moscow: Editorial Progreso, 1979); Carlos Núñez Añavitarte, "Carácter Esclavista-Patriarcal de la Moral Inca," *Revista Universitaria* 47, no. 115 (1958): 117–36; Julio Valdivia Carrasco, *El Imperio Esclavista de los Inkas* (Lima: Editorial e Imprenta Desa S.A., 1988).

58 Tzoref-Ashkenazi, "Romantic Attitudes": 285.

59 I.e., Zubritski, *Incas-Quechuas*.

60 Choy, "Sistema Esclavista Incaico."

61 Espinoza Soriano, *Los Modos de Producción*.

62 Zubritski, *Incas-Quechuas*.

63 Núñez Añavitarte, "Carácter Esclavista-Patriarcal."

64 Valdivia Carrasco, *Imperio Esclavista*.

65 The Peruvian historian Francisco Quiroz Chueca recalls that the parallel, bigger debate that accompanied the question of slaveholding in the Inka state was about the capitalist character of Latin American and of Peruvian societies in particular (personal communication, August 3, 2020).

The figure of the Inka "despot" connects to the topos of the "tyrant," which was first constructed immediately after the conquest by the anti-Inka faction of Spanish politics led by Viceroy Francisco de Toledo (1515–1582). This topos has nurtured ideas of an authoritarian Inka state, which gradually entered the nineteenth-century framework of political economy and its theories, including the notion of despotism. In theories connected to tyranny, too, the institution of *mitimaes* was imagined as the most restrictive in terms of individual "freedom" and was considered an important priority within the Inka state's integrated infrastructure, which consisted of administration centers and communication networks.[66] In fact, even in this early thinking, *mitimaes* were thought, like the *yanacona*, to be a fundamental institution integrated into the Inka state and one of the main actors in society, especially during state expansion and formation.[67]

Ultimately, all these debates have narrowed our view of Inka society. Generally, the "paradigm as a whole was considered too deterministic; for example, while the term 'slavery' might well have its uses, it was wrong to consider slavery as a stage in a general model of human evolution."[68] In the course of this paper, I will examine to what extent a general and theoretically based perspective of an "anthropology of slavery" (Claude Meillassoux) can stimulate new research about Inka society.[69]

5 Political Economy and the Social Structures of the Inka State – State of the Research

In the past forty years, considerable changes have transformed Inka studies. New approaches, which will be discussed here briefly, correlate with advances made by John H. Rowe and John V. Murra as early as the 1960s and up to the 1980s,[70] and more

66 See Jeremy Ravi Mumford, *Vertical Empire: The General Resettlement of Indians in the Colonial Andes* (Durham, NC: Duke University Press, 2012): 109, 180.

67 Emilio Choy, *Antropología e Historia* (Lima: Universidad Nacional Mayor de San Marcos, 1979): 241–44. The question was how to distinguish these categories and in what way they could be understood as "slaves" (Heinrich Cunow, "Die altperuanischen Dorf- und Markgenossenschaften," *Das Ausland: Wochenschrift für Erd- und Völkerkunde* 63 [1890]: 821–25, 853–56, 872–878; Cunow, *Die soziale Verfassung des Inkareichs*; Martens, *Ein sozialistischer Grossstaat*; Hermann Trimborn, "Die Gliederung der Stände im Inka-Reich," *Journal de la Société des Américanistes* 19 [1927]: 303–44; Zubritski, *Incas-Quechuas)*.

68 Hann, "Economic Anthropology": 3.

69 Meillassoux considers research problematic when its starting point is the definition, including the legal one (which he describes as ideological fiction) of the slave, and not the social system in which slavery existed. Meillassoux, *Anthropologie der Sklaverei*: 11–12.

70 See Murra, *Inka State*; John Rowe, "Inca Policies and Institutions Relating to the Cultural Unification of the Empire," in *The Inca and Aztec States, 1400–1800: Anthropology and History*, ed. George A. Collier, Renato I. Rosaldo and John D. Wirth (New York: Academic Press, 1982): 93–118.

recently by Catherine Julien.[71] They encouraged us to see the pre-Hispanic past in terms of social history and to view its main social categories (*mitimaes*, *yanacona*, *camayoc*,[72] and *mitayos*) not only as structural and stable sociological types constituting society, but as historically evolving and transforming social groups, which may also have implied different dependency relationships over time. The idea of a *sui-generis* Inka society, a legacy of earlier debates, demonstrates its long-term impact in the concept of the "Andean world" (*mundo andino*), a geographic term that was converted into a historical, anthropological, archaeological, and sociological concept in the 1980s and has dominated Andean ethnohistory ever since. With Murra's popularization of the use of the term "Andean," which resulted from the connection between the pre-Hispanic and continuities into the present, he gave it "a clear political content which today we could call a 'subaltern agenda'."[73] For "Murra, the term 'Andean' emphasizes the study of those structural and organizational forms in which the continuous struggle of indigenous peoples to preserve their own culture, which does not lose its unity and coherence despite an evident syncretism, is constantly reworked. It was for Murra an eminently political slogan."[74]

Reflecting concerns in the 1940s "with divining the right 'mode of production' to describe the Inka,"[75] US scholars raised another possibility for interpreting the Inka context, namely a "feudal" mode of production.[76] The *Handbook of South American Indians*, with the still-classic article by John H. Rowe[77] on Inka culture at the time of the Spanish conquest, paved the way to a new phase of research. Rowe became one of the most important authorities in Peruvian studies, one who combined "the fields of archaeology, history, ethnography, art, linguistics and intellectual history."[78] When Murra retracted his former characterization of the Inka state as "feudal" ten years later in his 1956 dissertation,[79] he also introduced into Inka research new approaches

71 Catherine J. Julien, *Reading Inca History* (Iowa City: University of Iowa Press, 2000).

72 Rowe, "Inca Policies and Institutions."

73 Enrique Mayer, *Casa, chacra y dinero: Economías domésticas y ecología en los Andes* (Lima: Instituto de Estudios Peruanos, 2004): 71 [translation is mine].

74 Mayer, *Casa, chacra y dinero*: 71; [translation is mine]. About the notion of the Andean in Latin American Scholarship, see Friedhelm Schmidt-Welle, "Lo andino en la crítica cultural latinoamericana de los años setenta y ochenta del siglo XX," *Revista de Estudios Hispánicos* 55, no. 3 (2021): 633–48.

75 John V. Murra and John Howland Rowe, "An Interview with John V. Murra," *Hispanic American Historical Review* 64, no. 4 (1984): 640–41.

76 John V. Murra, "The Historic Tribes of Ecuador," in *Handbook of South American Indians*, vol. 2, ed. Julian Haynes Steward (Washington, DC: Government Print Office, 1946): 785–822.

77 John H. Rowe, "Inca Culture at the Time of the Spanish Conquest," in *Handbook of South American Indians*, vol. 2, ed. Julian Haynes Steward (Washington, DC: Government Print Office, 1946): 183–330.

78 Kathleen Maclay, "John Rowe, Authority on Peruvian Archaeology, Dies at 85," UC Berkeley News, May 7, 2004, https://www.berkeley.edu/news/media/releases/2004/05/07_rowe.shtml [accessed January 29, 2023].

79 Murra and Rowe, "Interview with John V. Murra": 641.

to fieldwork, drawing on research from British social anthropology on African kingdoms. The most refreshing, creative, and productive epoch of "Andean studies" had begun, abandoning one of the tropes – "feudal" mode of production – and expanding the global approach.

This era lasted for at least half a century: "If one wanted to understand precapitalist, preliterate polities in all parts of the world, which indeed motivated my study of the Inka state, one had to ask new questions and take account of the new data from outside the American continent."[80] Answers to these new questions could be found in the sources that scholars had begun exploring in the late 1950s, namely Spanish colonial visitation reports or *visitas*.[81] In combination with chronicles and testimonies from eyewitnesses at the time, these texts offered a totally new vision of Andean society, albeit still based on "socio-economic formations" at the community level in relation to the state, the "fabrication" of ethnic identities in the course of Inka conquests,[82] and everyday life in political units, including the question of pre-Hispanic slaves in the Inka state and during pre-Inka periods. This latter question still cannot elicit as clear an answer as it seeks. What is clear, however, is that slavery or other forms of strong asymmetric dependency cannot be limited to the institution of *yanacona*, as the social realities were too complex to be able to separate the deeply rooted social categories of the Inka state.[83] Despite the new thinking within a global approach and anthropological perspectives, Murra did not give up the modes of production or socio-economic formations trope; the conflation of each mode of production with one labor relation is still visible.[84] Therefore, it is necessary to look for another approach that focuses more on the specific and changing contextual conditions of the constitution of the Inka state. As will be seen, mobilization is a concept that opposes the separation of social categories in the analysis and that focuses much more "dependency" in the context of the Inka as a "fragile state" (see part six below).

The concept of socio-economic formations echoes in Murra's and his colleagues' scholarly production.[85] Murra's findings about *mitimaes* as integrated into the Inka model of vertical control of a maximum ecological range makes clear that the institution was deeply rooted in Andean socioeconomic organization, at both the community

80 Murra and Rowe, "Interview with John V. Murra."

81 Franklin Pease, *Del Tawantinsuyu a la historia del Perú* (Lima: Instituto de Estudios Peruanos, 1978).

82 Pease, "La formación del Tawantinsuyu."

83 Murra emphasized that if one wants to assume that the *yanacona*, about whom we know very little, were slaves, one must estimate their percentage of the total population. His considerations bring him to a proportion of 2–3%. Even if one assumes that these 2–3% of servants were slaves, Murra (*Formaciones económicas y políticas*: 226, 234, 235) wondered, does this transform a society into a slaveholding society?

84 De Vito, "Five Hypotheses on Dependency": 10.

85 Murra, *Formaciones económicas y políticas*; Murra, *Inka State*.

and wider political levels.[86] The advances in Inka studies proposed by Rowe, Murra, Franklin Pease, and Julien, among others, bridge between approaches from the nineteenth and twentieth centuries on the one hand and newer ones established since the 1980s on the other, the latter deriving principally from archaeology and reflecting a renewed framework of political economy.

Yet, despite this new view of Inka society, we are still missing a new analytical focus on the socioeconomic groups of *mitimaes*, *yanacona*, *camayoc*, and *mitayos*, one that addresses labor expropriation for the state like the discussions previously elaborated by Rowe and Murra. Although these groups are mentioned, listed, and described in newer archaeological studies,[87] their entanglement with each other and with the whole social, economic, and political structural framework of the Inka state is still unclear. Rowe has already noted that, as the only written sources at our disposal are colonial Spanish documents, the "incomplete information creates difficulties in interpretation."[88] Rowe's recommendation that "it is best to leave the problem as a subject for further research"[89] is just as valid today as it was then. Our planned research project on *mitimaes* in the Cochabamba Valley will allow us to draw new conclusions from an archaeological and ethnohistorical interlinked case study.

The new approaches to analyze the pre-Hispanic past in terms of social history derived principally from archaeology. These demonstrated that Inka history was not only an endeavor of the last three rulers before Spanish conquest, as the Inka state had been under construction for a long time.[90] At the same time, Inka archaeology has become "provincialized." On the basis of profound archaeological research in the "imperial heartland,"[91] as well as in its periphery, researchers have discovered that

86 Murra, *Formaciones económicas y políticas*, 59–115; Pease, "La formación del Tawantinsuyu": 100; see Noack, "'. . . los mitimaes temían a los naturales.'"

87 "The lives of estate laborers are not as clear in the documentary research available. The Cheqoq Archaeological Project's (CHAP) valuable contribution is a detailed and systematic archaeological study of estate laborers and administrators and its application to larger regional patterns of economic development." Kylie E. Quave, *Labor and Domestic Economy on the Royal Estate in the Inka Imperial Heartland (Maras, Cuzco, Peru)* (Dallas: Southern Methodist University, 2012): 6.

88 Rowe, "Inca Policies and Institutions": 97.

89 Rowe, "Inca Policies and Institutions": 97.

90 Thus, Rowe ("Inca Policies and Institutions": 111) claimed that the "formation of the Inca Empire and the policies and institutions by which it was governed were effectively the work of only three successive rulers: Pachacuti (also called Inga Yupangui), Topa Inga, and Guayna Capac." Covey points out that Rowe's model ignores the importance of Inka development in the greater Cusco region (R. Alan Covey, "A Processual Study of Inka State Formation," *Journal of Anthropological Archaeology* 22, no. 4 [2003]: 333–57), painting an image of a village-turned-empire under a charismatic ruler (Quave, *Labor and Domestic Economy*: 73).

91 Brian S. Bauer, *Ancient Cuzco: Heartland of the Inca* (Austin: University of Texas Press, 2004).

the "deep history" of the Inka state is connected to the "Wari tradition of statecraft."[92] In the terms of simultaneously emerging world-systems, discussed in the next part, this means that the two "globalizing periods," Wari and Inka, were interlinked,[93] as well as those of Tiwanaku and the Inka.[94] Archaeological research on the Inka from a provincial perspective has concentrated on selected regions, such as the Huanca or Mantaro valleys,[95] the Titicaca region in Bolivia and Peru, southern Peru in general,[96] the provincial perspective *within* the "heartland,"[97] or even "household-level and site-based non-palace contexts," as in the case of Quave.[98]

The structural links, e.g., in terms of dependency relationships between the Wari and Inka states, that are important in explaining the rapid rise of the Inka have also been studied in archaeology. For instance, Covey draws attention to Pikillaqta, a large archaeological Wari site south of Cusco that was probably constructed with the labor of Wari colonists (i.e., *mitimaes*) and local populations in the Cusco region.[99] Bill Sillar, Emily Dean, and Amelia Pérez Trujillo studied "labor camps" in Raqchi, an

92 R. Alan Covey, *How the Incas Built Their Heartland: State Formation and the Innovation of Imperial Strategies in the Sacred Valley, Peru* (Ann Arbor: University of Michigan Press, 2010): 5, 7–8; Sillar, "Globalization without Markets?": 234.

93 Lau, "On the Horizon": 194.

94 In an earlier article, Isbell and Schreiber discussed the question of whether Wari was a state (William H. Isbell and Katharina J. Schreiber, "Was Huari a State?" *American Antiquity* 43, no. 3 [1978]: 372–89). Sillar describes Wari as an empire of the Middle Horizon, contrasting it with the Tiwanaku "culture" that had the "multi-ethnic city" (John Wayne Janusek, *Identity and Power in the Ancient Andes: Tiwanaku Cities through Time*, Critical Perspectives in Identity, Memory, and the Built Environment [New York: Routledge, 2004]: 404–30) of the same name as its center (Sillar, "Globalization without Markets?": 231–33; Janusek, *Identity and Power*, quoted Isbell and Schreiber, "Was Huari a State": 233). While "the Wari exploited the labour of conquered groups for agricultural production" (Katharina Schreiber, "The Wari Empire of Middle Horizon Peru. The Epistemological Challenge of Documenting an Empire Without Documentary Evidence," in *Empires: Perspectives from Archaeology and History*, ed. Susan E. Alcock [Cambridge: Cambridge University Press, 2001]: 70–92, quoted in Sillar, "Globalization without Markets?": 233), "the city of Tiwanaku supplemented its own *puna* area resources by establishing 'colonies' or diaspora communities" (Sillar, "Globalization without Markets?": 233). Both Wari and Tiwanaku were important predecessors of the Inka state.

95 Terence N. D'Altroy and Timothy K. Earle, "Staple Finance, Wealth Finance, and Storage in the Inka Political Economy," *Current Anthropology* 26, no. 2 (1985): 187–206; Terence N. D'Altroy, *The Incas* (Oxford: Blackwell, 2002).

96 Catherine J. Julien, *Hatunqolla: A View of Inca Rule from the Lake Titicaca Region* (Berkley: University of California Press, 1983); Charles Stanish, *Post-Tiwanaku Regional Economies in the Otora Valley, Southern Peru* (Chicago: University of Chicago Press, 1985); Charles Stanish, "Nonmarket Imperialism in the Prehispanic Americas: The Inka Occupation of the Titicaca Basin," *Latin American Antiquity* 8, no. 3 (1997): 195–216; Charles Stanish, "Regional Research on the Inca," *Journal of Archaeological Research* 9, no. 3 (2001): 213–41; Charles Stanish, *Ancient Titicaca: The Evolution of Complex Society in Southern Peru and Northern Bolivia* (Berkeley: University of California Press, 2003).

97 Covey, *Incas Built Their Heartland*.

98 Quave, *Labor and Domestic Economy*: 3.

99 Covey, *Incas Built Their Heartland*: 7.

important Inka sanctuary and former Wari site south of Cusco.[100] Following Covey, Quave[101] suggests an analogy to the Inka state "in the pre-Inka states," including with respect to *mitimaes*. In addition, before it was established as an Inka enclave, Cochabamba was already a Tiwanaku colony or diasporic community settled by *mitimaes* during the Middle Horizon.[102]

The conclusions that can be drawn from these findings suggest a strong connection between the emergence, formation, and consolidation of the state through conquest, first by the Wari and then by the Inka state, that paved the way for globalizing periods and structures. One such structure was the appearance and dissemination of state-institutionalized *mitimaes* to reinforce state-building efforts. A range of studies on Inka state formation in the context of political economy indicates that *mitimaes* especially were involved in these contexts.[103] Most approaches from the 1980s through today can be situated within the heterogeneous field of economic anthropology. They focus on political economy as a framework, as well as on state ideology and control and on the concept of energy (coming from ecological anthropology). They also combine an emphasis on state-building and surplus production of goods by *mitimaes* with concepts of staple and wealth finance and the conversion of a staple economy into a wealth economy.[104]

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100 The suggestion "that the capture of these Wari and Tiwanaku sites and their development as Inka cult sites contributed to the motivation for, and justification of, Inka expansion" (Bill Sillar, Emily Dean, and Amelia Pérez Trujillo, "My State or Yours? Wari 'Labor Camps' and the Inka Cult of Viracocha at Raqchi, Cuzco, Peru," *Latin American Antiquity* 24, no. 1 [2013]: 23) is very inspiring. Nevertheless, the assumption "that the restricted movement and rigid organization of the enclosures at Raqchi, Pikillacta, and Azangaro echo the labor camps that the Allies, Germans, and Japanese all used to coerce labor from prisoners during the Second World War" (Sillar, Dean, and Trujillo, "My State or Yours?": 43) must be rejected as an unacceptable, even dangerous, historical comparison.

101 Quave, *Labor and Domestic Economy*: 51.

102 Covey, *Incas Built Their Heartland*: 192; Janusek and Kolata (John Wayne Janusek and Alan L. Kolata, "Top-Down or Bottom-Up: Rural Settlement and Raised Field Agriculture in the Lake Titicaca Basin, Bolivia," *Journal of Anthropological Archaeology* 23 [2004]: 423) compared another Tiwanaku colony, Moquegua, with the enclaves of *mitimaes* during the Inka Horizon (Quave, *Labor and Domestic Economy*: 51).

103 E.g., D'Altroy and Earle, "Inka Political Economy": 190; Terence D'Altroy, "Public and Private Economy in the Inka Empire," in *The Economic Anthropology of the State*, ed. Elizabeth M. Brumfiel, Monographs in Economic Anthropology 11 (Lanham, MD: University Press of America, 1994): 191, 205; Terry Y. LeVine, "The Study of Storage Systems. Introduction," in *Inka Storage Systems*, ed. Terry Y. LeVine (Norman: University of Oklahoma Press, 1992): 17; La Lone, "Andean World-System": 23, 30; Ana María Lorandi, "El Control del Estado en las Fronteras del Imperio. Los Mitimaes y la Alteración de las Estructuras Étnicas Originarias," in *La Arqueología y la Etnohistoria: Un Encuentro Andino*, ed. John R. Topic (Lima: Instituto de Estudios Peruanos, 2009): 320; Covey, *Incas Built Their Heartland*: 50.

104 D'Altroy and Earle, "Inka Political Economy"; R. Alan Covey, "Intermediate Elites in the Inka Heartland, A.D. 1000–1500," in *Intermediate Elites in Pre-Columbian States and Empires*, ed. Christina M. Elson and R. Alan Covey (Tucson: University of Arizona Press, 2006): 112–35, quoted in Quave, *Labor and Domestic Economy*: 352. The market versus non-market discussion must be mentioned but cannot be further elaborated here (see in anthropology John V. Murra, *La organización económica del*

Within that context, Terence N. D'Altroy and Timothy K. Earle have suggested that *mobilization* could be a key concept to describe the Inka state, thus contributing to a debate over "redistributive versus mobilization economy."[105] They proposed

> that *mobilization* more accurately describes the system of finance used to obtain goods from both the subsistence producers and the local elites than does the more general term redistribution. [. . .] In most current analyses of the Inka political economy, the costs and economic constraints of such mass mobilization of goods are often overlooked.[106]

The central problem was to control "the economy and hence the dependent population," with one consequence being the importance of storage.[107] While they make no further mention of social dependency, nor do they analyze the term, both authors stress the mobilization of goods – which makes sense within the concept of staple and wealth finance. It is my intention here to connect "mobilization" with dependency and therefore with the institution of *mitimaes* as a form of strong asymmetric dependency, despite the fact that this institution possibly provided privileges. That is, I would like to interpret mobilization *as* dependency[108] (see part seven below) within the concept of the "fragile state," as will be discussed in the following part of this article.

6 The Inka State as a "Fragile State"

From the 2000s, approaches to ancient states have concentrated on more general questions regarding historically and empirically informed state-building processes in global history, with the idea that a number of case studies can provide characteristics for modelling state-building processes in general. As a result, the models of an "early state" or a "fragile state" emerged.[109] Interestingly, in the volume *On the Evolution of Fragility*,[110]

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estado Inca, trans. Daniel R. Wagner [Mexico City: Siglo Veintiuno, 1978]; Roswith Hartmann, "Märkte im alten Peru" [Phd diss., Rheinische Friedrich-Wilhelms-Universität Bonn, 1968]; in archaeology, Arthur A. Demarest and Geoffrey W. Conrad, eds., *Ideology and Pre-Columbian Civilizations*, School of American Research Advanced Seminar [Santa Fe, NM: School of American Research Press, 1992]; Charles Stanish, *Ancient Andean Political Economy* [Austin: University of Texas Press, 1992]; LeVine, "Introduction"; D'Altroy and Earle, "Inka Political Economy"; Quave, *Labor and Domestic Economy*; Sillar, "Globalization without Markets?").

105 D'Altroy and Earle, "Inka Political Economy."

106 D'Altroy and Earle, "Inka Political Economy": 190.

107 D'Altroy and Earle, "Inka Political Economy": 192.

108 It is important to understand mobilization in distinction to mobility in order to make the connection to dependency clearer. See part seven.

109 Yoffee, *Myths of the Archaic State*; Yoffee, "Introducing the Conference"; Dillehay and Wernke, "Vulnerable Social Institutions."

110 Norman Yoffee, ed., *The Evolution of Fragility: Setting the Terms* (Cambridge: McDonald Institute for Archaeological Research, 2019).

authors writing about regions such as East Africa, Afro-Eurasia, and the Indian Ocean stress the concept of the world-system, but those referring to the Americas do not.[111] As mentioned previously, I refer to the concepts of "fragility" and "vulnerability" because they present an opportunity to reconsider socioeconomic relationships as asymmetric dependencies from a *glocalized* world-systems perspective. These terms will be explicated in following.

Today, it is unanimously recognized that Tawantinsuyu was a state that grew rapidly through conquest[112] and whose dynamics were interrupted by the Spanish conquest. But what is new about the concept of the Inka state as "fragile" is that Tawantinsuyu was a conquest state itself. Little by little, Tawantinsuyu comprised a "wide range of socio-political orders," within which a centralized state was only one actor.[113] Even if its "institutions and high-ranking rulers may have claimed absolute authority [. . .], in large parts of the territory of the Inka empire only outposts of the state existed."[114] Therefore, the Inka state can be imagined as "a vast fractal political landscape" that integrated different polities. While Inka core territories and outposts included dispersed administrative centers, *tambos* (road stations), roads, sanctuaries, agricultural terraces, aqueducts, and canal networks, the extremely diverse social organizations in the Andes were frequently stateless communities based on kin relations.[115] This corresponds to the success of the Inka, which implied basically the structures of kin-based Andean communities, *mincca* and *ayllu*, which enabled the state *mita*.[116]

These different, yet integrated societies[117] with a "conciliar political organization"[118] were connected through the mobilization of people for labor extraction and goods to fulfil obligations of reciprocity between them, with the Inka state as its core.

111 E.g., Patricia A. McAnany, "Fragile Authority in Monumental Time. Political Experimental in the Classic Maya Lowlands," in *The Evolution of Fragility: Setting the Terms*, ed. Norman Yoffee (Cambridge: McDonald Institute for Archaeological Research, 2019): 47–59 on the Classic Maya lowlands; Dillehay and Wernke, "Vulnerable Social Institutions" on Andean states.

112 Pease, *Del Tawantinsuyu a la historia del Perú*; Pease, "La formación del Tawantinsuyu": 110.

113 Dillehay and Wernke, "Vulnerable Social Institutions": 12–13.

114 Dillehay and Wernke, "Vulnerable Social Institutions": 13.

115 Dillehay and Wernke, "Vulnerable Social Institutions": 13; on sanctuaries, see Sillar, Dean, and Trujillo, "My State or Yours?".

116 See part 3.

117 A situation which corresponds to the "early state," see Yoffee, *Myths of the Archaic State*.

118 Patricia J. Netherly, "Out of Many, One: The Organization of Rule in the North Coast Polities," in *The Northern Dynasties: Kingship and Statecraft in Chimor*, ed. Michael E. Moseley and Alana Cordy-Collins (Washington, DC: Dumbarton Oaks Research Library and Collection, 1990): 461–88, quoted in Dillehay and Wernke, "Vulnerable Social Institutions": 14–16; on the term "middle-level elite," see D'Altroy and Earle, "Inka Political Economy": 189.

The "constructive interaction between state and local governance"[119] guaranteed the efficient mobilization of people.[120] In the Inka state, it is the combination of rulers and institutions from the communal or local sphere and the wider Inka state, especially *mitayos* and *mitimaes*, that allows us to analyze these findings from a world-systems perspective. The mobilization and resettlement of thousands of *mitimaes* from multiple local spheres to work on state projects, such as maize cultivation, road building, and craft production, formed the basis of the Inka state's expansion in the fifteenth century.[121]

The "embeddedness" of asymmetric dependencies in Inka society can be understood by applying the "mode of production" approach, as suggested by Darrell La Lone,[122] a proponent of a world-systems perspective for the Inka state. Mode of production refers "to 'the basic logic revealed in the processes of the mobilization of social labor, the production of the material requisites of life, and the reproduction of social institutions which enable material production and accumulation to be accomplished' (Chase-Dunn and Hall 1991, 3)."[123] With this in mind, the "early" and "fragile state" approaches permit a comparative view from a world-systems perspective, which can be complemented by the earlier notion of Tawantinsuyu as a complicated and extended net of relations.[124] "The rise and expansion of Andean states produced a mosaic of core/periphery hierarchical relations."[125] In a "fragile state," i.e., in the context of central (global) and local relationships between the respective (mid-level elite) rulers and their people in production and reproduction, a historically established practice had to be maintained. It was perpetuated by means that can be summarized as symmetric and/or asymmetric reciprocity in sociopolitical and economic relations within communities and between them on different levels where dependencies were realized. Thus, the institution of *mitimaes* served Inka rulers as a mechanism for controlling the population and work in an exchange structure characterized by "asymmetric reciprocity."[126]

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119 D'Altroy and Earle, "Inka Political Economy": 19.

120 Patricia J. Netherly, "Local Level Lords on the North Coast of Peru" (PhD diss., Cornell University 1977), quoted in D'Altroy and Earle, "Inka Political Economy": 15–16.

121 D'Altroy and Earle, "Inka Political Economy": 18.

122 La Lone, "Andean World-System."

123 La Lone, "Andean World-System": 21.

124 Pease, "La formación del Tawantinsuyu": 116. A careful conceptual framing that starts from the "mode of production," like that exemplified here, prevents anachronisms, for instance when discussing Inka imperialism. This approach has consequences for the overall interpretation not only of the Inka state and its institutions, but also of global, local, and cross-temporal understandings of the state, dependency versus "freedom," prosperity, poverty, prestige, work, and other concepts (e.g., Di Hu and Kylie E. Quave, "Prosperity and Prestige: Archaeological Realities of Unfree Laborers under Inka Imperialism," *Journal of Anthropological Archaeology* 59, no. 2 [2020]: 1–34).

125 Dillehay and Wernke, "Vulnerable Social Institutions": 18.

126 Stanish, "Nonmarket Imperialism": 200.

This situation makes clear that state violence, respect, or consent,[127] as well as coerced mobilization of population groups, hierarchies, and associated agencies, cannot be understood independently of the relationships and institutions rooted and "embedded" at a community or local level. It was the institution of *mitimaes* that most concertedly undercut the borders of social entities on a community or local level through mobilization of social labor for the Inka state as part of state formation and "explosive expansion."[128] As La Lone states, the "success of the Inka state in mobilizing labor was the most obvious legacy of the empire," as attested by its impressive infrastructure like roads, agriculture terraces, administrative centers, and storage facilities.[129] The close connection between *mitimaes*, mobilization, and dependency was sustained and maintained by Inka infrastructure, especially transport and storage facilities, which will be analyzed in the next section.

7 Emergence of the *Mitimaes* State Institution and Infrastructure for Mobilization as Dependency

As stated above, the institution of *mitimaes*, together with *yanacona* and the *camayoc*, were an integral part of Andean societies. All three categories constituted particular social relationships on the community level and were embedded in both community (local/provincial) and central (global) levels of the Inka state with the aim of mobilizing labor for the state.[130] Despite their deep societal roots, however, the three existed in contrast with the *hatun runa* and the *mitayos*, organized in kin-based household groups and connected to local levels of society. *Mitayos* were obliged to provide *mita* labor service by rotation as mediated by the local rulers, whereas the other social groups on the state level were linked directly to the Inka.[131]

The three male status categories of *mitima*, *yanacona*, and *camayoc*, "not three contrasting categories of men,"[132] could overlap.[133] Men could be everything together, a combination of two or only one category.[134] The labor of women was also appropriated by the Inka state, not in their capacity as heads of households, but as specialists in weaving and brewing *chicha* (maize beer). As *acllacuna* or "chosen women," they

127 See Pease, "La formación del Tawantinsuyu": 111.
128 La Lone, "Andean World-System": 23; Covey, *Incas Built Their Heartland*: 5, 7–8.
129 La Lone, "Andean World-System": 23; see Stanish, "Nonmarket Imperialism": 211. It was also a legacy in the sense that Spanish colonizers adopted this mode of labor mobilization and continued it very successfully.
130 Rowe, "Inca Policies and Institutions"; LeVine, "Introduction": 17.
131 Rowe, "Inca Policies and Institutions."
132 Rowe, "Inca Policies and Institutions": 96.
133 Rowe, "Inca Policies and Institutions": 96; see Murra, *Formaciones económicas y políticas*.
134 Rowe, "Inca Policies and Institutions": 96.

were gathered in special houses, called *aclla huasi*, to perform their labor obligations: "Which status or statuses are mentioned [in written sources, KN], may depend on the context of discourse."[135] Rowe emphasizes that "it is a mistake to see the difference as one of degree of servility. No one was 'free' in the Inka State. No man could choose his place of residence, occupation, or civil status [. . .]."[136] The difference between status categories "was not more or less freedom but more or less access to honor and privilege," the source of which was the Inka government.[137] This view is completely contrary to one that sees dependency as the absence of freedom or distinguishes "free" from "unfree" labor (or "corvée labor" from unfree labor).[138] The obligation to work applied to all who depended on a master, "patriarch," or ruler, whether or not they were in bondage.[139] Accordingly, the status of (strong asymmetric) dependency in Inka society, not its degree, was directly related to the honor and privilege to be transferred by the Inka ruler to his subjects. In fact, this shows that there are no degrees of dependency.[140] As outlined in part five, *mobilization* is proposed as a key concept to understand the economy of the Inka state as mobilization economy.[141] While D'Altroy and Earle stress the mobilization of goods, I will be complementing the concept by mobilizing labor, as the prerequisite for the mobilization of goods, and connecting it with dependency.[142] This labor was performed by people, *mitimaes*, the most mobile group created by the Inka state. The institution of *mitimaes*, which obscures further, overlapping categories, must be regarded as a form of strong asymmetric dependency, despite the possible privileges that the institution entailed.

135 Rowe, "Inca Policies and Institutions": 96.
136 Rowe, "Inca Policies and Institutions": 97.
137 Rowe, "Inca Policies and Institutions": 97.
138 Hu and Quave, "Prosperity and Prestige."
139 Meillassoux, *Anthropologie der Sklaverei*: 12.
140 I owe this reference to the editors of the volume. In contrast, Hu and Quave argue that the "privileges that the Inka supposedly gave the mitmaqkuna (*mitimaes*, KN) andyanakuna (*yanacona*) were a combination of material benefits, such as luxury prestige goods, and social benefits, such as increased freedoms" (Hu and Quave, "Prosperity and Prestige": 2), but without referring to Rowe or considering the concept of "freedom" at all.
141 D'Altroy and Earle, "Inka Political Economy." Bell and Taylor (Martin Bell and John Taylor, "Conclusion: Emerging Research Themes," in *Population Mobility and Indigenous Peoples in Australasia and North America*, ed. John Taylor and Martin Bell [London: Routledge, 2004]: 266, quoted in Miguel Alexiades, ed., *Mobility and Migration in Indigenous Amazonia: Contemporary Ethnoecological Perspectives* [New York: Berghahn Books, 2013]: 4) underlined that mobility, a "means to ends in space," refers to all forms of territorial movement by people. "These movements take place at different spatial and temporal scales and reflect a wide range of underlying factors and motivations" (Alexiades, *Mobility and Migration*: 4). One main distinction is seen between individual mobility and collective movements, including permanent movements or migration (Alexiades, *Mobility and Migration*: 4). Mobilization, on the other hand, is seen here as an intended and directed movement of population groups and goods in the context of power relations. In this power relationship, these population groups are in a dependent position on the state.
142 I do not follow the characterization of the economy of the Inka state as a mobilization economy.

As this relationship – mobilization/dependency and honor/privilege – became a new structural element that developed within the context of Inka state formation and expansion through conquest, we must examine how it became entangled with the social, economic, and political structures of the evolving state. In particular, the development of these structures was intended to strengthen the state's productive, social, and political basis. Therefore, the state had to distribute its administrators and rulers on different levels, as we have seen in the model of the "early" and "fragile state." Inka armies on long-term campaigns, which reached across the region and as far north as present-day Ecuador,[143] had to be provided with staple goods.

As the need for an even greater agricultural surplus exceeded the limits of community and local structures, the only possible way of meeting it was to appropriate labor and to intensify agricultural production through new forms of landownership. Whereas previous surplus production had been based on skimming off surplus product from households and communities through *mita* labor services based on reciprocity and redistribution,[144] new, intensive forms of agriculture had to take place outside household and other community structures. One result was the creation of state farms,[145] as noted in part two. The farms had to be cultivated by laborers who, in turn, had to be taken from their kin-groups and other local social organizations, but were nevertheless loyal to the Inka: their work thus consolidated new conquests through agriculture. One of the new categories of laborers ("new" at least at the state level) were the *mitimaes*.

But before this process could be realized, cultivable land, which in newly conquered territories was designated to become state and Inka rulers' land,[146] had to be appropriated from the communities. In anticipation of the intensive production of staple goods, land appropriation was accompanied by the construction of new storage systems, which were integrated in turn into a larger infrastructure network (roads, road stations, warehouses, administrative centers). The easiest way to facilitate these changes under the umbrella of the community-rooted *mitimaes* institution, especially in the most fertile areas, was to expel the whole local population and resettle the region with *mitimaes* from very different parts of the Inka sphere of influence.[147] A key factor was that *mitimaes* were "a new retainer class with no ethnic affiliation[148] and [. . .]

143 See La Lone, "Andean World-System": 31.

144 D'Altroy and Earle, "Inka Political Economy": 190. On the long-standing discussion of land ownership in the pre-Hispanic Andes, see Murra, *Formaciones económicas y políticas*: 26. The scenario presented here still constitutes the most plausible interpretation. "Human energy" (or labor force in certain relations of dependence) determined the quality of land ownership.

145 Murra, *Inka State*; D'Altroy and Earle, "Inka Political Economy": 188; D'Altroy, "Public and Private Economy": 191.

146 D'Altroy, "Public and Private Economy": 189.

147 See La Lone, "Andean World-System": 30.

148 The Inka combined resettlement politics with a specific "ethnic policy," which also can be denominated a "system of difference" that was part of creating a "imperial culture" and can be related

direct obligation to the Inka elite [which] was an important means by which the empire began to undermine traditional equations of kin-based reciprocity."[149] "Retainer" (*Bediensteter*, *Gefolgsmann*) is a very problematic term in this context, because it is much too general on a descriptive level and does not characterize the status of dependency in detail. Nevertheless, it has been in use since early research in ethnohistory,[150] demonstrating another deficit in prior analysis of strong asymmetric dependency.

Based on the case of Cochabamba, it is possible to describe the strongest form of dependency by mobilization ("making strangers") as *mobilization as dependency*, a process which decisively severed local and regional affiliations. Therefore, *mitimaes* can be considered a category of strong asymmetrical dependency in the context of state strategies to establish two new forms of land ownership: farms belonging to the state or to rulers as to any other individuals. This enabled the construction of novel storage facilities. In conquered territories, *mitimaes* "were assigned lands to provision themselves in the regions to which they were assigned."[151] The place where this approach was implemented most radically was Cochabamba,[152] where it was accompanied by the construction of around 4,000 *qollqas* for storing agricultural products, mainly maize. In applying a world-systems perspective to Cochabamba, La Lone underlines that in "this very large and fertile valley we find another world-upheaval."[153] An indispensable part of this radical transformation were *mitimaes*, which became the most dependent group in the context of state construction.

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to "unfree labor" (Hu and Quave, "Prosperity and Prestige": 4). In their interpretation, Hu and Quave are drawing on intersectional Black feminist and Marxist thought ("Prosperity and Prestige": 4). On the discussion of "ethnic" affiliation, see Karoline Noack, "Die Einheimischen, die Fremden und die Furcht: Umsiedlungspolitik im Inka-Staat," in *Erzwungene Exile: Umsiedlung und Vertreibung in der Vormoderne (500 bis 1850)*, ed. Thomas Ertl (Frankfurt am Main: Campus Verlag, 2017): 107–12; and Noack, "'. . . los mitimaes temían a los naturales.'"

149 Covey, *Incas Built Their Heartland*: 196.

150 I.e., Murra, *Inka State*; Rowe, "Inca Policies and Institutions"; Covey, *Incas Built Their Heartland*. The term recalls the Spanish term *criado perpetuo* used by the chronicler Cieza de León in reference to *yana* and *mitimaes*. *Criado* (retainer) has many and different layers of significance in various socio-economic contexts.

151 Covey, *Incas Built Their Heartland*: 196. "Although later students may occasionally confuse the similar sounding mit'a with mitmaq [*mitimaes*, KN], the distinction seems quite clear in the lawsuits [of the sixteenth century, KN]: those on mit'a service were not granted lands, while mitmaq were allocated land" (La Lone, "Andean World-System": 30).

152 Covey, *Incas Built Their Heartland*: 196, 206, 213; D'Altroy, "Public and Private Economy": 191; La Lone, "Andean World-System": 31.

153 La Lone, "Andean World-System": 31.

8 Outline of the Case Study: Cochabamba Valley, Bolivia

Cochabamba[154] represents the most remarkable and explicit case that bundles all the elements of the process of consolidating and expanding a "fragile state": creation of an extended economic base in the form of state farms for intensified agriculture across a huge, depopulated, newly appropriated territory. The work was performed by uprooted, mobilized social labor, by "strangers" no longer bound by kinship or locality; in addition, it was facilitated by the implementation and maintenance of a new state infrastructure, with around 4,000 *qollqas* in an area of more than 200 hectares.[155] This is the highest number of deposits among the known storage centers in the territories of the former Inka state. They formed part of a network of agriculture terraces, roads, way stations (*tambos*), and administrative centers that enabled mobilization not only of people, but also of goods.

This archaeological-ethnohistorical project on the mobilization and production strategies of the Inka directed towards the Cochabamba Valley aims to understand the entangled mobilization/dependency of social groups of people, described in different labor categories, and the centralized maize production for the "fragile" Inka state in a particular moment of state consolidation and expansion shortly before the Spanish conquest. The project intends to provide the necessary link between political economy, paying attention to social groups in asymmetric dependencies, and cultural processes in the Cochabamba Valley both at the center and at the local level, i.e., in a *glocal* context.[156]

During the reign of the last Inka ruler before the Spanish conquest, Huayna Capac (ca. 1491–1527), the central valley of Cochabamba experienced massive population replacements through the mobilization and settlement of 14,000 *mitimaes* and their families from all over the Inka territories, both from the surrounding highland provinces, but also from as far away as from Cusco, the Peruvian north and south coast, and Chile, to work on the newly created Inka state farms. The *mitimaes* were allocated land for subsistence production, while the original population groups, the Cota and the Chuy, were sent to the eastern peripheries of the Inka sphere on the east Andean slopes of the rainforest. The state was principally interested in the fertile valley bottom for the production of surplus staple foodstuffs for further conquests, including more than

154 The following paragraph is based on Olga Gabelmann and Karoline Noack, "The Archaeological Complex of the Inca Qollqas of Quillacollo and Colcapirhua in View of a Late Horizon Panorama of the Valleys of Cochabamba, Bolivia" (unpublished manuscript, 2020).

155 David Pereira Herrera, "Kharalaus Pampa: Tambo Incaico en Quillacollo," *Cuadernos de Investigación. INIAM. Serie Arqueología* 1 (1982): 99–104.

156 Archaeologist Olga Gabelmann and anthropologist Karoline Noack. The project, entitled "Balancing the center and the local: mobilization and production strategies of the Inka and early colonial state in Cochabamba, Bolivia," has been launched in 2022.

2,000 km away in present-day Ecuador. In no other area of the vast Inka Empire did such gigantic capacity exist for maize storage as in Cochabamba. The western part of the central valley of Cochabamba in particular played an important role in the economic, political, and social organization of the empire. Maize was cultivated nearby in an area that Spanish documents from the sixteenth century record as having included more than 20 large fields with irrigation canals a short distance from the *qollqa* sites, allocated to the Inka himself, his captains, and other rulers and officeholders. The new and intense cultivation of maize in Cochabamba under Inka rule is also to be seen in a glocal context. This raises the question of maize's social role at the time, because the foodstuff seems to have been used in the region in rather limited ways until the Middle Horizon.

Although Inka storage centers are also known from other parts of the Andes along the *qhapaq ñan* ("imperial road") in present-day Peru,[157] there are decisive differences here. These centers are much smaller, so they apparently housed supplies for the local population rather than for the state itself. Most notably, the original populations in places like Huánuco Pampa and Hatun Xauxa (Chupaychu, Wamali, and Wanka) in the north central and central Andes were politically integrated into the Inka state system,[158] in contrast to the situation in Cochabamba, far to the southeast of the Inka heartland. This demonstrates the economic and political potential of the Cochabamba Valley for the Inka state and reveals that it was "another world-upheaval,"[159] i.e., a scene of highly diverse social and cultural, central and local dynamics, specifically with respect to the institution of *mitimaes*.[160] This scenario aligns with the hypothesis of this paper that the

157 LeVine, "Introduction." Other examples are the Vilcanota Valley (James Snead, "Imperial Infrastructure and the Inka State Storage System," in *Inka Storage Systems*, ed. Terry Y. LeVine [Norman: University of Oklahoma Press, 1992]: 62–106), Hatun Xauxa in the Upper Mantaro Valley (D'Altroy and Earle, "Inka Political Economy"), Huánuco Pampa (Craig Morris, "Huánuco Pampa: Nuevas evidencias sobre el urbanismo inca," *Revista del Museo Nacional* 44 [1978]: 139–52; Craig Morris and Donald E. Thompson, *Huánuco Pampa: An Inca City and Its Hinterland* [London: Thames and Hudson, 1985]; Monica Barnes, "Almacenaje en Huánuco Pampa: Una Reevaluación," in *Memoria XVII Congreso Peruano del Hombre y la Cultura Andina y Amazonica Alfredo Torrero Fernandez de Cordoba, 22–27 de agosto de 2011*, ed. Filomeno Zubieta Núñez [Huacho: Universidad Nacional José Faustino Sánchez Carrión, 2012]: 100–120), and Huamachuco (John R. Topic and Coreen E. Chiswell, "Inka Storage in Huamachuco," in *Inka Storage Systems*, ed. Terry Y. LeVine [Norman: University of Oklahoma Press, 1992]: 206–33).

158 Terence N. D'Altroy and Christine A. Hastorf, "The Distribution and Contents of Inca State Storehouses in the Xauxa Region of Peru," *American Antiquity* 49, no. 2 (1984): 334–49.

159 La Lone, "Andean World-System": 31.

160 A similar example in the Abancay estate (Waldemar Espinoza Soriano, "Colonias de mitmas múltiples en Abancay, siglos XV y XVI. Una información inédita de 1575 para la etnohistoria andina," *Revista del Museo Nacional* 39 [1973]: 225–99) seems to confirm that installation of "multi-ethnic" state estates was an instrument to combat internal uprisings and border conflicts during the decline of the Inka state (János Gyarmati and András Varga, *The Chacaras of War: An Inka State Estate in the Cochabamba Valley, Bolivia* [Budapest: Museum of Ethnography, 1999]: 97).

institution of *mitimaes* guaranteed the fragile balance between central state actors and local rulers: it debilitated local groups by penetrating them and enhancing the central state at the same time.

The analysis of the changing patterns of land ownership and use in the Cochabamba Valley to be carried out by the project, linked to the specific organization of settlements and higher-level units, forms of labor, and the transport of goods by the *mitimaes*, will allow us to understand the consolidation and expansion of the Inka state, caused by its global dynamics and strategies by integrating "disparate people brought together through the long-distance flow of goods, ideas, and individuals"[161] in the valley. The valley was the space where these global flows of goods, ideas, and people and the local responses met. Here, central actors and local practices, imaginations, structures and institutions (social groups, rulers and officials on different levels, institutionalized and subsistence land, settlement patterns and communities) interacted, leading to the creation of new entities, i.e., new centers (like the Cochabamba Valley), defined by multi-layered interdependence, within the "fragile" state. Attention will be drawn to settlement and land-use changes in the valley and to archaeological evidence regarding different functions of the settlements under investigation. We do not yet know how the new settlements were organized in spatial, political, cultural, or social terms and how were they related to labor categories. Settlement patterns can provide hints regarding social labor categories: there are only few settlements known to have been the home of *mitimaes*. *Mitimaes* worked close to the *qollqas*, according to indications from colonial documents.[162] One possible settlement near Inka state fields is the contemporary village of Sipe Sipe,[163] as are the sites of Sorata and Payacollo.[164] Nevertheless, these sites would not have been big enough to host 14,000 *mitimaes* and their families. Thus, it is unclear whether these *mitimaes* were all permanent settlers or temporary workers (*mitayos*), who were not allocated cultivable land,[165] or even a combination of both. How were working groups organized during an agricultural year for transporting products to the *qollqas* and its final destinations? How did the Inka organize control? The questions raised here will be answered by archival and archaeological research. Archaeological evidence should still be present in the Cochabamba Valley. On this basis, a picture of the Inka state at the time of its strongest consolidation will be drawn.

161 Jennings, "Distinguishing Past Globalizations": 13; see above.

162 See Nathan Wachtel, "The 'Mitimas' of the Cochabamba Valley: The Colonization Policy of Huayna Capac," in *The Inca and Aztec States, 1400–1800: Anthropology and History*, ed. George A. Collier, Renato I. Rosaldo and John D. Wirth (New York: Academic Press, 1982): 199–235.

163 Gyarmati and Varga, *The Chacaras of War*.

164 Pereira Herrera, "Payacollo. Chacras Asignadas por el Tawantinsuyu a Plateros Icallungas en el Valle de Cochabamba. Los Tiempos, Cochabamba" (unpublished manuscript, 1987).

165 Gyarmati and Varga, *The Chacaras of War*: 33–35.

The Spanish conquest produced new waves of mobilization, resettlement, and, of course, new asymmetric dependencies. During the sixteenth century, the central valley of Cochabamba was populated by a mixture of peoples who had settled there prior to Inka occupation and then returned after Spanish conquest, plus groups of *mitimaes* who had remained. Other groups who denominated themselves *mitimaes* (in contrast to *mitayos*) returned home, while still others struggled to stay where they had been resettled by the Inka.[166] The overlapping and changing significance of labor categories complicates the picture. This situation triggered a series of lawsuits over land between the rulers of different indigenous groups and the Spaniards, as well as between local rulers or among the Spaniards themselves. But it is these lawsuits, together with archaeological research, that can also shed light on the distribution of different populations, settlement structures, and patterns of landownership in pre-Hispanic times.

9 Conclusion

The phrase "fragility of stones," which La Lone[167] coined to refer to the fact that a number of weaknesses are apparent behind the monumental façade of Inka architecture, can be seen as a metaphor for the concept of the "fragile state."[168] However, the "fragile state" is not only associated with weakness; rather, its "fragile" traits also explain its strength. Through expansionary "bursts of interaction" in the context of globalization processes,[169] the "fragile state" reorganized social geography.[170] What makes Cochabamba such a real and glocal "world upheaval"[171] within the "fragile" Inka state?

It has become clear that the strategies of the "fragile" Inka state, as a conquering and increasingly established polity, were most radically implemented in Cochabamba. In Cochabamba, *mitimaes* turned out to be *the* institution for mobilizing uprooted social labor,[172] "perhaps the most dramatic achievement of the Inka state"[173] and one

166 María de las Mercedes del Río, *Etnicidad, territorialidad y colonialismo en los Andes: Tradición y cambio entre los Soras de los siglos XVI y XVII (Bolivia)* (Lima: Instituto de Estudios Bolivianos, 2005); Jeremy Ravi Mumford, "Litigation as Ethnography in Sixteenth-Century Peru: Polo de Ondegardo and the Mitimaes," *Hispanic American Historical Review* 88, no. 1 (2008): 5–40; Mumford, *Vertical Empire*; Jeremy Ravi Mumford, "Las llamas de Tapacarí: un documento judicial de un alcalde de indios en la Audiencia de Charcas, 1580," *Histórica* 40, no. 2 (2016): 171–85.

167 La Lone, "Andean World-System": 34.

168 Yoffee, "Introducing the Conference"; Dillehay and Wernke, "Vulnerable Social Institutions."

169 Jennings, "Distinguishing Past Globalizations": 12.

170 La Lone, "Andean World-System": 34.

171 La Lone, "Andean World-System": 31.

172 La Lone's term "mobilization of social labor" must be complemented by the "uprooted" quality of the laborers, as I propose here.

173 La Lone, "Andean World-System": 23.

that changed local and provincial modes of production and reproduction. It is already apparent that the *mitimaes* of Cochabamba represent a completely different iteration of that category. The institution changed but the designation remained the same. This was part of the strategy of domination of the Inka and later the Spanish, but also part of the problem. Of course, it was not the institution of *mitimaes* alone that effectively changed the Andean world; instead, it was the combination of new, uprooted, mobilized social labor and newly conquered, expropriated territories that allowed a stockpiling of surplus staple goods to supply the military and – although it may seem contradictory – to strengthen the "fragile" Inka state more generally.

For this reason, I consider the *mobilization* of social labor – the creation of new social and political entities by uprooting populations and resettling them on expropriated land designated for intensified agriculture – as an asymmetric form of dependency.[174] Therefore, in this context, dependency refers to the relation between uprooted, "foreign" social labor and state agents constituting the conciliar political elite embedded in the "mode of production" as understood by La Lone.[175] Labor extorted from state's or ruler's field, spurred by an increasing demand for workers who were no longer ethnically, socially, culturally, or politically integrated above the level of small household groups, was to be employed in spaces that were also no longer ethnically, socially, culturally, or politically homogeneous. The limits of dependency were forms of reproduction, which in the case of *mitimaes* were secured through allocation of communities' expropriated land for their and subsequent generations' subsistence – land which they alone held.

The central valley of Cochabamba, with its state and ruler-owned farms, was the hotspot of "an ongoing division of labour"[176] in the Inka state, which aggravated dependencies of the mobilized population groups but did not reinforce the political and cultural unity of the Inka state in Cochabamba. Rather, a world-systems perspective allows us to perceive the overlapping processes in the central valley of Cochabamba, as well as within the "different yet integrated" Inka state as a whole,[177] of competition between populations of different geographic origin in unequal power relations on state farms, in storage, and in administrative and cult centers on the one hand; and of differentiation, labor division, and interdependence among the same units on the other. It involved continuous processes of labor division and specialization, especially in new production enclaves like Cochabamba that were under the rule of a political elite as fragile as it was complex.

174 Of course, these included other phenomena besides the *mitimaes*, although they are the most prominent. For further discussion, see Covey, *Incas Built Their Heartland*: 215.

175 La Lone, "Andean World-System."

176 Wallerstein, *The Modern World-System*: 345.

177 Schneider, "Was There a Precapitalist World-System," quoted in Peregrine, "Introduction": 2; see Yoffee, *Myths of the Archaic State*.

Mobilization/dependency – as two sides of the same coin – became the core and motor of Inka state formation and expansion at the same time, such that "the huge volume of provincial storage complexes bears witness to the integration of local staple production [rather than of the people themselves, KN] to sustain the empire."[178] Mobilization/dependency in the dynamic, interconnected production and distribution of goods became the crucial, entangled feature that shaped socioeconomic relationships in the Inka state as strong asymmetric dependencies. For this reason, the Inka state can be understood as a "mobilizing state."

Factors defining the position of the slave present the socio-institutional framework as changing "modes of production," a world-system of global conquest, subjugation, and exploitation that follows the logic of a capitalist economy. This kind of dependency works as long as dependent peoples fulfill productive or functional tasks in the society to which they belong. According to Meillassoux, alienation does not represent the slave's transcendental state; it only comes into play when, for whatever reason, he or she can no longer perform those productive tasks in the society in which he or she finds him/herself. Then, institutions such as raiding for captives or slave markets begin evolving, facilitating the "depersonalizing operations" to which slaves were subjected.[179] This situation did not exist in the Inka state, however; one may well ask whether, had the Inka state not been conquered, the institution of *mitimaes* or "strangers/foreigners,"[180] which "exclusively undercut provincial loyalties,"[181] could have been considered a first step toward those "depersonalizing operations" for which foreignness was a prerequisite.[182] During the first half-century after the European conquest, indigenous peoples were enslaved across the Americas with catastrophic consequences, including the extermination of large populations, especially in the Caribbean. The Spanish legal basis for this approach was withdrawn after bitter ideological and religious disputes with the so-called New Laws of 1542. This process, in turn, paved the way for the growth of the African and Atlantic slave trade, which eventually provided the largest proportion of slaves across Latin America.

The *glocalization* perspective, an integral part of globalizing processes[183] in the "fragile state," allows us to connect modern world-systems to pre-Hispanic ones. Through multilayered interactions between the local and the global, multiple centers and changing peripheries became culturally and economically integrated and fragmentated simultaneously. As mobilization/dependency co-created the integrated-

178 Covey, *Incas Built Their Heartland*: 213; see LeVine, "Introduction": 3–4, 16.
179 Meillassoux, *Anthropologie der Sklaverei*: 13.
180 See Noack, "'. . . los mitimaes temían a los naturales.'"
181 Rowe, "Inca Policies and Institutions": 93.
182 Meillassoux, *Anthropologie der Sklaverei*: 13, 89.
183 Hodos, "Globalization": 7.

fragmented "spaces of long-distance flows,"[184] cultural landscapes linked people, objects, ideas, and institutions and restricted them at the same time, forcing them into new spaces of power – that is, into new "centers," of which one was the valley of Cochabamba.

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2. Slaveries and Similar Dependencies

2.2. Regions and Epochs

South Asia

Julia Hegewald. "Dependency, Subjugation and Survival: A Working Paper on the Jaina Culture in Medieval Karnataka, South India," *Working Paper* 9, Bonn Center for Dependency and Slavery Studies (2022).

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WORKING PAPER 22 09

Julia A.B. Hegewald

DEPENDENCY, SUBJUGATION AND SURVIVAL: A WORKING PAPER ON THE JAINA CULTURE IN MEDIEVAL KARNATAKA, SOUTH INDIA

UNIVERSITÄT BONN

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Dependency, Subjugation and Survival: A Working Paper on the Jaina Culture in Medieval Karnataka, South India

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Abstract

This paper investigates the changing position of the Jaina religious community in the south Indian State of Karnataka in premodern times. From the early fifth century onwards, the influence of the Jainas in the region had consistently increased. This situation changed significantly during the middle of the twelfth century. This was due in part to transformations which the Jainas themselves made to the structure of their society, religious practices and ethical standards; but also because Jainism became side-lined by the arrival of competing religious groups. As a consequence, the Jainas suffered a significant loss in power. From a former position of superiority, they dropped to one of extremely strong asymmetrical dependency. The persecution of the Jainas led to the destruction and annexation of their icons, temples and religious centres. This paper examines the changes this severe form of dependency had on Jaina art and architecture—and through the absorption of Jaina religious objects and spaces, also on the cultures of the newly dominant groups.

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I. Introduction

This chapter embodies work in progress and represents the first results[1] of a large research project on the changing history and status of the Jaina religious group in the south Indian State of Karnataka in pre-modern times.[2] From the early fifth century onwards, the authority and influence of the Jainas in the region consistently intensified. At this time, many local kings, their ministers, generals and the upper levels of society professed to Jainism. The production of literature as well as other arts and architecture were clearly in Jaina hands; they expressed the core ideas of the religion and were frequently even produced by members of the community itself.[3] The situation changed substantially during the middle of the twelfth century. On one hand, this was due to deliberate and voluntary changes which the Jainas themselves had undertaken on the structure of their society, religious practices and values. On the other hand, Jainism became more and more marginalised with the arrival of competing religious groups in the area. Consequently, they suffered a substantial loss in influence, got ostracised, threatened and often even killed. From a former position of superiority and wide-ranging control, they plunged into strong asymmetrical dependencies[4] as they lost their financial base as the previously dominant trading community. The persecution of the Jainas led to the destruction of their venerated icons, sacred temple complexes and religious centres. In other cases, their statutes, additional objects of worship and architectural structures were forcibly taken over, adapted and re-used by newly formed or incoming faith groups. This chapter examines the changes these extreme asymmetrical dependencies had on Jaina art and architecture and, consequently, also on the cultures of the newly dominant faith groups. Despite the severe decline in Jaina authority throughout the wider region, the belief continued to be practiced by individual families and in certain urban, religious and provincial centres, where rulers from other faith groups, as well as Jaina merchants who had retained some limited local influence, continued to support the community. This enabled Jaina cultural activities to

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[1] This chapter represents a longer version and further development of the ideas expressed in an earlier paper presented in the lecture series, titled "Control, Coercion, and Constraint: The role of religion in overcoming and creating structures of dependency." The lecture series was organised during the winter semester 2021/22 and the following summer semester 2022 by the Bonn Centre for Dependency and Slavery Studies. The paper is being published as Julia A.B. Hegewald, "Vīra-Śaiva and Jaina Rivalries in Medieval South India: Creating and Overcoming Structures of Dependency," in *Coercion, Control, and Constraint: The Role of Religion in Overcoming and Creating Structures of Dependency*, 2 vols., ed. Wolfram Kinzig and Barbara Loose, Dependency and Slavery Studies (Berlin: De Gruyter, forthcoming). An even more comprehensive and substantial book publication on this topic, including a number of issues not included in the discussion here, will be submitted to the publication series of the Cluster of Excellence, "Dependency and Slavery Studies," with De Gruyter publishers in 2023.

[2] For a brief introduction to the Jaina religion in India and Karnataka, see section 3. "Jaina Religion, History and Culture in Karnataka."

[3] We know that in India, the workmen creating sacred objects and edifices for one faith often also worked for other religious groups, and there was no expectation of belonging to a religious group yourself to fashion art works for them.

[4] By and large, asymmetrical relationships are characterised by strong inequalities. In such relations, one side clearly has more power or resources—of any kind—than the other. A more in-depth discussion and definitions of the concept can be found in Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler and Stephan Conermann, "On Asymmetrical Dependency," *Concept Paper* 1, Bonn Center for Dependency and Slavery Studies (2021): 2–3, 8 (https://www.dependency.uni-bonn.de/images/pdf-files/concept-papers/bcdss_cp_1-_on-asymmetrical-dependency.pdf [accessed 11.11.2022]).

endure in the region to the present day. Nevertheless, they never regained their former position of authority.

II. Dependency Studies and the Visual Arts

This research project on the changing conditions of the Jaina religious community and the influence this had on its art and architecture in Karnataka is part of the large interdisciplinary and transregional Cluster of Excellence, 'Beyond Slavery and Freedom: Asymmetrical Dependencies in Pre-Modern Societies'.[5] The aim of this network of researchers from various disciplines and faculties of the university is to overcome the broad Western conceptual opposites of 'slavery' and 'freedom' which are both strongly ideologically charged terms. Alternatively, the objective is to investigate situations of 'asymmetrical dependency' more generally.[6] This particular subproject contributes to widening the view in this debate.

Everywhere in the world and at all times, artists have been constrained by a number of dependencies, whether these be a reliance on donors, materials or religious and social contexts. However, even more interesting than these limitations are the freedoms, which artisans, artists, master builders and architects have constantly developed to overcome these at times long-term (e.g. climatic, social), but also more temporal and local dependencies (e.g. ruling dynasties, changing faiths). It is in the areas of their liberties, creative energy and imagination that they have succeeded to transgress these restrictions and find freedoms within strongly asymmetrical dependencies.[7]

Publications on theoretical, analytical and terminological aspects of slavery and from the emerging field of dependency studies at times differentiate between the two terms, 'dependence' and 'dependency'.[8] They argue that 'dependence' focusses mainly on specific defined cases that illustrate temporarily limited developments and spatially constricted situations of dependent relationships on a comparatively small scale. In contrast, 'dependency' (*dependencia*) is interpreted as being of longer duration, acting in larger and often global frameworks. Thus, dependencies are more likely to be based on highly

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[5] The Cluster was established at the University of Bonn in 2018/2019.

[6] For further information, see the webpage of the Bonn Center for Dependency and Slavery Studies: https://www.dependency.uni-bonn.de/en/about-us [accessed 30.05.2022]. This information is also based on the unpublished Application for the Cluster of Excellency, Bonn Center for Dependency and Slavery Studies, University of Bonn (BCDSS 2021). Concerning the research undertaken within the context of the Bonn Research Cluster, Antweiler draws our attention to the fact that 'the concept of slavery may be problematic in scientific terms to describe many of the forms we study, as it is only one case of asymmetrical dependency, and an extreme one at that' (Christoph Antweiler, "On Dependency, Dependence, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies [2022]: 10, https://www.dependency.uni-bonn.de/images/pdf-files/discussion-papers/dp-1-antweiler.pdf [accessed 11.11.2022]).

[7] The issue of general dependencies incumbent on artist communities and architects have been discussed in more detail in Julia A.B. Hegewald, "Introduction: Embodiments of Dependencies and Freedoms in Asian Art," in *Embodied Dependencies and Freedoms: Artistic Communities and Patronage in Asia*, ed. Julia A.B. Hegewald, Dependency and Slavery Studies (Berlin: De Gruyter, forthcoming): 1–32.

[8] Consult, for example, the publication by Antweiler, "On Dependency, Dependence, and a Dependency Turn": 1–16.

formalised, instituted or systemic practices, frequently sustained through a firmly established wide-ranging system.[9] Nonetheless, the two concepts of 'dependence' and 'dependency' are closely related, and situations of the more limited dependence can intensify or expand over time to culminate in larger entities of more wide-reaching dependency. Whilst it is comparatively straightforward to differentiate clearly between the two concepts in theory, in actual practice, this is often less so.[10] Therefore, and as this chapter is not a theoretical treatise but an introduction to a concrete case study, in this paper we will not differentiate between the two terms along the lines outlined above. Rather, we will apply the two idioms synonymously.[11]

Questions of dependency have thus far not represented a major focus of enquiry in the area of Asian history of art and architecture. However, a conference organised at the University of Bonn in October 2021 addressed the topic for the first time in more depth.[12] The papers presented at this two-day conference and published in the conference volume clearly illustrate the wide-spread nature and huge variety of extreme forms of unequal dependencies, which we find reflected in Asian art and architecture and affecting Asian artist communities.

Immediate representations of slavery and slave-like relations, although existent in South Asian societies, have rarely been depicted in pre-modern art.[13] Art has, until the modern period, been very much exclusively produced for a sacred context, where the focus was on the representation of what were considered to be higher caste professions—such as priests and warriors—and the eternal myths surrounding the life and deeds of the gods. However, there are allegorical representations of dependencies[14] and material artefacts, such as

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[9] See Antweiler, "On Dependency, Dependence, and a Dependency Turn": 2, 4.

[10] On this issue, see the discussion in subchapter 3 ("Dependencies, Dependences and Freedoms") in Hegewald, "Introduction: Embodiments of Dependencies and Freedoms."

[11] I am not a specialist in the areas of slavery and dependency studies but a historian of art and architecture with specialisation in South Asia. Nonetheless, the case study presented in this chapter illustrates how strong forms of asymmetrical dependency influence and become visible in the art and architecture of the Jainas and of other faith groups in Karnataka.

[12] The conference titled "Embodied Dependencies and Freedoms: Artistic Communities and Patronage in Asia" was organised by Julia A.B. Hegewald and brought together fifteen specialists. They presented aspects of their research work, concentrating on solid unequal dependencies in the art and architecture of South Asia (India and Nepal), the region of Tibet, the Silk Routes, mainland China and Japan. Thirteen papers were eventually included in the published conference volume, which is forthcoming in the publication series of the Cluster of Excellence (Julia A.B. Hegewald, ed., *Embodied Dependencies and Freedoms: Artistic Communities and Patronage in Asia*, Dependency and Slavery Studies [Berlin: De Gruyter, forthcoming]).

[13] In South Asia, it is likely that this has to do with a wide-spread belief in the concept of *karma*. Corresponding to this, rebirth into a modest and dependent position, such as a caste which is considered of lower rank, is to a certain extent understood to indicate the spiritual status and religious purity of an individual. Resulting from this perception, situations of strong dependency can be explained as reckonings for one's own actions in previous lives and resulting manifestations of one's own liability. Further details on the notion of *karma* can be found in Karel Werner, *A Popular Dictionary of Hinduism* (Richmond: Curzon Press, 1994): 86, and Klaus K. Klostermaier, *A Concise Encyclopedia of Hinduism* (Oxford: New World, 1999): 95. For this reason, South Asian representations concentrate more strongly on noble divinities and individuals or groups of society who are judged to be purer and more high-ranking within the prevailing social system.

[14] See, for instance, the chapter by Gudrun Bühnemann, "Patterns of Dependency in the Buddhist Tantric Iconography of Nepal," in *Embodied Dependencies and Freedoms: Artistic Communities and Patronage in Asia*, ed. Julia A.B. Hegewald, Dependency and Slavery Studies (Berlin: De Gruyter, forthcoming): 237–49.

damaged or annexed icons or spaces, which dominant groups absorbed from dependant people, indicating asymmetrical power relations. Further areas of interest already briefly mentioned before are the various dependencies in which individual artists as well as artist communities find themselves.[15] Amongst others, they are dependent on the locally dominant climate and availability of resources for the production of art objects and edifices. They are further reliant on oral and written regulatory texts, religious, social, gender and artistic conventions, on customers and patrons and today, also on local and global art markets.

This working paper focusses on one specific case study: the intense asymmetrical dependencies suffered by the Jaina religious community in Karnataka between about the twelfth and the fifteenth centuries. To lead into the topic, Chapter 3 below (Jaina Religion, History and Culture in Karnataka) provides a brief introduction to the origins of Jainism, its arrival, establishment and initial burgeoning in the region. This is followed by Chapters 4 and 5, which provide deliberate as well as unintended causes that led to the subsequent decline and suppression of the Jainas. Through these, the formerly prevailing Jaina community was relegated to a subordinate rank and became strongly dependent on other religions that became dominant throughout the region from the mid-twelfth century onwards. As will be shown in Chapter 6, these new ruling groups not only embezzled and mutilated Jaina sacred objects of worship and damaged or entirely crushed their temple structures and sacred centres, but also annexed and re-used their statues, sacred objects and temple edifices. In doing so, they integrated elements of Jaina religious tradition into their own culture. Through this, the culture of the newly governing factions of society also got transformed.

As the Jainas were vigorously pursued and, in many cases, forced to convert and even killed, this was life-changing for them. Furthermore, they were deprived of their economic, social and political position. This lasted not just for the four centuries of their active persecution—from the twelfth to about the fifteenth centuries—but in ample regions, much longer. In many areas and villages, the Jainas never regained any significant influence, politically, economically or from a religious point of view. Therefore, their situation can clearly be characterised as one of 'strong' or 'extreme' dependency.[16]

III. Jaina Religion, History and Culture in Karnataka

This section deals with the condition of the Jainas in Karnataka before these immense historic transformations took place. The first part briefly delineates the origins of Jainism in the north of India, its advent in the south, as well as reasons for its early popularity in the region during the early centuries CE. Further outlined are the period of flourishing and start of the decline of Jainism in the region.

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[15] As association with a particular group of artisans has traditionally been dependent on caste and sub-caste attachment, artists are organised in guild-like groups.

[16] Bethany Walker has argued that 'Strong dependencies emerge when one actor cannot exit without the other'. and for this, the relationship between the two sides has to be 'heavily unequal' (Bethany J. Walker, "Peasant Dependencies in Medieval Islam: Whose Agency in Food Production and Migration?," *Working Paper* 3, Bonn Center for Dependency and Slavery Studies [2022]: 2). For further thoughts on this, see also Winnebeck et al., "On Asymmetrical Dependency": 8.

III.1. The Arrival of the Faith and its Popularity

If we were to start with the legendary arrival of Jainism in Karnataka and the South of India more generally, we have to commence our story in the north of the country. Jainism originated in the east Indian state of Bihar in about the fifth to sixth centuries BCE. In the fourth century BCE, an acute drought and grave famine affected the region and forced large parts of the population to flee the area, including the substantial local Jaina community. The Jainas emigrated into two main directions, the north-west and the south, which led to a split of the community and, subsequently, to a religious schism between the two main groups. Those who remained in the north largely formed the Śvetāmbara sect of Jainism, of which the ascetics wear simple white cotton robes. Those who went to the south essentially formed the Digambara subgroup, whose ascetic male members have no belongings and go naked.[17]

Traditional stories recounting the legendary arrival of Jainism in Karnataka in the fourth century BCE tell of the Jaina teacher Bhadrabāhu fleeing the north-eastern famine and travelling with a large group of Jaina followers to the south. According to local lore, he was accompanied by Candragupta Maurya, the grandfather of the famous emperor Aśoka. Links to the purported presence of these two prominent historical personalities can be found at numerous sites throughout the region (**Plate 1**). Edifices have been named after them, and later literary works also refer to this account.[18] However, the conversion of Candragupta to Jainism and the induction of the religion to Karnataka at this early age have been questioned by contemporary scholars.[19] Historically, it appears more likely that Jainism moved south from its place of origin in north-eastern Bihar, through Orissa and into Tamil Nadu, from where it was likely to have reached Karnataka during the early centuries of the Common Era, most probably in the second century CE.

[17] Today, the regional division between the two sections is no longer as clearly delineated. For further information on the schism and the differences between the two main sects, see Julia A.B. Hegewald, *Jaina Temple Architecture in India: The Development of a Distinct Language in Space and Ritual*, Monographien zur indischen Archäologie, Kunst und Philologie 19 (Berlin: Stiftung Ernst Waldschmidt, G+H-Verlag, 2009): 17–19.
[18] Julia A.B. Hegewald, *Jaina Tradition of the Deccan: Shravanabelagola, Mudabidri, Karkala*, Jaico Guidebook Series (Mumbai: Deccan Heritage Foundation and Jaico Publishing House, 2021): 12, 54, 68–70.
[19] This has been discussed in more detailed by Hegewald, *Jaina Temple Architecture in India*: 476–77, 319.

Plate 1: Amongst the sites connected with the alleged migration of Bhadrabāhu and Candragupta Maurya is the meditation and enlightenment cave of Bhadrabāhu on Candragiri at Vijayanagara.

III.2. Changing Fortunes in Karnataka

This initiated a period from the second until about the ninth century CE, in which Jainism became firmly established and proliferated extensively in Karnataka. One reason for the early popularity and increase in followers at this time appears to have been the positive influence of the Digambara subgroup of the Yāpanīyas. Although they were loyal to the key Digambara tenets, such as the rejection of garments by its male penitents, the Yāpanīyas are believed to have followed a more moderate form of the religion.[20] Thus, due to their general balanced approach, the Yāpanīyas are said to have played an important role in promoting Jainism and contributing to a wide-ranging communal coherence and harmony throughout the region. The latter point and the fact that the Jainas give the impression of having been well-integrated into the wider society during the early centuries of the

[20] Contrary to conventional Digambara opinion, they argued, for instance, that salvation is also achievable for women. As women are socially not permitted to wander naked, mainstream Digambara Jainas stress that they cannot give up all their belongings and worldly attachments, which, however, would be necessary for the attainment of deliverance. On this issue, see Padmanabh S. Jaini, *Gender and Salvation: Jaina Debates on the Spiritual Liberation of Women* (New Delhi: Munshiram Manoharlal Publishers, 1991). The position taken by the Yāpanīyas is therefore more akin to Śvetāmbara belief. This issue has been further deliberated by Aloka Parasher-Sen, "Jaina Women, Ritual Death and the Deccan," in *The Jaina Heritage: Distinction, Decline and Resilience*, ed. Julia A.B. Hegewald (New Delhi: Saṁskṛiti, 2011): 213–43. In this context, it is intriguing that the Vīraśaivas, who replaced Jaina dominance in wide areas of Karnataka, also support the belief that women can reach enlightenment (Blake Michael, "Women of the Śūnyasaṃpādane: Housewives and Saints in Vīraśaivism," *Journal of the American Oriental Society* 103, no. 2 [1983]: 361–68).

Common Era, is reflected in a number of inscriptions.[21] These indicated that the local Hindus also offered protection and assets for the founding and preservation of Jaina places of worship. The spread of Jainism appears to have been further supported by their ability to adapt to local circumstances.[22] As will be shown later in this chapter, Jainism persisted particularly well in the coastal area of western Karnataka, where it entered into a particularly intense dialogue and close relation with local and Hindu sacred practices.

Following this initial phase of arrival and establishment in Karnataka during the early centuries CE, Jainism thrived strongly from the ninth to about the eleventh centuries, a period, which has often been classified as a 'glorious' period or 'golden' age of Jainism in Karnataka.[23] Up to the early-twelfth century, the literature in the south was almost completely Jaina in origin. In this context, revered Jaina poets, such as Pampa, Ponna and Ranna, advanced the development of literature in south India. In the area of the visual and built arts, too, the simpler Gaṅgā design—as will be discussed in more detail in section 6.1. Modifications by Choice—was succeeded by the more opulent Hoysaḷa style. Many important statues were carved, new shrines raised and further pilgrimage centres inaugurated.

This period of great blossoming, however, was soon followed by difficulties, intimidations and persecution. During the second half of the eleventh century and at the start of the twelfth century, Jainism began to come under severe pressure. This resulted in a grave deterioration of power, the active discrimination against Jaina followers and their fight for survival in Karnataka. There is literary and physical evidence in the form of artistic and architectural proof, of this persecution. References to it can be found in Jaina as well as in Vīraśaiva literature and art.[24] Thus far, the ability of the Jainas to change and adapt to new or different circumstances has been highlighted as a constructive, positive proficiency. However, a religion which changes too much and progresses too far from its core ideas and beliefs risks losing its own identity and integrity in the end. The changes outlined in the following section illustrate that this seems to have been one of the problems that led to the loss of power and subjugation of the Digambara Jaina community in Karnataka, to a position of extreme asymmetrical dependency.

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[21] For further information on the Yāpanīyas and their social standing, see P.N. Narasimha Murthy, "History of Jainism in Karnataka: Developments from the Tenth to Thirteenth Centuries CE," in *The Jaina Heritage: Distinction, Decline and Resilience*, ed. Julia A.B. Hegewald (New Delhi: Saṁskṛiti, 2011): 47–49; Shantinath Dibbad, "The Construction, Destruction and Renovation of Jaina Basadis: A Historical Perspective," in *The Jaina Heritage: Distinction, Decline and Resilience*, ed. Julia A.B. Hegewald (New Delhi: Saṁskṛiti, 2011): 66; Parasher-Sen, "Jaina Women, Ritual Death and the Deccan": 221–23; and Vatsala Iyengar, "Jaina Goddesses and their Worship in Karnataka," in *The Jaina Heritage: Distinction, Decline and Resilience*, ed. Julia A.B. Hegewald (New Delhi: Saṁskṛiti, 2011): 247.

[22] This capacity is even more pronounced in the proliferation and expansion of Buddhism, also beyond South Asia.

[23] R.V.S. Sundaram, for instance, calls this a 'glorious period'. See the chapter by R.V.S. Sundaram, "Elements of Jaina History in Kannada Literature," in *The Jaina Heritage: Distinction, Decline and Resilience*, ed. Julia A.B. Hegewald (New Delhi: Saṁskṛiti, 2011): 30–34.

[24] Sundaram provides substantial textual references, pointing to a clear weakening of Jaina power and the mistreatment of its followers from the early-twelfth century onwards. See the chapter by Sundaram on this issue (Sundaram, "Elements of Jaina History in Kannada Literature": 29–37).

IV. Internal Modifications, Undermining the Resilience of Jainism

This subchapter examines the transformations that Jainism underwent from the tenth century onwards. Although these changes were voluntary and initiated by the Jainas themselves, they weakened the religion and its society from within and paved the way for the downgrading of this formerly dominant faith group to the unfortunate position of being a severely dependent player in the region.

During the so-called 'glorious' or 'golden' period of Jainism under the Cālukyas of Kalyāṇi in the north[25] and the Hoysaḷas in the south of Karnataka from the early tenth century onwards, Jainism prospered. Royal patronage and the persistent support from influential traders and landowners led to the accumulation of enormous wealth by Jaina temple establishments. This capital had to be administered and new outlets found to invest the money in. This motivated the Jainas to undertake considerable changes in their religious organisation, the structure of their society and ritual practices.[26] Hence, the Digambara Jainas of Karnataka initiated and further elaborated monasteries as more permanent seats of learning, landownership and administration; castes that structured society hierarchically; and elaborate ritual practices conducted particularly in temple contexts.

If we examine these aspects in more detail, castes had initially been absent from the earlier, more simple form of the religion. The creation of castes led to a fragmentation into sub-groups, such as the Yāpanīyas. All these factions paid allegiance to different monastic institutions, the *maṭha*s. The unity of the Jaina population was diminished and this made it easier to further disintegrate and disempower the community.[27] Additionally, the Jainas developed more highly evolved temple rituals and enlarged the pantheon of divinities, which were venerated alongside the most important fully-enlightened human teachers, known as Jinas or Tīrthaṅkaras, as well as other more abstract objects of veneration (**Plate 2**).[28] Whether this intensification of ritual practices and development of Tantric Jainism actually further debilitated Jainism remains questionable. Today, it is widely acknowledged that a 'pure' and abstract form of Jainism probably never existed.[29] Nevertheless, these changes undermined the distinct nature of Jaina custom and established firmer links with Hindu ritual practices. In contrast, one might argue that the integration of the images of gods and goddesses, which are more approachable than the fully-enlightened and detached Jinas, might have made Jainism more attractive to ordinary believers.[30] However, it is striking that the faith group that gained power most rapidly following the unseating of the

[25] The Cālukyas of Kalyāṇi are also known as the Later Western Cālukyas. They arose as an independent political power in the tenth century.
[26] On this topic, see Narasimha Murthy, "History of Jainism in Karnataka": 43–44.
[27] In their openness towards women, for instance, the Yāpanīyas were in some ways more appealing to followers than conventional Jainism with its more fixed rules. Although the Yāpanīyas did not endanger majority Digambara Jainism, they contributed to a diversification and internal segregation of the Jaina community, which some scholars argue, eventually destabilised and reduced Digambara unity in Karnataka. On this issue, see, for instance, the chapter by Narasimha Murthy, "History of Jainism in Karnataka": 38–62.
[28] For a discussion of the different kinds of figures and objects, venerated in a Jaina sacred context, see Chapter 3 by Hegewald, *Jaina Temple Architecture in India*: 63–125.
[29] Paul Dundas has written on this topic (Paul Dundas, *The Jains* [London and New York: Routledge, 1992]: 182). See also Hegewald, *Jaina Temple Architecture in India*: 94, 107.
[30] On this issue, see Hegewald, *Jaina Temple Architecture in India*: 92.

Jainas were the Vīraśaivas. At least officially, they reject all ritual practices and objects of veneration, besides the small stone *liṅga*, which its followers carry around their neck, chest or upper arm.[31] Many of the changes, such as the maintenance of running *maṭha*s, large pilgrimage centres with complex temple structures and regularly prescribed rituals, could only be sustained during the period in which Jaina religious institutions had amassed enormous wealth and land for their financing.

Plate 2: As part of the voluntary changes which the Jainas undertook on their own religion, they expanded the number of deities and statues displayed in their temples, as can be seen at Mudabidri.

From the early-twelfth century, there was a decline in the support of influential royal families and wealthy merchants and landowners in the region. Simultaneously, resentment against the originally ascetically-minded but now often prosperous and dominant Jaina elite led to confrontations and conversions to other religions, and this reduced the financial and political influence of the Jainas even further. This resulted in discrimination, communal violence and outright attacks on Jaina religious institutions and Jaina followers themselves.

[31] Whilst ordinary worshippers carry a small black stone or raisin *liṅga* tied to a thread or contained in a small cloth sachet or sliver container, there are also more elaborate necklaces. Frequently, they integrate *rudrākṣa* (alternatively: *rudrākṣi*) beads and elaborate metal boxes, containing the *liṅga,* into their design. *Rudrākṣa* garlands of seeds are generally sacred to Śiva and used to make rosaries for prayer. Amongst the Vīraśaivas, the *liṅga* as the divine principle is also referred to as *iṣṭaliṅga.*

V. Interactions with Other Faith Groups

In addition to the voluntary or internal changes, which in the long-term weakened the Jaina community, the period of stability from the tenth century onwards was soon disturbed and threatened by external, non-Jaina forces as well. These arrived mainly in the form of one newly-founded local as well as other incoming religious groups coming from further afield.

Especially pronounced was the influence of the novel religious movement of the so-called 'heroic Śaivas', the Vīraśaivas. Alternatively, they are known as the Liṅgāyats, meaning 'the bearers of the *liṅga*'. This is a faith group that was founded by the religious leader Basava within Karnataka at the start of the twelfth century.[32] In his book, *The Chālukyan Architecture of the Kanarese Districts*, Henry Cousens wrote 'The Liṅgāyats were particularly hostile towards the Jains, and wherever they could, they appropriated their temples as well as those of the orthodox Hindus'.[33] This statement stresses the difference between mainstream Hindus on the one hand and Vīraśaivism on the other, as distinct creeds. Additionally, local Śaivas and Kāḷāmukhas also gained power.[34] In the fifteenth century, the powerful and expanding cult of the Vīraśaivas absorbed the Kāḷāmukhas.[35] Following the communal unrest, persecution and appropriation of their sacred sites,[36] the Jainas became a minority in Karnataka, with different Śaiva denominations above all increasing in numbers and authority, posing active threats to Digambara Jainism in the region.

Aside from the largely local, internal strife with Śaivas and Vīraśaivas, other religious groups also penetrated the area. Whilst the Vīraśaivas are *bhakti* followers of Śiva, *bhakti* groups focussing on the worship of Viṣṇu, such as the Śrīvaiṣṇavas, also moved into Karnataka from Tamil Nadu.[37] This began in the middle of the twelfth century and increased towards the thirteenth-century. From the north, Muslim groups also moved into the area from the late thirteenth century onwards.[38] All these different religious groups acted as additional

[32] In reality, Basava probably strongly reformed an earlier form of the faith, which appears to have been called Liṅgāyatism. The reformed version of the religion from the time of Basava is more regularly referred to as Vīraśaivism.

[33] Refer to Henry Cousens, *The Chālukyan Architecture of the Kanarese Districts*, Archaeological Survey of India 42, New Imperial Series (Government of India, 1926 [reis.: New Delhi: Archaeological Survey of India, 1996]): 13.

[34] On this subject, see Dibbad, "The Construction, Destruction and Renovation of Jaina Basadis": 70. The Kāḷāmukhas, meaning 'black-faced', were an extreme Śaiva sect, mainly prevalent in South India between the ninth and the fourteenth centuries CE. Their followers worshipped the goddess Kali and her consort Śiva in his manifestation as Bhairava. The name 'black-faced' relates to the practice of their followers, who bore a black line or mark on their foreheads. The Kāḷāmukhas are a southern Indian Tantric offshoot of one of the oldest Śaiva sects, the Pāśupatas. (Julia A.B. Hegewald, "Introduction: The Jaina Heritage of Southern India and Karnataka," in *The Jaina Heritage: Distinction, Decline and Resilience*, ed. Julia A.B. Hegewald, Heidelberg Series in South Asian Studies (Delhi: Samskriti Publishers, 2011): 22–23.

[35] Refer to Hegewald, "Introduction: The Jaina Heritage of Southern India and Karnataka": 23.

[36] This has been outlined in detail by Dibbad, "The Construction, Destruction and Renovation of Jaina Basadis": 67–72.

[37] *Bhakti* means 'love' or devotion'. The *bhaktimārga* is 'the path of devotion', an emotional path, leading to salvation. It consists of practicing love and devotion to a personal divinity, usually given shape in a physical representation. For further details, see K. Sharma, *Bhakti and the Bhakti Movement: A New Perspectiv*e (Delhi: Munshiram Manoharlal, 1987), Werner, *A Popular Dictionary of Hinduism*: 42, and Klostermaier, *A Concise Encyclopedia of Hinduism*: 36.

[38] After the fourteenth century, a part of the Deccan came under the Baḥmani Sultanate, and then under five

rivalling forces and upset the previous relative equilibrium where the Jainas had been dominant, followed by the mainstream Hindus.

The discussion so far has shown that in the Jaina collapse into severe dependency, internal and external factors came together. The fact that Vīraśaivas played an important role in trade and rapidly started to control mercantile activities throughout the area appears to have accelerated the speedy conversion to Vīraśaivism of the ruling Jaina families of landowners and other important economic players heading trade guilds. This had devastating consequences for the maintenance of Jaina temples and funding of expensive ceremonies, as conversions of formerly generous donors resulted in the withdrawal of their financial support. With the conversion of such significant players to new religious cults, the population followed suit. We know that even Jaina monks, who were in charge of often substantial properties, were oftentimes more concerned with their recently acquired worldly powers and estates than preserving the unity and authority of the Jaina religion. Because of the immense religious and political importance that temples had for the community, and also as they were centres of wealth, these edifices were usually the first to come under siege in the strife for sovereignty in the region.[39] In this fight for hegemony, all the religious groups—Vīraśaivas, Śaivas, Śrīvaiṣṇavas, Kāḷāmukhas and Muslims—participated in damaging, destroying and absorbing the Jaina cultural assets.[40] Recorded throughout the region are countless glorifications of conversions of Jainas and their temple structures.

VI. Indications of Change and Dependency in Jaina Icons and Temples

We have outlined both internal religious adjustments taking place in Jainism itself, as well as confrontations with new and incoming religious denominations, which had a marked effect on the unity, stability and authority of the Jaina faith. These transformations are also reflected in material remnants, such as the venerated statues and temple architecture. Due to their transformed outlook on life and religious practices, the Jainas modified their sacred edifices and increased the number of their images and other objects of worship. In the confrontations with other religions, these icons and temples were targeted in the violent attacks.

VI.1. Modifications by Choice

In the same way that Jainism as a religion, its practices, organisation and self-understanding were reformed by the Jainas, there were also controlled and deliberate changes which the Jainas themselves undertook regarding their sculpted figures and sacred edifices. These

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later *sultāns*.

[39] For further details, consult the chapter on temple destructions by Dibbad, "The Construction, Destruction and Renovation of Jaina Basadis": 63–76.

[40] Two former Jaina temples in Karnataka which have been converted by Vīraśaivas have been discussed by Julia A.B. Hegewald in a joint chapter with Subrata K. Mitra (Julia A.B. Hegewald and Subrata K. Mitra, "Jagannatha Compared: The Politics of Appropriation, Re-Use and Regional State Traditions in India," *Heidelberg Papers in South Asian and Comparative Politics (HPSACP)* 36 (2008): 1–37, http://www.ub.uni-heidelberg.de/archiv/8015. See in particular, 22–29.

iconographic and architectural amendments become especially visible from the second half of the twelfth century onwards.[41] This was a period when the situation of the Jainas, although beginning to deteriorate, was still reasonably favourable and the hostilities had not yet reached its apex. Nevertheless, these alterations are by no means merely superficial, caused by artistic influences and modifications in style. The makeover of the art and architecture mirrors the broad changes in Jaina society, philosophy and religious outlook.

In terms of the Jaina icons, the pantheon increased substantially. Whilst there were no additions to the group of twenty-four enlightened teachers—the venerated Jinas—the number of gods and goddesses became substantially larger and their significance and standing within religious practice increased. The female goddesses (*devī*s) especially, also referred to as *yakṣī*s or mothers (*mātā*s), gained in influence.[42] Whilst before, they served as subsidiary divinities in temples dedicated to the Jinas, now, large temples dedicated to them as major objects of veneration were erected.

In the architecture, the modifications were even more noticeable, especially with regards to temple structures. In Karnataka, Jaina temples were referred to as *basti*s or *basadi*s. The earlier Jaina shrines of the Gaṅgā period (ca. fourth to eleventh centuries) reveal a strongly functional and utilitarian character and mirror a form of the religion, which propagated an ascetic life-style. With the increase in power and affluence, the creation of monasteries and enhanced economic influence of temples, the socio-religious values of the Jainas changed. This was also reflected in the style of the Jaina temples, dating from the subsequent Hoysaḷa period (ca. eleventh to fourteenth centuries). In contrast to the earlier shrines that were plain and simple, the Hoysaḷa structures displayed a larger expanse of decoration and ornamentation. Visually, the later temples expressed a more pronounced interest in decorative beauty and displayed a more worldly attitude. One of the most elaborate temple examples that expressed this move from the ascetic cubical shrines of the Gaṅgās to the more elaborate and ornamental temple exteriors associated with the Hoysaḷas, was the Śāntinātha Basti at Jinanathapura (Jinanāthapura).[43] On this temple, the outside niches were filled with many statues. Even though this unique amount of figural representations was rare in a Jaina context, it became more common to have highly ornate mouldings and pilasters, elaborately framed niches and richly decorated roofs.

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[41] On this issue, see, for instance, the entire chapter by M.S. Krishna Murthy, "The Development of Jaina Temple Architecture in Southern Karnataka: From the Beginning to c. 1300 CE," in *The Jaina Heritage: Distinction, Decline and Resilience*, ed. Julia A.B. Hegewald (New Delhi: Saṁskṛiti, 2011): 95–115.

[42] The concept of the sacred mother refers to earlier fertility cults and still survives in the concept of the seven or eight sacred mothers.

[43] Whereas Krishna Murthy explains this as representative of the general changes that took place in the religious attitudes, practice and architectural approach of the Jainas (Krishna Murthy, "The Development of Jaina Temple Architecture": 112), Del Bontà argues for more personal reasons by the local patron of the temple (Robert J. Del Bontà, "The Shantinatha Basadi at Jinanathapura," in *The Jaina Heritage: Distinction, Deline and Resilience*, ed. Julia A.B. Hegewald [New Delhi: Saṁskṛiti, 2011]: 121, 123–25). In the context of the changed self-understanding of the Jaina community, I am more inclined to support Krishna Murthy's interpretation, although personal reasons, too, might have played a certain role, as this temple is exceptionally ornate. The first time a place name is mentioned, its local spelling, including diacritical marks, is given if this differs from the English spelling.

VI.2. External Influences on Jaina Temple Architecture

Even more noticeable than the voluntary stylistic changes was the influence of external forces, such as other faith groups, on the design of Jaina temple architecture. Religions which had just gained in power in the region removed and desecrated the icons, damaged and entirely destroyed temples, but also re-used and adapted them for their own ritual needs. As outlined above, the period starting with the early-twelfth century was marked by religious strife and loss of power of the Jainas in most parts of Karnataka. In this context, large numbers of sacred places, which were centres of prosperity and also social and political hubs, were looted and devastated. In the following, the effects these had on Jaina icons and religious architecture are outlined.

VI.2.1. Removal, Desecration and Disfigurement of Jaina Statues

The icons housed inside Jaina temples represent the focal elements of the sacred sites. Therefore, they were usually targeted first during the violent assaults. As part of these religiously motivated attacks, different approaches were taken towards the sacred images. Whilst in some cases, the figural representations were removed entirely, in others, they were desecrated or mutilated in varying degrees.[44] Only very rarely were such disfigured icons later repaired by the Jainas.

Large numbers of Jaina temples were robbed of their central religious sculptures. This can be seen in the Śāntīśvara Basti at Nittur (Niṭṭūr), whose initial icon was removed and only replaced much later, during more peaceful periods.[45] At other sites, the stolen statues were never replaced, as illustrated by most of the Jaina temples in the village of Aihole (Aihoḷe) (**Plate 3**). The only items that remained in these cases were the frequently very beautifully carved and ornate image platforms (*siṁhāsana*), but lacking the principal statue for which they were originally carved.[46] If the images were taken away, the religious edifices were frequently spared, as the elimination of the most sacred objects of worship sufficed to render them religiously and politically ineffective. This situation can be observed at Bhatkal (Bhaṭakaḷa) in the coastal region of Karnataka, where the Candranāteśvara Basti was not re-consecrated after all its images had been stolen, although the edifice itself was only slightly damaged. Of particular interest were the metal figures, which could be melted down and recast to form other statues or non-religious artefacts, such as jewellery, coins and armoury. Precious stones, which have often been inlaid into Jaina icons, were also extracted and recycled in new settings.[47]

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[44] In chapter 6.3.2, the re-use of Jaina sacred icons will also be discussed.

[45] On this, see K.V. Soundara Rajan, "Monuments and Sculpture A.D. 1000 to 1300: The Deccan and South India," in *Jaina Art and Architecture*, vol. 2, ed. A. Ghosh (New Delhi: Bharatiya Jnanpith, 1975): 318.

[46] This can, for instance, be seen in a destroyed Jaina temple in the village of Aihole. When Cousens visited the temple in the early 1920s, an unusual statue—not clearly identifiable—possibly the image of a *yakṣa*, had been placed on the seat. According to Cousens, the figure was obviously not the original one made for the pedestal (Cousens, *The Chālukyan Architecture of the Kanarese Districts*: 49, Fig. 14). In 2001, when I visited the temple, the pedestal was empty.

[47] For a discussion of the concept of 'recycling' in an art historical context, see Julia A.B. Hegewald, "Towards a Theory of Re-Use: Ruin, Retro and Fake Versus Improvement, Innovation and Integration," in *Re-Sse: The Art*

Plate 3: During the time of struggle, large numbers of venerated icons were removed from their pedestals in the main shrine rooms of Jaina temples, and they remain empty to the present day, as seen here at Aihole.

Illustrating a second approach are instances where the images were left behind but desecrated. To dishonour them, they were removed from their raised altars and placed onto the dusty ground (**Plate 4**). Icons of all Indic religious groups should be elevated above the floor to signal their purity and significance. In their new Śaiva or Vīraśaiva setting, they were also often smeared with sacred ashes (*vibhūti*), signalling the conversion and annexation of the temple and its sacred images.[48] An example can be seen in the former Jaina temple at Hallur (Haḷḷūr), which was converted by the Vīraśaivas (Plate 4).[49] Alternatively, the statues

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and Politics of Integration and Anxiety, ed. Julia A.B. Hegewald and Subrata K. Mitra (New Delhi: Sage Publishers, 2012): 32.

[48] Blake Michael, *The Origins of Vīraśaiva Sect: A Typological Analysis of Ritual and Associational Patterns in the Śūnyasaṃpādane* (Delhi: Motilal Banarsidass, 1992): 84 mentions five so-called 'supports' in Vīraśaivism, which he calls 'the minor sacramental substances'. The fourth substance is *vibhūti*, sacred ash, prepared in a complex process from cow dung. The end product is used to mark the forehead with a dot or with horizontal lines known as signs (*tilaka*). These denote the belonging of a person or a statue to Vīraśaivism.

[49] For further details on this converted temple, see the discussion by Hegewald in the two pieces by Hegewald and Mitra (Hegewald and Mitra, "Jagannatha Compared": 1–37; Julia A.B. Hegewald and Subrata K. Mitra, eds. "The Past in the Present: Temple Conversions in Karnataka and Appropriation and Re-Use in Orissa," in *Re-Use: The Art and Politics of Integration and Anxiety*, ed. Julia A.B. Hegewald and Subrata K. Mitra [New Delhi: Sage

were physically mutilated. This was also done to figures decorating the outer facades of the temples. In the shrine at Hallur, the Jaina statues immediately flanking the entrance were partially damaged. On the image to the west one of its arms was removed and on the one to the east, the face was sliced off.[50] The disfigurement of the face of a sacred image is an especially pronounced gesture.[51]

Plate 4: Other images were taken down from their altars, placed on the ground and tarnished with white ash to vandalise them and signal the Vīraśaiva annexation of the sacred temple space as, for instance, at Hallur.

Even more powerful than the damage or defacement of a statue is its full decapitation, illustrating the third method of defilement. This can, for instance, be seen in the first-floor shrine of the deserted Meguḍi Temple on the hill at Aihole. Whilst the halo of the statue has been preserved, the head has been cut off, with the remaining circular mandorla further

Publishers, 2012]: 55–85).

[50] The deformity of these statues has also been highlighted by Michael Meister and M.A. Dhaky, eds., *Encyclopaedia of Indian Temple Architecture: South India—Upper Drāviḍadēśa (Early Phase, A.D. 550–1075)*, 2 vols. (New Delhi: American Institute of Indian Studies and Philadelphia: University of Pennsylvania Press, 1986): 147, and by K.M. Suresh, "Jaina Monuments in and Around Hampi," *in The Jaina Heritage: Distinction, Deline and Resilience*, ed. Julia A.B. Hegewald (New Delhi: Saṁskṛiti, 2011): 110.

[51] This practice is also known from an Islamic context. During acts of mutilation, the faces and, in the case of female sculptures, the breasts were frequently marred.

emphasising the lost body part. As the statue is still present but has been severely maimed, this is an especially poignant specimen. From a ritual viewpoint, the elimination of the head prevents devotees from gazing into the eyes, which although less important in a Digambara than in a Śvetāmbara context, still bears strong significance in Jaina worship. Furthermore, such intensely marred icons can never be re-consecrated again. At times, the beheaded figures were displayed at the front of temples to signal their takeover to anybody approaching the site. There are still a number of places where, even after the regaining of control and re-consecration of the shrines by the Jainas, such disfigured statues are still kept on display. These serve as stirring reminders of the violent times the community endured and survived. Their subsistence is taken as a proof of the strength and ultimate superiority of the Jaina faith. A poignant example is the headless torso of a seated statue of a Tīrthaṅkara placed on view at the front of the temple neighbouring the Brahma Jinālaya at Lakkundi (Lakkuṇḍi).[52] Moreover, the detached limbs and heads, which were chopped off sacred icons, were also put on display in the context of Jaina shrines. Examples are kept in the framed outer niches of the Anantanātha Basti in Lakshmeshvar (Lakṣmeśvara). Other mutilated statues are found leaning against the facades of temple edifices, gateway structures and their compound walls (**Plate 5**). At first, it was the local dominant powers' agents who violated Jaina icons and exhibited them as signs of suppression and control. Later, they were kept in place by the Jainas themselves, as powerful aides-mémoires of the hostility and carnage they and their sacred sites of worship had been subjected to. Therefore, it is very uncommon for such damaged statues to have been repaired. However, during the preparations for the 2018 Mahāmastakābhiṣeka, Bhaṭṭāraka Śrī Bhānu Kīrtti Svāmījī commissioned the restoration of the statues placed in the outer niches of the temple and the gateway at the Pañcakūṭa Basti at Kambadhalli (Kambadhallī). In this instance, the reinstated elements were moulded out of grey plaster, which can clearly be differentiated from the original yellow sandstone of the stone sculptures. It appears that this has less to do with modern Western restoration practices surrounding the idea of 'authenticity', than with the Jaina approach of preserving historically suffered 'wounds'. This victory of survival is taken as a reconfirmation of the strength and, to a certain extent, also the superiority of the Jaina faith.[53]

[52] Displayed alongside the mutilated Jina icons are small stone images, which look like statues of Nandī, the vehicle of Śiva or a symbolic representation of Basava and of Gaṇeśa, the son of the Hindu god Śiva. It is not entirely clear whether these indicate a Hindu period of occupation which has ended and which the Jaina community is remembering through this ensemble, or whether it points towards a looting of all the temples at the site—both Jaina and Hindu—by another religious force. Unfortunately, it is often difficult to obtain precise information about attacks on sites due to the sensitivity of the issue and the wish of the informants not to accuse any community as the culprit, and today, to live together as much in harmony as possible.

[53] Only rarely have the new occupiers of annexed Jaina temples converted or appropriated the statues to reflect representations more fitting of their own specific mythology or religious system. These will be discussed in section 6.3.2., Re-using Icons and Sacred Objects, in this chapter.

Plate 5: Mutilated Jinas and other sacred statues were put on display by newly dominant groups—as can be seen at Kambadhalli—and often kept in place later by the Jainas as reminders of the wrongs they had suffered.

VI.2.2. Destruction and Re-Construction of Temples

With regard to how the new dominating religious powers dealt with the Jaina statues, we have discussed the theft, desecration and various degrees of mutilation of images. However, the temple edifices housing these icons were also targeted in these violent conflicts. Here again, we can identify a number of distinct methods.

Plate 6: Ruined Jaina temples, as at Vijayanagara, can be found throughout the region and are the result of military assaults and neglect due to a loss in influence which the Jainas suffered from the twelfth century onwards.

In one approach, the temple structures were severely damaged or even demolished. Completely impaired structures and the foundations of entirely levelled Jaina temples can be found throughout the region of Karnataka (**Plate 6**). Such annihilations have been attributed to Muslims but particularly to Vīraśaivas. Basava, in one of his famous religious sayings (*vacana*s), pronounces 'Things standing shall fall, but the moving ever shall stay' (*Vacana* 820).[54] In a Vīraśaiva context, the 'moving' appear to be the practitioners themselves, who follow the religion by carrying the symbol of the divine principle, the *liṅga*, on their own body.[55] The human body of the follower is argued to replace the need for any temples. It seems that, obeying Basava's wish to bring to a fall the shrines of other religions, large numbers of Jaina shrines were completely devastated. At Chikka Hanasoge (Chikka-

[54] See A.K. Ramanujan, *Speaking of Śiva* (Harmondsworth: Penguin Books, 1973 [reis.: 1985]): 88.

[55] Besides ordinary worshippers, 'the moving' also relates to the so-called 'Moving One', the *jaṅgamana*, the enlightened sage who has, by fusing with the *liṅga*, turned his body into a moving temple. According to Vīraśaiva teachings, the human body is the true temple (John Bowker, ed., *The Oxford Dictionary of World Religions* [Oxford and New York: Oxford University Press, 1997 (reis. 1999)]: 581). *Liṅga*, *jaṅgamana* and *guru*, the enlightened sage heading a *maṭha*, form a central trinity in the Vīraśaiva faith. Due to the importance of moving and walking in this religion, the shoes worn by their saints were placed on funerary monuments (*samādhi*) and kept in their religious headquarters, the *maṭha*s, where they receive special veneration (Tiziana Lorenzetti, "The Cult of Feet and Footwear in the Liṅgāyat Tradition: Symbology and Peculiarities," in *In the Footsteps of the Masters: Footprints, Feet and Shoes as Objects of Veneration in Asian, Islamic and Mediterranean Art*, ed. Julia A.B. Hegewald [Berlin: EB-Verlag, 2020]: 344–52).

Haṇasoge), there is one very well-preserved temple, the large and complex Ādinātha Trikūṭa Basti. However, according to local knowledge, there were another sixty-four temples at the site, most of them Jaina. It is said that they were shattered in religiously motivated attacks, leaving no trace of them above the ground.[56] For some sacred structures, we have clear epigraphic records informing us of their destruction. The famous sixteenth-century inscription from Mulgund (Muḷgund), near Dharwar, portrays the annihilation of the local Pārśvanātha Jināḷaya by Muslim armies, and the martyrdom of Ācārya Sahasra Kīrtti, who was killed in the assault.[57] A particularly interesting case is the Ādinātha Basti (1589 CE) in Srirangapatnam (Śrīraṅgapaṭṭaṇa). The large number of statues on display inside the temple are said to have come from supposedly one thousand and eight completely destroyed Jaina shrines in the area.[58] These are understood to have been wrecked by the Muslim, Malik Kafur, a general of 'Alau'd-Dīn Khiljī.[59] The Jaina re-use of their own icons from other sites is relatively rare.[60] The icons were frequently buried in the ground to protect them from theft and desecration by approaching armies and thugs. Previously buried and exhumed, as well as returned looted icons were not usually re-consecrated. It appears that somehow, they were considered to be stained or disempowered. This can be seen in the Pārśvanātha Jaina Temple at Bijapur, whose main black marble statue of Mahāvīra was concealed in the ground to protect it from the Islamic assaults on the site. When it was brought back to light, it was only displayed in the porch of an adjacent small shrine and not reinstated as a main sacred image (*mūlanāyaka*). Above entirely crushed Jaina temples, new buildings could be erected by other religious groups, or later even by the Jaina community itself. In actual fact, it is very common to observe such a continuity of sacred sites.[61] The flattening of temples of one religious denomination and their replacement with a structure associated with a different faith can be a powerful political statement.[62]

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[56] This information is based on a personal communication with local Jaina families at Chikka Hanasoge in 2001.

[57] The inscription states that Ācārya Sahasra Kīrtti remained inside the temple and died when it was set alight. On this, see P.B. Desai, ed., *South-Indian Inscriptions*, vol. 15, *Bombay-Karnataka Inscriptions*, vol. 2 (Delhi: Archaeological Survey of India, 1964): 433, inscription no. 695, and K.R. Srinivasan, "Monuments and Sculpture A.D. 1300 To 1800: The Deccan," in *Jaina Art and Architecture*, vol. 2, ed. A. Ghosh (New Delhi: Bharatiya Jnanpith, 1975): 365. This act of self-sacrifice is interpreted as a demonstration of extreme non-violence (*ahiṃsā*), one of the main tenets of the Jaina faith.

[58] One thousand and eight is a number perceived as sacred and auspicious by most indigenous religious groups in South Asia and is often used when a particularly large amount is referred to.

[59] This information is based on personal communications with the Jaina family caring for the temple in Srirangapatnam and with neighbouring Jaina families in 2001. Malik Kafur defeated the Hoysaḷa King Ballāla II in Tamil Nadu (James C. Harle, *The Art and Architecture of the Indian Subcontinent*, The Pelican History of Art [Middlesex: Penguin Books, 1986]: 261) and Karnataka (Krishna Murthy, "The Development of Jaina Temple Architecture": 114).

[60] This is a case of 'conventional re-use', in which an object is used for the same purpose without a change in function. The only aspect which changed is the particular named temple in which the statues are venerated. For more information on the concept of conventional re-use, see Hegewald, "Towards a Theory of Re-Use": 31–34.

[61] On this issue, see Hegewald, "Towards a Theory of Re-Use": 34.

[62] Cases of such utter destruction and complete rebuilding, often recycling the building materials taken from the wiped-out structures, are also known from an early Islamic context in India. This has been discussed in the chapter by Julia A.B. Hegewald, "Extreme Dependency as a Creative Catalyst in Early Indo-Islamic Architecture of the Slave Dynasty," in '*Das alles hier' Festschrift für Konrad Klaus zum 65. Geburtstag*, ed. Ulrike Niklas, Heinz Werner Wessler, Peter Wyzlic and Stefan Zimmer (Heidelberg: Xasia eBooks, 2021): 151–74.

In most instances of complete destructions of sacred buildings, local legends name a culprit. However, some structures may have also degenerated and collapsed due to general negligence, such as the abandonment suffered after voluntary or enforced conversions away from Jainism. Other sites and temples were discarded for different reasons. The city of Vijayanagara, for instance, was abandoned when the empire collapsed in the middle of the seventeenth century. Whilst the local Hindu structures have generally been restored and well-maintained by the Archaeological Survey of India, only a few of the originally numerous Jaina edifices at the site have been preserved. Only the Pārśvanātha Temple and the Gaṇagitti Temple, in neighbouring Kamalapura (Kāmalāpur), have been completely refurbished and well-maintained. Most other Jaina structures at the site have fallen into a state of grave decay and are no longer in use (Plate 6).

At some sites, completely broken temples, which were of particular significance for the community, were later rebuilt. A striking example is the Śaṅkha Jināla*ya* at Lakshmeshvar, raised under the Kalyāṇi Cāḷukyas in the eleventh century.[63] The attack on this temple was so ferocious that its fabric was ground down to minute stone fragments. Therefore, an authentic re-construction of the original structure was not possible. Small wall segments and sculptural remains were fitted together in a fairly random manner (**Plate 7**). The result was an edifice that very strongly reflected the aggression and scars from the past.[64] At other sites, only selected former building elements, such as thresholds, doorframes or altars were integrated into the largely new temple buildings. The Śrī Śanteśvara Svāmī Digambara Jaina Basti in Mysore is characteristic of this situation. Although the fabric of the temple dates from the twentieth century, it preserved some ancient doorframes, integrating elaborate lintels and life-size statues of door guardians (*dvārapāla*s).[65] The Jaina community, however, also demolishes their own temples to replace them with pristine new structures. In Karnataka, this can be seen at Dharmasthala. Originally, the Candranātha Basti was a mostly wooden structure, which was torn down and entirely rebuilt in concrete, clad with marble panels sometime between 2000 and 2005.[66]

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[63] For more information on this temple, see Soundara Rajan, "Monuments and Sculpture A.D. 1000 to 1300": 312–13.

[64] It is fascinating that the Lakṣmīliṅgeśvara Temple at Lakshmeshvar, which is at least today under Hindu control, also represents as much of a building patch-work as the Śaṅkha Jināla*ya*. On the basis of the present remains, it is not entirely clear whether a Jaina and Hindu temple were destroyed by Vīraśaivas or Islamic troupes moving into the area or whether possibly both were Jaina to start with but one was reconstructed by the Hindus. Dhaky does not refer to this or the destruction of the temple in his brief discussion (M.A. Dhaky, ed., *Encyclopaedia of Indian Temple Architecture: South India—Upper Drāviḍadēśa [Later Phase, A.D. 973–1326]*, 2 vols. [New Delhi: American Institute of Indian Studies and Indira Gandhi National Centre for the Arts, 1996]: 173). The reverse case, where the Jainas re-consecrated a destroyed former Hindu temple after Muslim assaults, can be seen at Khajuraho. This has been discussed in the article by Julia A.B. Hegewald, "Architectural, Sculptural and Religious Change: A New Interpretation of the Jaina Temples at Khajuraho," in *Studies in Jaina History and Culture: Disputes and Dialogues*, Routledge Advances in Jaina Studies, vol. 1, ed. P. Flügel (London and New York: Routledge, 2006): 401–18.

[65] In addition, the temple houses a sizeable collection of medieval Jaina metal statues.

[66] Kurt Titze has published a photograph of the earlier wooden structure which must have been taken before the publication of his book in 1998 (Kurt Titze, *Jainism: A Pictorial Guide to the Religion of Non-Violence* [Delhi: Motilal Banarsidass, 1998]: 223, plate 318).

Plate 7: The Śaṅkha Jināḷaya at Lakshmeshvar illustrates the attempt at re-construction of a severely damaged Jaina temple where, due to the violence of the attack, a faithful rebuilding could not be done.

VI.3. Re-Using Icons, Sacred Objects and Edifices

We have discussed stolen, dishonoured and damaged images, as well as completely flattened, rigorously impaired and reconstructed temples. Another approach taken by rival religious groups who wished to establish new religious and worldly orders was to absorb and adapt icons and sacred spaces. Sculptures and shrines were converted by different faith groups and, by doing so, they were re-used in a changed religious context and invested with new meanings. Through this, often ancient and treasured objects and architectural spaces were preserved and continued to play important roles as valued cultural relics. These remained to bear an active influence on the local culture and identity. Soundara Rajan writes regarding the shattered but reconstructed and re-consecrated Brahma Jināḷaya at Lakkundi: 'Even in their utter desolation and nominal worship, the temple-ruins present a grandeur befitting its [their] famed past from the sixth to the thirteenth century'.[67] For those robbed of their valued places of veneration, however, such temples harbour traumatic memories and act as lasting reminders of the degradation, theft, destruction and conversion. In Karnataka, there are particularly many cases of temple changeovers and conversion from Jaina to Vīraśaiva ownership. There are examples where no Jaina remnants have been preserved and it is only the evidence that Vīraśaivism simply did not exist in its reformed state before the twelfth century which reveals that an annexation of a former

[67] For this quote, refer to Soundara Rajan, "Monuments and Sculpture A.D. 1000 to 1300": 315.

Jaina temple must have taken place. However, there are also edifices that continue to display obvious Jaina elements and where the act of reappropriation has not been completely masked. The most famous Jaina temple site in the region which has been converted is Sringeri. Formerly, a Jaina temple since the fourteenth century, it is one of the most celebrated Hindu religious centres in Karnataka.[68] The Muslims, too, seized Jaina temples and adjusted them to fit their own ritual practices.[69]

VI.3.1. Methodologies in the Re-Use of Architecture

Generally, we can identify three approaches which were followed in the re-use of Jaina temples in Karnataka. Structures characteristic of the first approach clearly expose the fact of annexation. Those belonging to the second carefully aim to conceal the act of appropriation and pretend that the shrines were raised by its most recent users. Those temples falling into the third and last group follow a less conscious and clearly delineated tactic. Here, certain elements, characteristic of the previous religious users, have been coarsely removed but not replaced with new ornaments or symbols that would be more fitting of the latest owners. Let us examine some examples to illustrate the points more clearly.

Converted shrines belonging to the first class are by and large reasonably unusual. However, a perfect example of a confident annexation, which is not hiding this fact, is the already mentioned Meguḍi Temple at Hallur, converted by Vīraśaivas. Very prominent statues of naked Jaina ascetics have been preserved on the facades of the temple. Only those statues immediately flanking the entrance to the structure show slight impairments. Nevertheless, they are still clearly identifiable as Jaina figures and, as such, form elements which do not belong in a Vīraśaiva environment. The nude icons embellishing the outside of this forcefully converted temple appear like war trophies, exhibited to disgrace the Jaina faith and its venerated saints.

Re-used temples, where the Jaina foundation is less clear, are more common. In a way, the second and third approaches only illustrate two degree of how vigilantly the conversion was handled. There are examples where the attackers took great care to eradicate all obvious hints pointing to a Jaina origin. Acting as helpful identifiers for the religious identification of temples are the statues—in a Jaina context, frequently Jinas—and ornaments that have been carved onto the lintels (*lalāṭabimba*) leading into the temples and shrine rooms. In adapted buildings, such denominational markers have often been eliminated. In instances where no *lalāṭabimba*s were present in the first place, where they have been carefully removed and the area has been polished to eliminate all traces, or where an entire lintel has been replaced to show symbols of the latest users, it is difficult to prove the annexation of a temple without written and historical evidence.

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[68] This is based on personal conversations with Prof. Dr. Robert Zydenbos in Munich in 2005, and with a number of local informants during fieldwork in Karnataka between 2001 and 2007.

[69] See, for instance, Julia A.B. Hegewald, "Jaina Temples in the Deccan: Characteristics, Chronology and Continuity," *Journal of Deccan Studies* 5, no. 1 (2007): 9 [special issue on Jainism, guest editor: Prof. Aloka Parasher-Sen].

In most cases, the third approach was taken, in which the *lalāṭabimba*s have been chiselled away quite crudely. In this middle way, the former images and symbols have been removed, but the fact that the original denomination of the temple was altered is not completely hidden. Two good examples illustrating this technique are the former Jaina Temple at Hangal (Hāngal) and the Pārśvanātha Temple at Annigeri (Aṇṇīgeri). In both, the icons adorning the lintels to the sanctum of the temple have been coarsely removed.[70] Well-defined iconographic elements indicating the religious denomination of a structure are, however, not only found inside temples but also on the lintels above entranceways. Even though the outer walls of Jaina temples are often quite sparsely decorated, figural images have often been incorporated into the parapets and roof structures of halls, and more elaborate superstructures found above the shrines. These representations were also frequently eradicated during the conversion of temples. Most of these small statues adorning the roof of what is today the Vīr Nārāyaṇ Hindu Temple, a Viṣṇu shrine at Gadag, were removed and only a very small number of Jina statues can still be found in more hidden places. These clearly indicate the original Jaina nature of the temple.[71] Another example is the former Jaina temple at Pattadakal (Paṭṭadakal). Today, the shrine houses a prominent *liṅga*, whilst its initial sculptural panels were removed. A reasonable clean-up was easily possible in the context of this temple, as it appears that its iconographic scheme did not contain unique Jaina imagery. Cousens commented on this temple as follows:

> There are no dedicatory blocks over the doors, and the only indications to show that it was a Jaina temple are two little images of seated Jainas, one halfway up the back or west side, and one on the north side of the tower. To this might be added the negative evidence that there are no Brahmanical images about the building. (1996: 72)

Another example of this approach is the Nāganātha Temple—which today is dedicated to Śiva—which still bears icons of Jinas in its roof structure (**Plate 8**). On the inside, the empty pedestal (formerly of Pārśvanātha) has been fitted with a *liṅga* as new religious icon.[72] These examples demonstrate the middle or third approach, which neither publicises nor disguises the fact that a takeover and change in denomination has taken place.

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[70] The Pārśvanātha Temple at Annigeri is a fascinating example, where although many images on the door lintels have been chiselled away, indicating at least a temporary take over or at least a sectarian attack, today, it is again used as a sacred place of Jaina worship. An image of a Jina flanked by elephants, which strongly resembles a representation of *gajalakṣmī*, was not removed, although it is located above the main entrance to the temple. It appears that this image is so close to a Hindu concept that it could be appropriated. There are a few temples where the coarsely removed images adorning the door lintels are more puzzling. Amongst these are the temples on Hemakutta (Hemakūṭam) Hill at Vijayanagara, which appear to have been conceived as Hindu but where the *lalāṭabimba* have been removed as well. It is not entirely clear whether these were actually Jaina and whether the outside Hindu statues and decorations have been added later, or whether this was a change-over from mainstream Hindu to Vīraśaiva usage.

[71] More obviously, Jaina is the prominent *mānastambha*, with an empty image pavilion standing in front of the temple. Also common in a Jaina context is the lotus altar at its side.

[72] This fits especially well, as both Pārśvanātha and Śiva are closely associated with snakes, depicted on the back of the pedestal.

Plate 8: Temples such as the Nāganātha Temple at Lakkundi frequently still bear small Jaina statues in their roof decorations, which continue to indicate the original dedication of converted temples.

The previous temple is not the only that had been provided with a new icon after the most prominent remnants of the former denomination were removed.[73] Jaina temples which were converted to Vīraśaivism have generally been endowed with a *liṅga* in their main sanctum (*garbhagṛha*). Facing this, placed in the vestibule (*antarāla*) or adjacent hall, are usually small statues of Nandī, the bull associated with Śiva and with Basava.[74] This can be seen in the Virūpāksha and other former Jaina temples of the Cāraṇṭī Maṭha group at Aihole. In former Jaina temples which have further shrines on raised levels, typically only the lower sanctum has been supplied with new Vīraśaiva statues after their transformation. The shrines on raised floor levels have, in most cases, been retained but are usually empty and no longer in use. A good example again is the former Jaina temple at Hallur. These abandoned higher shrines do not form part of the new ritual practices of the converted

[73] Jainas themselves also at times change the specific dedication of their temples. For instance, the Maṅgāyi Basti in the village of Shravanabelgola today houses a statue of Pārśvanātha, although an inscription on the lintel identifies it as Anantanātha. There are many more instances where today, the name of a temple does not reflect the identity of the principal enshrined statue.

[74] This can be seen in the converted Jaina temple at Hangal, in Jaina Temple no. 7 in Aihole and in the Meguḍi Temple at Hallur. In the latter two temples, the *lalāṭabimba* statues have been coarsely removed as well.

temple. This is because Vīraśaiva practice is less ritualistic and does not involve many statues.

VI.3.2. Re-Using Icons and Sacred Objects

Thus far, we have focussed on the annexation of architectural spaces or empty altars. However, statues and other sacred objects housed in the context of Jaina shrines were also taken over, rededicated and sanctified anew by other faith groups. Despite their existence, such cases are reasonably rare but can be found in the context of different religious groups. Prominent examples are associated with a new Vaiṣṇava context. In particular, sculptural representations of Pārśvanātha and Supārśvanātha, who are sheltered by three to seven-headed snake hoods, could be transformed into icons of Viṣṇu-Nārāyaṇa without much trouble.[75] His iconography also prescribes a sheltering snake hood.[76] However, it is particularly intriguing that Vīraśaivas, who as was outlined before have a very reduced ritual and should focus their veneration on the *liṅga* only, also adopted and continued to worship statues of the Jinas. A conspicuous example is the large seated stone Jina, in what is today the main Liṅgāyat temple of Adargunchi (Adarguñchi). Nowadays, the Jina icon is referred to as 'Doḍḍappā', which in Kannada language means 'paternal uncle'.[77] Its religious transformation is evident from the pronounced parallel white lines, which have been painted onto the body of the statue, and from the fresh flower offerings draped in garlands around its neck.[78] There are other instances where Vīraśaivas appear to venerate other divinities outside their strict doctrinal frame.[79] Another fascinating example are the Jaina *kṣetrapāla*s, guardians of the sacred temple compound in a Vīraśaiva shrine at Kagvad (**Plate 9**). Today, they are venerated as forms of Śiva, although only the *liṅga* and not Śiva are part of Vīraśaiva worship. In addition to icons, other venerated objects, such as representations of Jaina footprints, were also annexed and venerated by Vīraśaivas.[80]

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[75] Nārāyaṇa is a representation of Viṣṇu sleeping on the cosmic snake (Śeṣaśāyin) between two world eras.

[76] Examples of such conversions have been discussed by Hegewald, "Towards a Theory of Re-Use": 33. See also Plate 2.3 in the same publication.

[77] For additional information, see the discussion by Hegewald in Hegewald and Mitra, eds., "The Past in the Present": 63–64. Locally, no information was available about the specific meaning of Doḍḍappā, who does not appear to have a specific significance in a Vīraśaiva context. Instead, it seems to provide ceremonial contact to a family-like figure that believers can turn to in times of trouble.

[78] For further details and photographs from the converted temple and venerated objects at Adargunchi, see Hegewald and Mitra, eds., "The Past in the Present": Plates 3.4 and 3.5.

[79] Dr Sara Mondini, in the digital lecture series "Religious Traditions of India," organised by the University of Ghent, showed in her presentation on 17 November 2021 that the Vīraśaivas of Madiyal, located between Sholapur and Kalaburagi in the very north of Karnataka, carry a statue of the south Indian mother goddess Maisamma in procession. Also fascinating is the close connection of the Vīraśaivas of that area with the local Muslim community, described by Mondini.

[80] For a discussion of the particularly easy conversion of footprints from one to another religious ritual use, see Julia A.B. Hegewald, "Foot Stones and Footprints (Pādukās): Multivariate Symbols in Jaina Religious Practice in India," in *In the Footsteps of the Masters: Footprints, Feet and Shoes as Objects of Veneration in Asian, Islamic and Mediterranean Art*, ed. Julia A.B. Hegewald, Studies in Asian Art and Culture (SAAC) 7 (Berlin: EB-Verlag, 2020): 357–423.

Plate 9: Although they are not part of the reduced Vīraśaiva ritual practices, Jaina *kṣetrapāla*s, as can be seen in the converted temple at Kagvad, were re-used by the new temple owners and venerated as forms of Śiva.

VII. Survival and Endurance

Jaina temples were targeted not only during this period of intense communal and religious unrest from about the mid-twelfth to the fifteenth or sixteenth centuries. According to Cousens, the situation continued well into the later periods.[81] Literary evidence points towards continuous prejudices and discrimination waged against the Jaina community in Karnataka. This appears to have persisted well into the nineteenth century.[82] Despite verbal and written threats as well as real physical persecution which the Jainas experienced, the religion and its art and architecture continued to be produced and to evolve. Not much has been written about Jaina art and architecture after the thirteenth century. This applies not only to the south, which forms the focus of this chapter, but also to the whole of India.

[81] In his book on Cālukyan architecture first published in 1926, he reveals that the central icon of Mahāvīra, originally enshrined in the Brahma Jinālaya at Lakkundi, was thrown out by '*badmāshes*' a few years before his visit (Cousens, *The Chālukyan Architecture of the Kanarese Districts*: 78). '*Badmāshes*' is an Anglo-Indian term for rogues or rascals. On a later visit by Cousens, also before 1926, the temple had been re-consecrated by the Jainas and remained closed to visitors. For this information, refer to the book by Cousens mentioned in this footnote on p. 79.

[82] Sundaram has written on this issue. See Sundaram, "Elements of Jaina History in Kannada Literature": 35.

With regards to Karnataka, there is a particular appeal felt towards the Vijayanagara empire, founded by Harihara I and his brother Bukka Rāya I in 1336 CE. The rulers themselves were Hindu; however, some had Jaina wives. The kings seem to have been particularly tolerant towards other religions and to have offered protection to the Jainas.[83] The capital city, Vijayanagara, alternatively known as Hampi (Hampī), has a number of substantial Jaina temples. One of the most prominent structures amongst these is the Pārśvanātha Basti. It was constructed under Devarāya II (1422–1446) in 1426 CE.[84] Another elaborate granite structure is the Gaṇagitti Temple, alternatively known as Gaṇigitti or Kunthunātha Temple, in nearby Kamalapuram (**Plate 10**). According to an inscription found on the pillar in front of the temple, it was commissioned by the Jaina general Irugappa Daṇḍanāyaka (1384–1442) in 1385 CE.[85]

Plate 10: The late fourteenth-century Gaṇagitti Temple at Kamalapuram is an example demonstrating the continuity of Jaina temple architecture in Karnataka, although on a severely diminished scale.

[83] This has been examined by Bhasker Anand Saletore, *Mediaeval Jainism: With Special Reference to the Vijayanagara Empire* [Bombay: Karnataka Publishing House, 1938]: 298–321, K.M. Suresh, *Temples of Karnataka [Ground Plans and Elevations]*, 2 vols. [Delhi: Bharatiya Kala Prakashan, 2003]: 60, and Pius Fidelis Pinto, "Jainism in the Vijayanagara Empire: The Survival of the Religion in the Capital and in the Coastal Region of Karnataka," in *The Jaina Heritage: Distinction, Deline and Resilience*, ed. Julia A.B. Hegewald [New Delhi: Saṁskṛiti, 2011]: 77–92. An inscription of Bukka Rāya I testifies that he mediated in a dispute between the Śrīvaiṣṇavas and the Jainas in 1368 and extended royal protection towards the Jainas. On this particular issue, see Saletore, *Mediaeval Jainism*: 302, and Srinivasan, "Monuments and Sculpture A.D. 1300 To 1800": 365.

[84] See Saletore, *Mediaeval Jainism*: 302.

[85] Irugappa Daṇḍanāyaka served under Bukka Rāya II during the reign of Harihara II, and under Devarāya II (Srinivasan, "Monuments and Sculpture A.D. 1300 To 1800": 366, 368). On the Jaina temples in and around Hampi, see also Suresh, "Jaina Monuments in and Around Hampi": 177–97.

In addition to Vijayanagara, where the political environment was favourable towards the Jainas, Shravanabelgola (Śravaṇabeḷagoḷa) also continued to develop and expand as one of the major religious centres of the Jainas throughout these difficult times. The small town lies between two major hillocks, bearing the majority of the sacred structures at the site. Most early Jaina remains are found on the sacred hill of Candragiri. During the following centuries, further edifices were raised particularly on the second peak, Viṇdhyagiri, as well as in the town. The Maṅgāyi Basti, close to the centre, dates from 1325 CE.[86] On Viṇdhyagiri, close to the entrance of the Gommaṭeśvara enclosure, is the small Siddha Bhagavāna Temple, raised in 1398. The Cennaṇṇa Basti, located on the same hill, goes back even further and dates from 1673 CE. The later Jaina temples, in general, again have reasonably unadorned exterior walls, often not even incorporating niches any longer. This reflects a situation of austerity and hardship after the great flourishing under the Hoysaḷas.

Besides prominent royal and sacred pilgrimage hubs, such as Vijayanagara and Shravanabelgola, Jainism persisted and continued to prosper in a number of provincial centres. This is especially noticeable from the fifteenth century onwards.[87] Particularly plentiful and distinct are the Jaina temples found on the west coast of Karnataka. Some of the prominent centres of Jainism in this area are Mudabidri (Mūdabidri), Karkal (Karkāla, Kārkaḷa), Venur (Venupura, Vaṁśapura) and Bhatkal. Additionally, almost every village or town in this area maintains valuable Jaina vestiges and temple structures. The local shrines have the characteristic steep sloping and widely projecting roofs, covered with terracotta tiles or stone slabs.[88] Their outer walls are usually plain and the design of the pillars and roof constructions have been derived from earlier wooden construction techniques.[89] Some prominent examples are the Candranātha Basti at Mudabidri, built in 1429 CE, the famous Caturmukha Basti erected between 1586 and 1587 at Karkal and the Candranāteśvara Basti at Bhatkal, dating from 1556 CE.

In the north of Karnataka, there is clearly less continuity, due to an evident Vīraśaiva and Islamic presence. However, in this area, the building of Jaina temples never ceased entirely.[90] One example is the Pārśvanātha Temple at Bagalkot (Bāgalakōṭe), which was inaugurated as late as 1976. There is also a very noticeable migration especially of Śvetāmbara Jaina families from north-western India into this region. Whilst this move

[86] For further information, see Srinivasan, "Monuments and Sculpture A.D. 1300 to 1800": 369.

[87] Srinivasan points out that Jainism flourished, especially at regional courts, as 'they were more congenial for its growth than the capital of the empire' (Srinivasan, "Monuments and Sculpture A.D. 1300 To 1800": 366).

[88] This visualises a dependency on and an adaptation to the local climate, marked by heavy monsoon rains. Climatic and resource dependencies in this region have been discussed by Julia A.B. Hegewald, "Temple Architecture in Coastal Karnataka: An Interplay of Climatic Dependencies and Artistic Freedoms," in *Embodied Dependencies and Freedoms: Artistic Communities and Patronage in Asia*, ed. Julia A.B. Hegewald, Dependency and Slavery Studies (Berlin: De Gruyter, forthcoming): 69–96.

[89] On this issue, see Miki Desai, "The Stone-Built Jaina Temples of Mudabidri: A Comparative View with the Jaina Temples of Gujarat and the Wooden Temple Architecture of Kerala," in *The Jaina Heritage: Distinction, Decline and Resilience*, ed. Julia A.B. Hegewald, Heidelberg Series in South Asian Studies (Delhi: Samskriti Publishers, 2011): 202–8, and Julia A.B. Hegewald, "Temple Architecture in Coastal Karnataka: An Interplay of Climatic Dependencies and Artistic Freedoms," in *Embodied Dependencies and Freedoms: Artistic Communities and Patronage in Asia*, ed. Julia A.B. Hegewald, Dependency and Slavery Studies (Berlin: De Gruyter, forthcoming): 69–96.

[90] We noticed this already in the Jaina temples at Hampi, which are also located in the north of the State.

appears to have started at the beginning of the twentieth century, it became particularly manifest from the 1960s onwards. This movement appears to be largely due to commercial reasons and continues to the present day, with large numbers of temples having been raised in and around the economic centre of Bangalore during the twenty-first century. This illustrates an unbroken continuity of Jaina temple-building in the entire state until the present, but on a much lower scale than was seen during the heydays of Jainism in Karnataka.

VIII. Concluding Thoughts

From the early to mid-twelfth century onwards, the Jainas in Karnataka clearly found themselves in a situation of severe asymmetrical dependency. This had not always been the case. From about the fifth century CE, their influence in the region had actually steadily increased, reaching its peak in about the tenth and eleventh centuries. During this time, the Jainas not only dominated local trade and commerce but also the arts in general, and supplied local rulers and state administrators. A number of reasons contributed to the sudden demise of this originally influential religious group. Some of these were home-made, such as the changes the Jainas themselves undertook on their own religion from about the tenth century onwards. This time of transformations was a period of calm and prosperity, which led the leaders of the Jaina community to elaborate on their so far strongly ascetically minded religion. Through the introduction of castes and manifold Jaina sub-groups, expression of loyalty and offer of commitments to a number of different religious leaders and *maṭha*s, they made themselves more susceptible to further fragmentation and dissolution. Additionally, the elaboration of temple rituals and increase in their divine pantheon might have contributed to diluting the clear-cut character of their faith even further and eradicating the characteristics which had made their belief so distinct in the past. One can argue that through these changes, the faith came closer to mainstream Hindu movements in their practice. In this context, it is fascinating that the Vīraśaivas, who predominantly gained in power during this period of Jaina submission, offered a path back to simplicity and a strongly reduced ritual.

The most prominent reason for the Jainas' loss of authority, however, was the advent of newly founded or reformed movements, such as the Vīraśaivas. Together with the Śrīvaiṣṇavas who entered the area from the south, they illustrate the victorious path of *bhakti* movements at this time in history. From the north, Muslim groups also penetrated into the region. This created highly complex religious relations and interactions in a reasonably small area. All the faith groups were competing to increase their following, religious importance and influence over sacred sites. They were all equally aiming for commercial power, such as the control over trade routes in the region. Consequently, this led to open hostility towards the Jaina community, tactical voluntary as well as enforced conversions, the destruction and annexation of their sacred centres and outright physical violence against the members. These confrontations commenced around the early to mid-twelfth century and lasted at least until the fifteenth century. However, in some regions, these sectarian struggles continued well beyond this period. Fortunately, this decline never led to an outright extinction of Jainism in Karnataka. At first, only on a much reduced scale, and later with more vigour, Jainism managed to regain some power, at least in a number of royal, specific pilgrimage and some provincial centres. In these places, a further

development of the religion and its art and architecture can be outlined until the present day, although in a much reduced form, when compared to its former glory.

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Captions

Plate 1 Amongst the sites connected with the alleged migration of Bhadrabāhu and Candragupta Maurya is the meditation and enlightenment cave of Bhadrabāhu on Candragiri at Vijayanagara.

Plate 2 As part of the voluntary changes which the Jainas undertook on their own religion, they expanded the number of deities and statues displayed in their temples, as can be seen at Mudabidri.

Plate 3 During the time of struggle, large numbers of venerated icons were removed from their pedestals in the main shrine rooms of Jaina temples, and they remain empty to the present day, as seen here at Aihole.

Plate 4 Other images were taken down from their altars, placed on the ground and tarnished with white ash to vandalise them and signal the Vīraśaiva annexation of the sacred temple space as, for instance, at Hallur.

Plate 5 Mutilated Jinas and other sacred statues were put on display by newly dominant groups—as can be seen at Kambadhalli—and often kept in place later by the Jainas as reminders of the wrongs they had suffered.

Plate 6 Ruined Jaina temples, as at Vijayanagara, can be found throughout the region and are the result of military assaults and neglect due to a loss in influence which the Jainas suffered from the twelfth century onwards.

Plate 7 The Śaṅkha Jināḷaya at Lakshmeshvar illustrates the attempt at re-construction of a severely damaged Jaina temple where, due to the violence of the attack, a faithful rebuilding could not be done.

Plate 8 Temples such as the Nāganātha Temple at Lakkundi frequently still bear small Jaina statues in their roof decorations, which continue to indicate the original dedication of converted temples.

Plate 9 Although they are not part of the reduced Vīraśaiva ritual practices, Jaina *kṣetrapāla*s, as can be seen in the converted temple at Kagvad, were re-used by the new temple owners and venerated as forms of Śiva.

Plate 10 The late fourteenth-century Gaṇagitti Temple at Kamalapuram is an example demonstrating the continuity of Jaina temple architecture in Karnataka, although on a severely diminished scale.

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2. Slaveries and Similar Dependencies

2.2. Regions and Epochs

South Asia

Emma Kalb. "In and Out of Sight: Textual Traces of Slavery and the Enslaved in Mughal South Asia," in *Intentional Invisibilization in Modern Asian History: Concealing and Self-Concealed Agents*, ed. Mònica Ginés-Blasi (Berlin: De Gruyter, 2025): 121–140.

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Emma Kalb

In and Out of Sight: Textual Traces of Slavery and the Enslaved in Mughal South Asia

This chapter will consider the many layers of erasure of slavery and enslaved people in Mughal South Asia, with a focus on Persian-language narrative sources produced between 1556 and 1707. Recent scholarship has commented upon the historical tendency of Mughal historiography to overwhelmingly concentrate on either ruling elites and their activities or else imperial institutions.[1] While this bias is in part a function of the forms and subjects of history-writing that have been most popular, it is also rooted in the archives and other forms of evidence available to and employed by researchers, which were generally produced by and for elites. This article considers the presence as well as the absence of enslaved people in these elite texts, making use of the incomplete nature of this process – unfolding differently with respect to different forms and spaces of enslavement – to closely examine the various mechanisms for invisibilization. The modern researcher is only able to track processes of invisibilization because such processes are always unfinished or partial – and as a result enslaved figures are sometimes made visible (albeit at times faintly or inconsistently) in the available materials. This paper will draw on such extant traces of enslaved individuals in Mughal narrative sources to probe what they do not record, what they leave silent, or only hint at. Thinking with such moments of visibility, I will consider how other information is obscured and invisibilized.

Slavery of course has a much longer history in South Asia prior to the early modern period, as has been discussed elsewhere.[2] During the Mughal period, evidence points to widespread female domestic slavery and eunuch slavery. There are references to non-

1 See for instance Anna Kollatz, "Where is 'the audience'? Who is 'the audience'? Approaching Mughal spaces of social interaction," in *The Ceremonial of Audience*, ed. Eva Orthmann and Anna Kollatz (Göttingen: V&R Uni Press, 2019): 113–11; Abhishek Kaicker, *The King and the People: Sovereignty and Popular Politics in Mughal Delhi* (Oxford: Oxford University Press, 2020): 1–2; and Pratyay Nath, "War and the Non-Elite: Towards a People's History of the Mughal Empire," *The Medieval History Journal* 25, no. 1 (2022): 129–36. Flatt has made this argument for medieval and early modern South Asian history as a whole: Emma Flatt, *The Courts of the Deccan Sultanates: Living Well in the Persian Cosmopolis* (Cambridge: Cambridge University Press, 2019): 10–12. This tendency is now being countered by a burgeoning body of scholarship on non-elite figures, some of which will be cited in the following pages.

2 For an overview of slavery in South Asia, from ancient to modern times, see Indrani Chatterjee and Richard Eaton, eds., *Slavery and South Asian History* (Bloomington: Bloomington University Press, 2006). For more recent work on the medieval period, see Leslie Orr, "Slavery and Dependency in Southern India," *Cambridge World History of Slavery*, vol. 2, *AD 500–1420* (Cambridge: Cambridge Uni-

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castrated enslaved men and military slaves as well, evidencing the existence of these practices albeit not in the systematic way seen elsewhere.[3] In addition to the larger numbers of enslaved servants (including both enslaved women and eunuchs) within the most elite households, they were also present in more modest households.[4] Enslaved children would have been included among these.[5] Unfortunately, very little data is available in terms of the gross numbers of enslaved individuals present in the imperial or in any other household.[6] While such numbers are lacking, South Asia was in this period both a source of slaves for export and domestic markets, as well as the recipient of enslaved individuals trafficked in from other regions.[7] Thus sources of the period contain references to enslaved individuals identified as being of Indian (*hindū*) origin,

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versity Press, 2021): 313–34; Donald R. Davis Jr., "Slaves and Slavery in the *Smṛticandrikā*," *The Indian Economic & Social History Review* 57, no. 3 (2020): 299–326.

3 Unlike contemporary Islamicate polities such as the Ottomans, Safavids, and Deccani Sultanates, as well as their predecessors in North India, the Delhi Sultanate, the Mughals did not practice large-scale military slavery. However, the example of Tahmās Khān 'Miskīn' (discussed below) suggests that enslaved men may have been present in armies of the period, albeit in a more informal manner. For a broad overview, see Jane Hathaway, "Mamlūk," in *Encyclopedia of Islam*, vol. 3, ed. Kate Fleet et. al (Leiden: Brill, 2021).

4 Shireen Moosvi, "The World of Labour in Mughal India," *International Review of Social History* 56 (2011): 251. This is echoed in the prior period, where we see more modest individuals possessing slaves. Irfan Habib, "Northern India Under the Sultanate," in *The Cambridge Economic History of India*, vol. 1, *1200–1750*, ed. Dharma Kumar and Tapan Raychaudhuri (Cambridge: Cambridge University Press, 1982): 90.

5 For articles on eighteenth century enslaved childhoods in a Mughal successor state, which may provide insight into possibilities for the earlier period, see the discussion of the *Tahmāsnāma* (below) as well as Jessica Hinchy, "Enslaved Childhoods in Eighteenth-Century Awadh," *South Asian History and Culture* 6, no. 3 (2015): 380–400.

6 European sources suggest anywhere between thirty and four hundred slaves attached to the harems of elite households alone. Tapan Raychaudhuri, "Non-Agricultural Production: Mughal India," *The Cambridge Economic History of India*, vol. 1, *1200–1750*, ed. Dharma Kumar and Tapan Raychaudhuri (Cambridge: Cambridge University Press, 1982): 267. Evidence is more sparse from the Persian sources. The one exception is perhaps accounts of a Mughal noble named Saʿīd Khān Chaghtā possessing 1,200 eunuchs in this period. This is recounted as a curiosity, so certainly does not represent the norm; it is also likely that this number is an exaggeration. Samsām al-Daula Shāhnawāz Khān, *Ma'āsir al Umarā'* (Calcutta: Asiatic Society of Bengal, 1888–1891): 403–8; Shaikh Farīd Bhakkarī, *Zakhīrat al-Khawānīn* (Karachi: Pakistan Historical Society, 1961–1974): 190 onwards. See also accounts from the Delhi Sultanate (1206–1526) of tens of thousands of slaves present in the household of the Sultan. Habib, "Northern India under the Sultanate": 90.

7 Gavin Hambly, "A Note on the Trade in Eunuchs in Mughal Bengal," *Journal of the American Oriental Society* 94, no. 1 (1974): 125–30; Shadab Bano, "Slave Markets in Medieval India," *Proceedings of the Indian History Conference* 61 (2000): 365–73; Shadab Bano, "Slave Acquisition in the Mughal Empire," *Proceedings of the Indian History Congress* 62 (2001): 317–24; Scott Levi, "Hindus Beyond the Hindu Kush: Indians in the Central Asian Slave Trade," *Journal of the Royal Asiatic Society* 12, no. 3 (2002): 277–88.

as well as ethnicities including northeast African (*habashī*), Turkish (*turkī*), eastern Mongol (*qalmāq*), Circassian (*charkas*), Georgian (*gurjī*) and Russian (*urūs*).[8]

From the moment the researcher comes into contact with the Mughal archive, they are confronted with materials that tend to obscure lower-ranking figures in general, and enslaved individuals in particular. This is especially true of the court chronicles that form the backbone of Mughal historiography, which despite great variation across this period are united in their centering around the figure of the emperor and his closest associates.[9] The logic of these narrative sources themselves – serving to commemorate "great men," and occasionally their rivals – as well as the particular trajectory of conversations about the social practice of slavery in this period work together in a way that invisibilizes enslaved people and other low-status dependents. Katherine Schofield has discussed this problem with respect to what she dubs the "courtesan tale," referring to the form in which information about courtesans most often appears in Mughal chronicles. In examining these textual traces, Schofield argues that narrative conventions make it impossible to assess their truth value, and that these stories in fact tell us more about the cultural values of the elite male protagonists of such cautionary tales, which the courtesan enters as part of the construction of a particular, tragic narrative arc. In this way, Schofield underlines the caution and skepticism with which the historian has to approach sources that would seem to provide us with detailed information about real women.[10] Chatterjee sounds a similar note of caution in her description of the challenges of writing histories of premodern slavery and particularly of the deep imprint primary sources bear of "the ideologies of non-slaves [. . .] and their expectations of their own slaves." In doing so she under-

8 See for instance Abū al-Fazl, *Akbarnāma* (Calcutta: Asiatic Society of Bengal, 1876–1887): 3.646; Mu'tamad Khān, *Iqbālnāma-yi Jahāngīrī* (Calcutta: College Press, 1865): 8, 193, 266, 284 and 297; 'Abd al-Hamīd Lāhorī, *Pādshāhnāma* (Calcutta: Asiatic Society of Bengal, 1867–1868): 1.473 and 2.193; Nūr al-Dīn Muhammad Jahāngīr, *Tūzuk-i Jahāngīrī* (Lucknow: Nawal Kishore, 1863): 1.81; Bakhtāwar Khān, *Mir'āt al-'Ālam* (Lahore: Research Society of Pakistan, 1979): 227. Also see reference to 1,500 *qalmāq*, *habashī*, and *turkī* slaves being posted to defend a fort during the war of succession between Shāh Jahān's sons (1657–1659), Ishwardās Nāgar, *Futūhāt-i 'Ālamgīrī* (British Library, Add. 23884): f. 28. Despite the clear ethnic diversity of enslaved people in Mughal South Asia, this subject still awaits substantial investigation.

9 As Alam and Subrahmanyam put it, "The Mughals have truly cast a long shadow on Indian historiography, from the time they themselves began to patronize major works of history, largely in Persian, in the sixteenth century [. . .]. These texts have long formed the central basis for an understanding of the Mughals." Muzaffar Alam and Sanjay Subrahmanyam, "Introduction: The Old and the New in Mughal Historiography," *Writing the Mughal World: Studies on Culture and Politics* (New York: Columbia University Press, 2012): 1.

10 Katherine Butler Schofield, "The Courtesan Tale: Female Musicians and Dancers in Mughal Historical Chronicles, c. 1556–1748," *Gender and History* 24, no. 1 (2012): 152.

lines how sources may tell modern readers more about the viewpoints and values of the authors than the thoughts and lived experiences of enslaved people.[11]

In other words, elite texts do not simply exclude enslaved figures because they do not matter – the various forms of inclusion and exclusion we see are shaped by the logic of the texts and their broader social and cultural contexts. The sparseness and unevenness of reference to enslaved individuals in this period, despite their pervasive presence in elite households, can be considered in relation to a range of different causes. The following pages will highlight two approaches to tracking processes of invisibilization in narrative historical sources. First, the chapter will discuss the many ways in which it is often difficult to identify the enslaved in the Mughal archive in the first place, due to the ambiguous language around slavery as well as the tendency to exclude direct reference to slavery altogether. This phenomenon may have been intensified by attempts to ban or at least limit slavery during this period. Second, it will explore how invisibilization works differently with respect to lower-status versus "elite" slaves, as lower-status enslaved individuals appear in a limited capacity, generally as a part of larger narratives around imperial power and dynastic stability, while elite slaves appear as seemingly fully-fleshed-out individuals. The chapter will conclude by considering how the process of invisibilization is nevertheless present in representations of enslaved members of the elite. Accounts of and by elite slaves on the one hand tend in and of themselves to minimize the importance or entirely exclude the enslaved status of their subjects. But they also cumulatively leave behind a distorted perception of the norm, through over-representing the elite and under-representing the most typical examples and experiences.

1 The Problem of Language

We should begin with the challenges posed by language and terminology, which shape how enslaved people are referred to in Mughal textual materials. Here a distinction needs to be made between the technical, extremely clear language used in extant Mughal legal documents and formularies for sales deeds and manumission letters to define enslaved status, and the much more ambiguous language used in the narrative sources that are the focus of this contribution.[12] While both are written in

11 Indrani Chatterjee, "Renewed and Connected Histories: Slavery and the Historiography of South Asia," in *Slavery and South Asian History*: 28.

12 There has been a relative neglect of documents in Mughal historiography, even as they exist in large numbers in institutional repositories such as the Telengana State Archives and the National Archives in Delhi. Recent work has begun to remedy this lack. See for instance Subah Dayal, "Making the 'Mughal' Soldier," *Journal of the Economic and Social History of the Orient* 62, no. 5–6 (2019): 866–67. Model documents for the above-mentioned sales deeds and manumission letters can also be found in legal formularies such as *Munshāt-i Namakīn* (1598) and *Inshā'-yi Harkaran* (c. 1645).

the Persian language, they operate in markedly different registers. Model documents recording financial transactions or changes in ownership by definition need to be precise and explicit, sharply delineating in Arabic-derived technical vocabulary who is owner (*mālik*) and who is owned (*mamlūk*), who is manumitter (*mu'tiq*) and who is manumittee (*mu'taq*), as well as the rights (*haqūq*) derived from slavery (*bandagī*) in distinction from those from clientage (*walā'*).[13] These texts, composed in a codified legal register, evoke a world where positions, rights, and obligations are clear-cut, and where any disputes can be settled formally.[14]

In contrast, this is not generally the case when it comes to the narrative sources which are the foundation of Mughal history and the focus of this chapter. In these texts, even when contextual clues inform the reader that the individual being discussed may be enslaved, it can be hard to discern whether this is really the case. This ambiguity is not unique to the Mughal context: a similar phenomenon has been widely remarked upon in the broader scholarship on slavery in medieval and early modern South Asia, which has repeatedly underlined a tendency towards elliptical and evasive language with regards to enslaved people, where terms utilized to label relations of asymmetrical dependency and slavery intersect with broader terminology of service, discipleship, and kinship.[15] The Mughal emperor Akbar dubbing slaves *chela* (disciple) fits into a much broader phenomenon of teacher-student (*guru-chela*) relations overlapping (at least in their terminology) with master-slave relations.[16] As Rizvi has emphasized, this blurriness has also posed a problem with respect to attempts to analyze non-enslaved domestic service during this period as well.[17]

Working alongside this rhetorical avoidance of acknowledging the presence of the enslaved is a parallel phenomenon: the pervasive use of the metaphorical language of slavery to describe the loyalty and service of elite men. Thus terms that unambiguously mean slave, such as *ghulām* or *banda*, came to be used by men who are

13 *Munshāt-i Namakīn*, ed. Ishtiyaq Ahmad Zilli, *The Mughal State and Culture 1556–1598* (New Delhi: Manohar, 2007): 336–37.

14 The *Munshāt* includes two documents relating to disputes over enslaved status: one which is settled by reconciliation (*sulh*) and the other which provide guidelines for how such a matter should be investigated and resolved by means of calling on witness testimony. *Munshāt:* 366.

15 For the Mughal case, see for instance Shivangini Tandon, "Elite Households and Domestic Servants: Early Modern Through Biographical Narratives," in *Servants' Pasts*, vol. 1, ed. Nitin Sinha, Nitin Varma and Pankaj Jha (Hyderabad: Orient Blackswan, 2019): 157–58. For comparative contexts in South Asia, see for example Daud Ali, "War, Servitude and the Imperial Household: A Study of Palace Women in the Chola Empire," in *Slavery and South Asian History:* 46; Sumit Guha, "Slavery, Society, and the State in Western India, 1700–1800," in *Slavery and South Asian History*: 164.

16 Jessica Hinchy, "Between Slave and Disciple in South Asia," in *Slavery and Bonded Labor in Asia, 1250–1900,* ed. Richard B. Allen (Leiden: Brill, 2022): 49–76; Vijay Pinch, "Gosain Tawaif: Slaves, Sex, and Ascetics in Rasdhan, c. 1800–1857," *Modern Asian Studies* 38, no. 3 (2004): 567–68.

17 M. Sajjad Alam Rizvi, "Domestic Service in Mughal South Asia: An Intertextual Study," in *Servants' Pasts*, vol. 1: 106–11.

very clearly not slaves to express their devotion to the emperor. As a result, it is the norm in Mughal texts to refer to free nobles as *bandagān-i dargāh* ("slaves of the court").[18] Occasionally this linguistic overlap was invoked by enslaved individuals themselves, to claim their own respectability or assert their devotion to the emperor.[19]

The combination of the elastic usage of the language of slavery, and its sometimes-positive metaphorical valence, seems quite different from the legal documents discussed above. Combined with the possibilities for negotiation and even significant social mobility for at least the most elite among the enslaved (on which more below), does this indicate that in practice enslaved status was not materially significant, in and of itself? The material from the Mughal case suggests the answer to this question is negative, for at least two reasons. First, one should not over-estimate the fluidity of categories. As Sunil Kumar has noted, while the utilization of terms such as slave or servant in many premodern sources may seem flexible to modern eyes, this would not have been the case to contemporaries. In their historical contexts, the meaning of such terms would have been "crystal clear" and "inferred contextually," since "as a part of a lived experience of service, participants were well aware of their precise location in a range of stratified interpersonal relationships."[20] This is a point similarly underlined by Rizvi, who argues for being attentive to moments in the sources where the very real (if sometimes rhetorically blurred) distinctions between categories such as slave and servant come into focus.[21] The limits to thinking in terms of flexibility or fluidity, and the real distinctions between metaphorical language and juridical status, are of course underlined by moments where the enslaved are specifically identified. While in slave sale and manumission documents, enslaved or freed status is explicitly stated, in narrative sources this is rarely the case.

This brings us to the second point: that not only is enslaved status a significant thing, but that furthermore it also carries negative connotations. For the rare yet extant explicit references to enslaved status, through the use of expressions such as *ghulām-i zar-kharīda* (lit.: "gold-bought slave") or *banda-yi bai'-zada* ("sold slave"), only occur in situations where this is framed as a flaw or mark of inferiority. We encounter such references in moments when an elite slave is being "put in their place," reminded of their purchased status and thus their lesser stature regardless of wealth

18 John Richards, "Norms of Comportment Among Imperial Mughal Officers," in *Moral Conduct and Authority,* ed. Barbara D. Metcalf (Berkeley: University of California Press, 1984): 264.

19 For instance, in the eighteenth century one history reports that when the noble 'Umdat al-Mulk came into conflict with the eunuch Roz Afzūn Khān and asked how slaves can dare to have such temerity (*jasārat*) in court, Roz Afzūn Khān responded by saying, "Yes we are slaves, slaves of the emperor, not of anyone else." Ghulām Husain Khān Tabātabā'ī, *Siyar al-Muta'akhkhirīn* (British Library, Add. 6577): 134b.

20 Sunil Kumar, "Theorising Service with Honour: Medieval and Early Modern (1300–1700) Responses to Servile Labour," in *Servants' Pasts*, vol. 1: 227.

21 Rizvi, "Domestic Service in Mughal South Asia": 111.

and connections.[22] We also see this kind of phrasing appear when an enslaved African is recorded as referring to his own lower status in conversation with a holy man, noting, "I have three faults: I am a sold slave, I am of the *habashī* race, the most ugly humans in both appearance and speech, and I am the chief magistrate (*kotwāl*), and it is thus my job to be severe (*bī-rū*)."[23] This can be read as an intentional expression of humility by the speaker, rather than reflecting an "authentic" sense of himself; this reported speech may also be fictional, reflecting instead the writer's idea of what an enslaved African might say. Either way, his purported words draw on a clear understanding of enslaved status as a personal fault or flaw – such that while one might need to explain the negative implications of being a *habashī* and a *kotwāl*, the significance of being a sold slave is self-explanatory.[24]

Such examples underline the significant difference in kind between the noble "slave of the court," the loyal servitor utterly devoted to the ruler, and the ignoble "purchased slave," whose personal history is understood as shameful and perhaps stigmatized. This fundamental distinction between and indeed decoupling of the practical legal status of the slave and the metaphorical language of slavery is, as Sunil Kumar has discussed, a historical development over the course of the late medieval era into the early modern period.[25] Anooshahr's work on efforts during the early Mughal period to consolidate a ruling elite and overcome kin-based loyalties suggests the possible utility of such metaphors of service and loyalty, detached from their more concrete origins, to assist this process.[26] In this context, the metaphorical usage of this language can be seen as autonomous from the lived reality of enslaved status, the latter still remaining encumbered with negative associations. Thus the avoidance of explicitly identifying enslaved people should not be assumed to communicate indifference to or the irrelevance of enslaved status.

Some prior scholarship has argued that such terminological difficulties were even more pervasive in the Mughal period, due to attempts from the reign of Akbar (r. 1556–1605) to limit slavery. In fact, several Mughal rulers sought – at least theoretically – to curtail or ban some practices related to slavery. Early during his reign, it is recorded that Akbar ordered an end to enslaving female relatives and children of enemy combatants, and subsequent sources suggest he attempted to suppress the sale of slaves. These actions were accompanied with a re-designation of imperial slaves (*ghulām*s, *banda*s)

22 'Abd al-Sattār ibn Qāsim Lāhorī, *Majālis-i Jahāngīrī* (Tihran: Mīrās-i Maktūb, 2006): 215.

23 Khāfī Khān, *Muntakhab al-Lubāb* (Calcutta: College Press, 1869–1925): 552.

24 Despite the explanation of the relevance of northeast African (*habashī*) origin seen here, recent work has shown the existence of racialized categories in this period. See Supriya Gandhi, "Locating Race in Mughal India," *Renaissance Quarterly* 75, no. 4 (2022): 1180–220.

25 Kumar, "Theorising Service": 237.

26 Ali Anooshahr, "Writing and Emotional Communities in Early Mughal India: A Note on the *Badāyi' al-Inshā*," *South Asia: Journal of South Asian Studies* 44, no. 1 (2021): 2.

as *chela* (disciple).[27] Akbar's successor Jahāngīr (r. 1605–1627) similarly took actions to limit enslavement within imperial territories, issuing an order to forbid the castration of slaves.[28] We also see for instance Shāh Jahān (r. 1628–1658) taking action to restore enslaved children to their parents in the aftermath of famine in the Punjab, paying the price for return out of imperial coffers.[29]

While these actions are striking, they did not in practice mean an end to enslavement and trafficking, although they may be the reason for the seeming absence of large-scale slave markets in the Mughal period, in contrast to the prior Delhi Sultanate, for instance.[30] The continued possession and sale of slaves is made especially vivid in an account from a Central Asian visitor named Mutribī to the imperial court, who records that the emperor Jahāngīr on at least one occasion himself sold a number of enslaved male children in the court, to anyone present willing to pay the price. The sale itself is carried out by way of an intermediary who was also present: an unnamed slave-seller (*nakhkhās*).[31] While anomalous, this anecdote supports the argument that most sales of slaves in this period were transacted privately between individuals, rather than in centralized slave markets like we see elsewhere.

This unusual account aside, extant sources testify to slaves being exchanged within court as gifts, especially presented to the emperor. This is the case throughout this period, as emperors occasionally received enslaved individuals as tribute, both identified as originating in foreign lands as well as from the Mughal province of Bengal.[32] In sub-imperial contexts, enslaved people would have been circulated in a similar manner, as is demonstrated by the gifting of Tahmās Khān in the mid-eighteenth century to Muʿīn al-Mulk, governor of the Punjab.[33] Direct sale was also practiced, and likely the most common form of transferring slave ownership. The only formal documentation of sale discussed to date in the secondary literature does not relate to the imperial household; these deeds record the purchase of mostly female individuals, often children, in the late

27 Irfan Habib, "Akbar and Social Inequities," *Proceedings of the Indian History Conference* (1992): 300–302.

28 Hambly, "A Note on the Trade in Eunuchs in Mughal Bengal": 125–30.

29 ʿInāyat Khān, *Mulakhkhas-i Shāhjahānnāma* (New Delhi: Centre for Persian Research, 2009): 337.

30 Bano, "Slave Markets in Medieval India": 368–69; Richard Eaton, "Introduction," in *Slavery and South Asian History*: 11; Scott Levi, "Hindus Beyond the Hindu Kush": 283–84.

31 Mutribī al-Asamm Samarqandī, *Khātirāt-i Mutribī* (Karachi: University of Karachi, 1977): 53–55.

32 ʿAbd al-Qādir Badāʾūnī, *Muntakhab al-Tawārīkh* (Calcutta: Asiatic Society of Bengal, 1864–1869): 275; ʿAbd al-Hamīd Lāhorī, *Pādshāhnāma* (Calcutta: Asiatic Society of Bengal, 1867–1868): 1:473 and 2:193; ʿInāyat Khān, *Mulakhkhas-i Shāhjahānnāma*: 268; *Tūzuk-i Jahāngīrī*: 1.81; Bakhtāwar Khān, *Mirʾāt-i ʿĀlam*: 227; Mustaʿidd Khān, *Maʾāsir-i ʿĀlamgīrī* (Calcutta: Asiatic Society of Bengal, 1871): 36; Hambly, "A Note on the Trade in Eunuchs in Mughal Bengal": 129.

33 Indrani Chatterjee, "A Slave's Quest for Selfhood in Eighteenth-Century Hindustan," *Indian Economic Social History Review* 37.1: 79.

seventeenth and eighteenth centuries.[34] These moments of visibility, in terms of the trafficking of enslaved individuals, can only account for a fraction of the number of total slaves given and sold but nevertheless provide a sense of the general nature of such trafficking in the absence of concrete data.

In sum, the slave trade continued despite whatever limits were placed upon it in theory, even if it seems to have been carried out less publicly, as well as recorded less directly in contemporary sources. The Sultanate era sources in contrast appear to be much more direct and open about this trade, generally speaking.[35] Thus the consequences of this contradiction, that is the tension between political pronouncements and elite discourses on the one hand and what is known of actual practice on the other, seem to have been a tendency towards avoiding mentioning the enslaved status of slaves in most cases as well as perhaps the end to public slave markets (if not private trafficking). In this way, while there is an abundance of references in this period to metaphorical slavery, as a language of talking about imperial service and dedication, easily identifying enslaved people or reconstructing the means by which they arrived in elite households is much more difficult.

2 Semi-Invisible Lower-Status Slaves versus Visible "Elite" Slaves?

Beyond these broad causes for the invisibilization of enslaved people generally speaking, one can identify a particular tendency to invisibilize lower-status slaves. This is on one level not that surprising, as regardless of enslaved or free status, a Mughal noble is more likely to be represented in historical narratives than anyone of lower social position. In contrast to lower-status slaves, who do not usually form the center of such narratives, enslaved male members of the elite often enter these texts as actors and agents, taking on important roles, receiving honors, and acting as patrons in their own right. Yet, as will be discussed below, the visibility of such elite men is accompanied by an inclination towards avoiding or suppressing mention of their enslaved statuses and other aspects of their life experiences, even in cases where the

34 A collection of sales documents in the Persian language are held in the National Archives in Delhi, and described in R.K. Perti and Sukumar Sarkar, *Descriptive List of Acquired Documents*, vol. 3–4 (New Delhi: National Archives of India, n.d.). These documents are also mentioned in Shadab Bano, "Women Performers and Prostitutes in Medieval India," *Studies in History* 27, no. 1 (2011): 52; and Shivangini Tandon, "The Liminals in the Mughal Households," *Proceedings of the Indian History Congress* 78 (2017): 382. For documents from a similar period written in Bengali, see Shamita Sarkar, "Slavery in Late Mughal Bengal," *Proceedings of the Indian History Congress* 55 (1994): 600–605. The *Inshā'-yi Harkaran* also includes two model forms for the sale of enslaved women and girls: 164 and 166.

35 Habib, "Northern India under the Sultanate": 91.

enslaved or manumitted individual is himself the author. In other words, rare cases of life writing by enslaved individuals point to a tendency towards self-concealment, at least of this aspect of their life stories and social identities.

But lower-status enslaved individuals are not entirely absent from narrative histories. In fact, such figures at times form a part of the larger articulation of imperial sovereignty. As has been argued elsewhere, the imperial household and particularly the secluded female space of the harem came from Akbar's period onward to function as a symbol of imperial stability and order. Thus although we have records of the political activities, architectural patronage, and economic involvements of elite Mughal women – suggesting active presence far beyond the walls of the harem – the internal space in which they lived is rarely testified to in contemporary sources, except in moments emphasizing its seclusion, good administration, and impenetrability.[36] While the portions of elite inner households occupied by men – for instance, the emperor's sleeping quarters – have been less studied, recent work points to a similar emphasis on boundaries and managed access to the high-ranking male denizens of these spaces by means of eunuch slaves.[37]

Within this context, lower-status slaves occasionally came to play a part in constructions of the imperial household, and in the process become more visible in Mughal writings. Here the oft-cited account of the security perimeter operative around the harem in Abū al-Fazl's *Ā'īn-i Akbarī* is a key text, in its enunciation of an impeccably-administered space, with gradated levels of security from the innermost female guards, to the eunuch guards at the gateway, to (at an appropriate distance) Rajput guards and finally porters. It similarly describes the oversight of entrance into the harem as a strict administrative process, as well as activities within the harem as occurring under the careful supervision and watch (*dāroghagī o dīdbānī*) of pious servants (*parastārān-i pārsā-gauhar*).[38]

When these domestic servants are mentioned, they are rarely known by name – rather being referred to simply as enslaved woman (*kanīz*) or female servant (*parastār*), sometimes with an ethnic modifier.[39] Their numbers seem only to be emphasized in moments where an elite man is being criticized for over-indulgence in

36 Ruby Lal, *Domesticity and Power in the Early Mughal World* (Cambridge: Cambridge University Press, 2005): 214–15. For an overview of the literature on the Mughal harem, see Emma Kalb, "Framing Gender in Mughal South Asia" *History Compass* 19, no. 11 (2021): 2–4.

37 Emma Kalb, "A Eunuch at the Threshhold: Mediating Access and Intimacy in the Mughal World," *Journal of the Royal Asiatic Society* 33 (2023): 747–68.

38 Abū al-Fazl. *Ā'īn-i Akbarī* (Calcutta: Asiatic Society of Bengal, 1872–1877): 1.39–41.

39 Here too, the nomenclature is fuzzy and it is difficult to conclusively identify which domestic servants are enslaved and which are not. See for instance Hambly's discussion of armed female retainers in Islamicate South Asia: Gavin Hambly, "Armed Women Retainers in the Zenanas of Indo-Muslim Rulers: The Case of Bībī Fātima," in *Women in the Medieval Islamic World: Power, Patronage, and Piety*, ed. Gavin Hambly (New York: St. Martin's Press, 1998): 429–43.

sensual pleasures or excessive interest in beautiful slaves.[40] Very occasionally we see groups of enslaved women elsewhere as well, as for instance in an incident which occurred during Akbar's reign: a madman entered the harem one evening when the guards had become careless (*ghaflat*). A Mughal prince, Dānyāl, followed the man into the harem to apprehend him. But the female domestic servants (*darūnī parastārān*), who did not recognize the prince, descended upon him and attacked him with sticks and bricks. These women are identified in the text as being of diverse origins, as Circassian, eastern Mongol, Russian and northeast African (*charkas o qalmāq o urūs o habashī*), a fact which not only effectively identifies them as enslaved but also speaks to the large number of such women in the harem.[41]

On the one hand, this rare anecdote is a striking counter to the image of perfect order described in the *Ā'īn-i Akbarī*, as discussed above. Such rare moments allow the possibility for imagining a more messy, contingent practice of spatial management, that does not always succeed at living up to the ideals. But it also maintains its primary interest in the security cordon around the inner household, and the visibility of unnamed, enslaved female guards only emerges as a corollary to this broader concern. It is only in rare cases that these histories allow for visibility beyond this.[42] We see a similar case of eunuch slaves marking boundaries with respect to the inner areas of the palace, both in normative representations as well as in moments of conflict such as the 1626 coup of Mahābat Khān. Here too the visibility of these enslaved individuals can be read as part of a broader set of narratives around restricted access to the emperor.[43]

While the above examples focus on enslaved women and eunuchs, there are occasional examples that point to the presence of enslaved non-castrated boys and men. In this regard we can consider rare examples such as Mutribī's above-discussed account of the selling of enslaved boys in court as well as reference to a group of enslaved male children in a former slave's eighteenth-century memoirs (on which more

40 See for instance a deeply critical account of an earlier ruler, Ghiyās al-Dīn Khaljī (r. 1469–1500), who is described as neglecting governance and instead focusing solely on pleasure (*'aish o 'ishrat*), building up a massive harem filled with beautiful slave girls, and so obsessed that whenever he heard of a beautiful slave girl (*kanīz-ī sāhib-i jamāl*), until he acquired that girl he would not rest. *Tūzuk*, 182. A less critical account suggests that this harem contained 16,000 enslaved women – presumably an exaggeration, but nevertheless suggesting high numbers of enslaved women in this period. Nizām al-Dīn Ahmad, *Tabaqāt-i Akbarī* (Calcutta: Asiatic Society of Bengal, 1927–1935): 3.351.

41 *Akbarnāma*: 3.646.

42 Here again, in contrast to such idealizing narratives and their rare moments of rupture, documents such as marriage contracts, sales deeds and legal petitions provide a different perspective. Such texts suggest the commonality of owning (especially female) slaves during this period, as well as the mundane concerns such as inheritance and marital rights that their ownership could intersect with. See Shireen Moosvi, *People, Taxation and Trade in Mughal India* (New Delhi: Oxford University Press, 2008): 278–80; Tandon, "The Liminals in the Mughal Households": 382.

43 Kalb, "A Eunuch at the Threshhold": 754–64.

below). These all suggest that enslaved men and male children were similarly pervasively present – even if rarely mentioned.[44] It is even possible that lower-status enslaved men are less visible in our sources precisely because they do not fit into the kinds of enunciations of a carefully-guarded imperial household described above. In this interpretation, the symbolic importance of the inaccessibility of the inner palace – which itself invisibilizes much of the activities ongoing within – paradoxically makes the means of enforcing or marking that inaccessibility visible, thus allowing modern researchers to catch glimpses of enslaved female and eunuch guards, while leaving behind less information about enslaved non-eunuch men who would have been present in more "public" spaces. Either way, however, much like Schofield's courtesan tale, these forms of visibility are biased towards telling a certain story about high-status free people and their households, leaving behind little information beyond the story the elite might tell itself.

The limited nature of evidence around lower-status enslaved individuals contrasts with the detailed information available for some high-ranking enslaved men, especially eunuchs. Superficially, the fact that Mughal sources are willing to give a significant level of detail about such figures would seem to undermine the idea that they are engaging in an invisibilization process with regards to the enslaved. The high visibility of this particular and relatively rare form of slavery can easily distort our sense of "normal," leaving the impression that slavery is frankly and fully described in such sources and that elite slaves are representative. Based on these extraordinary and atypical examples, for instance, eunuch slavery might seem like simply an alternative recruiting technique and route into the Mughal elite.[45] This more rosy picture is further supported by the tendency of texts (even by the enslaved themselves, as will be discussed below) to describe such relations in terms of devotion and even affection.[46] In many ways, one can read the invisibilization of enslaved status (or enslaved origins) as indicative of the possibility of such figures moving beyond those origins and successfully integrating into the Mughal elite, or at least into the larger society. But available evidence, although scant, underlines that the majority of palace eunuchs would have been low-ranked guards and servants, living lives presumably quite different from those of elite eunuchs immortalized in monumental tomb complexes and fine portraits.[47]

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44 On Miskīn's fellow enslaved children, see Anna Kollatz, "People, Spaces, Emotions: India Through the Eyes of a Manumitted Slave," *Narrative Strategies for India in Transition*, ed. Anna Kollatz and Tilmann Kulke (Berlin: EBVerlag, 2023): 92–98; and Chatterjee, "A Slave's Quest": 67–71.

45 Here, see Eaton's discussion of elite slavery as "self-terminating" rather than an "enduring condition." Richard Eaton, "The Rise and Fall of Military Slavery in the Deccan, 1450–1650," in *Slavery and South Asian History*: 129–30.

46 Tandon, "Elite Households and Domestic Servants": 153.

47 This bias in the sources towards elite slaves, as compared to lower-status figures, has been commented upon by Irfan Habib, "Northern India under the Sultanate": 92; and Sunil Kumar, "Theorising Service": 228. For more on this, see Kalb, "Threshold": 753.

Even when enslaved individuals reached the level of the Mughal elite, such high-ranking slaves tend to be – with some crucial exceptions – discussed and represented in terms of (free) elite norms. Here one can point to the writings in praise of their employers written by Mughal *munshī*s (scribes) such as Harkaran, who served the eunuch I‘tibār Khān, as well as Musta‘idd Khān, who was in the service of the eunuch and historian Bakhtāwar Khān. Both describe their employers and patrons in exalted terms. Harkaran, for instance, describes I‘tibār Khān as "the excellent deputy (*navvāb-i mustatāb*), elevated in title (*mu‘allā alqāb*), the shelter of forgiveness (*ghufrān-panāh*), the maker of contentment (*rizwān dastgāh*), the Hātim of the time (*hātim-i zamān*), the Nūshīrvān of the age (*nūshīrvān-i ‘asr*)."[48] Here Nūshīrvān is a reference to a Sasanid emperor renowned for his justice,[49] while Hātim is a reference to a pre-Islamic Arabic-language poet considered to be an exemplar of generosity.[50] This passage thus poses I‘tibār Khān as an honored member of the elite, the trusted representative of the emperor, on whom high titles had been bestowed, with the idealized qualities of benevolence, generosity, and justice. Nothing within this characterization of an elite slave is at odds with how any other member of the elite would have been described in this period.

In the example of Bakhtāwar Khān, we furthermore see an enslaved individual himself excluding reference to his origins and personal history from his own written works, even as he is deeply engaged in representing himself and his life in other ways, in accordance with the norms of refined personhood, just like any other member of the Mughal elite.[51] In his case, despite the great extent of his writings, we discover that he does not self-identify as enslaved or a eunuch, rather emphasizing his devoted and continual service to the emperor, his broad network of intellectual con-

48 Harkaran, *Inshā-yi Harkaran* (London: S. Rousseau, 1804): 4–5. For an example of Musta‘idd Khān writing about Bakhtāwar Khān, see his death notice appended to Bakhtāwar Khān, *Mir'āt al-‘Ālam*: 2.693.

49 See Shapur Shahbazi, "Sasanian Dynasty," in *Encyclopedia Iranica*, 2005, https://www.iranicaonline.org/articles/sasanian-dynasty [accessed 24.03.2024].

50 See Mahmoud Omidsalar, "Hātem Tā'ī," in *Encyclopedia Iranica*, 2003, https://www.iranicaonline.org/articles/hatem-tai [accessed 24.03.2024].

51 The recent work of scholars such as Mana Kia, Rajeev Kinra, and Taymiya Zaman point to how writers in this period negotiated questions of identity and community, crafting socially embedded and connected selves within the wider Mughal world. See Taymiya Zaman, "Instructive Memory: An Analysis of Auto/Biographical Writing in Early Mughal India," *Journal of the Economic and Social History of the Orient* 54, no. 5 (2011): 679; Rajeev Kinra, *Writing Self, Writing Empire: Chandar Bhan Brahman and the Making of the Indo-Persian State Secretary* (Berkeley: University of California Press, 2015): 51–52; Mana Kia, *Persianate Selves: Memories of Place and Origin Before Nationalism* (Stanford: Stanford University Press, 2020): 102–3.

nections, and his significant literary and architectural patronage.[52] It is only in other sources that he is identified as a eunuch.[53]

On the one hand, reference to slavery may be absent here simply because it was irrelevant, due to the very success of the individual in question. But that mention of enslaved status, present or past, is perhaps sometimes intentionally excluded – as something that would not reflect positively on the individual concerned – is suggested by the fact that the subject seems to only be brought up in narrative histories at times of conflict and critique. The researcher is left with a few scant but highly suggestive references to enslaved status in relation to such figures, often explicitly surfacing at moments when elite slaves are being demeaned and degraded, as was discussed in the prior section with reference to the "purchased" or "gold-bought" slave. In this way, in addition to the erasure of low-ranking enslaved individuals, there is also a tendency in narrative sources to conceal reference to the enslaved status of elite slaves as well.

An unusual source such as the memoirs of Tahmās Khān 'Miskīn' dramatically underlines the kind of information that is absent elsewhere. Miskīn was an enslaved child who, having been trafficked from modern-day Turkey to North India in the mid-eighteenth century, eventually rose to high social status, and decided to commemorate his life by composing his memoirs, known as the *Tahmāsnāma*. The basic facts of Miskīn's biography point to the ongoing trafficking in enslaved children in this period, and the likelihood of many such children being present in elite households, as is the case in his narration of his childhood in the household of Muʿīn al-Mulk, governor of the Punjab. On the one hand, the text is open about the events around Miskīn's enslavement, his trafficking to South Asia, and some of the abuse he faced as an enslaved individual, including threats of personal violence, forced marriage, and imprisonment. Yet at the same time it asserts his success in many ways, in terms of navigating his circumstances and attaining high position. In the process, the memoir uses similar strategies for asserting the author's respectability to what we see in a work such as Bakhtāwar Khān's *Mirʿāt al-ʿĀlam*, by means such as piety, education, and intimate social connections with members of the elite – with the addition of Miskīn's development of both adoptive and biological bonds of kinship.[54]

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52 More on this will be included in a forthcoming article: Emma Kalb, "The Eunuch and the Emperor: Social Ties and Selfhood in the Writings of Bakhtawar Khan."

53 His eunuch status is known from other sources including Kewal Rām's *Tazkīrat al Umarā'* (British Library, Add. 16703): 22a and *Ma'āsir al-Umarā'*: 3.597. Indrani Chatterjee discusses a similar phenomenon, wherein enslaved status or descent is erased, in her discussion of Ahom historiography. Chatterjee, "Renewed and Connected Histories": 28.

54 In part due to the unique value of this text as the only known "slave narrative" from the Mughal context, it has received sustained attention, in particular with regards to how Miskīn articulates a complex, deeply interconnected social identity. In addition to Chatterjee (2000), this paragraph draws on Neelam Khoja, "Historical Mistranslations: Identity, Slavery, and Genre in Eighteenth-Century India," *Journal of the Royal Asiatic Society* 31, no. 2 (2021); and Kollatz, "People, Spaces, Emotions."

On the face of it, the directness with which Miskīn acknowledges and discusses his enslavement and manumission would suggest his fully visibility. But as Indrani Chatterjee has argued, even as this text provides unparalleled access to information about the life of one enslaved individual, it also has to be read for silences and exclusions. This is most apparent when it comes to questions of possible sexual violence. At one point in his account, Miskīn seems to describe his female mistress Mughlānī Begam's attempt to force him into a physical relationship with her. This information is only related in veiled terms, and perceivable by reading between the lines.[55] But while enough is present in the memoir to extract this information, Chatterjee elsewhere notes the complete lack of mention of possible sexual violence at the hands of his prior, male master, Muʿīn al-Mulk, also known as Mīr Mannu. This is especially brought to the forefront by, as Chatterjee notes, the explicit mention in a contemporary work called the *Muraqqaʿ-yi Dihlī* of Muʿīn al-Mulk's particular interest in handsome young boys. It is possible of course that Miskīn did not mention any experiences of this kind in relation to Muʿīn al-Mulk because they did not happen. But Chatterjee argues that it is Mughlānī Begam's status as a woman, and her questionable hold on political authority, that allows Miskīn to suggest she has acted wrongly; reference to any such relation with a male master would have sat uncomfortably with the "pre-existing discourse of shame and degradation around the sexual passivity (*ibna*) of a male."[56] In contrast, this kind of critique, and even an elliptical mention of such an experience in relation to a high-status male owner, may have been more difficult. This point underlines the necessity of considering the possibility of enslaved or manumitted individuals engaging in self-concealment, both entire or partial.

Conclusion

This chapter has outlined two vectors for thinking through the invisibilization of slavery and enslaved individuals in narrative sources during the Mughal period. First, the problem of language has been outlined, in particular the sometimes-unclear boundaries (at least to modern readers) between terminology related to slavery on the one hand and terminologies related to other forms of servitude, religious devotion and discipleship, kinship, and imperial service on the other. Here, the negative associations of enslaved status underline that this lack of clarity is not due to the fact that

55 Chatterjee, "A Slave's Quest": 69–71.

56 Indrani Chatterjee, "Alienation, Intimacy, and Gender: Problems for a History of Love in South Asia," in *Queering India: Same-Sex Love and Eroticism in Indian Culture and Society*, ed. Ruth Vanita (New York: Routledge, 2002): 64–65.

this distinction was considered unimportant. Following the increased limitations on enslavement introduced and (at least occasionally) enforced by Akbar and his successors, while no slave markets are attested to in the manner of the Mughals' predecessors, occasional evidence in narrative accounts demonstrates the continuation of trafficking in enslaved individuals. The kind of invisibilization seen here impacts all forms of slavery.

The second part of the chapter shifts to look at how invisibilization functions in relation to different categories of slavery, considering the differential between lower- and higher-status slaves, as the latter category is often dramatically visible in narrative sources. In doing so, this section emphasizes that lower-status enslaved people are not entirely absent but rather appear in particular ways, generally unnamed, as a part of larger narratives of proper governance and moral virtue. In this regard, such information is alternately invoked to emphasize the security perimeter and inviolability of the imperial inner household in particular, or else wielded as a tool to critique other sovereigns or members of the nobility and their sexual excesses. In contrast, elite slaves are much more substantively and individually present in narrative histories.

How do we assess the visibility of such enslaved men? On the one hand, the case of a figure such as Tahmās Khān 'Miskīn' allows for a reading in which his successful integration into the elite suggests that for some enslaved or formerly enslaved men, assimilation was an achievable outcome. This raises the question of whether the relative invisibilization of at least elite male slaves can also be seen in part as a function of the particular form slavery could take in this context, as currently or formerly enslaved individuals might "blend into the scenery," through processes such as promotion, marriage, and manumission. Yet the presence of notable silences and omissions in memoirs and other writings produced by enslaved or manumitted elite men themselves suggests that elite slavery is both highly visible and subject to invisibilization, including intentional or unintentional acts of self-concealment, as reflected in the tendency to bypass direct acknowledgment of enslaved status and experience.

This chapter only presents some of the factors which work to invisibilize the histories of enslaved people in the Mughal context. Legal formularies such as the *Munshāt-i Namakīn* suggest the potential of documents to better balance the picture offered by narrative sources. Future scholarship could further counter the biases introduced by factors such as easier access both to published sources as well as the larger and more-thoroughly catalogued archives (such as the British Library), over smaller, less-accessible, less-known, or even private archives.[57] Hopefully future work will continue the process of addressing these gaps, to help modern scholars better understand – and thus grapple with – the mechanisms and processes by which both en-

57 For an example of recent work focusing on family archives – and indeed rethinking assumptions about the "Mughal archive," see Nandini Chatterjee, *Land and Law in Mughal India: A Family of Landlords across Three Indian Empires* (Cambridge: Cambridge University Press, 2020).

slaved people and slavery itself have been both inscribed as well as obscured in Mughal texts, archives, and historiography.

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2. Slaveries and Similar Dependencies

2.2. Regions and Epochs

Korea

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Part I: **Slavery in Ancient Korea**

Slavery in Ancient Korea

Much remains to be learned about first-millennium societies on the Korean peninsula.[1] This may explain why previous studies of slavery in Korean history have made only passing reference to its ancient origins, if at all, and ticked the topic off with almost sporting brevity, such as Christopher Lovins, who has limited himself to stating that "slavery *probably* existed during the Three Kingdoms period."[2] Others have emphasized its "insignificance."[3] Co Pŏpcong states:

> The issue of the slave system in ancient Korean society has received relatively little research and interest compared to the breadth of the related topics. This is understood to be a result of the lack of concrete data to grasp the reality of the slave system that existed in ancient Korean society and the weakness of the logical perspective in viewing that society.[4]

However, this statement is only true with regard to Western and South Korean historiography. North Korean (and some Japanese) historians have discussed slavery in ancient Korea to a much greater extent since the 1950s, albeit within the limitations imposed by the dominant Marxist-Leninist framework.[5] From a North Korean perspective, Kim Un even asserts that

> research on the slavery system in our country has not been conducted at an adequate level due to lack of materials and methodological limitations. The lack of material is due to the successive nationalist and imperialist historians who seriously erased the history of our country and the pro-Chinese historians who belittled our ancient history. As a result, many factual records of our ancient history have been lost due to these artificial actions, and what remains has not been accurately described.[6]

The provocative thesis that the early Korean history of slavery was deliberately "erased" by the nationalists, imperialists, and pro-Chinese is certainly not generally accepted. Nevertheless, it can be said that the casual attitude of many earlier studies, probably caused by a lack of understanding that this topic "requires various research accumulations,"[7] led to serious misrepresentations and bold claims, such as "the absence of a slave-labor system."[8] Fortunately, recent archaeology has helped to uncover new sources that allow us to accumulate new insights. It now seems beyond doubt that,

1 W.-J. Lee, Woo, C. Oh, et al. 2016: 13.
2 Lovins 2021: 179. Emphasis added by R.Z.
3 C. Kim 2004: 85.
4 Co Pŏpcong 2003: 164.
5 For an overview of academic debates in North Korea until the 1970s, see Cŏng Chanyŏng and Kim Seuk 1974.
6 Kim Un 2016: 30.
7 Co Pŏpcong 2003: 164.
8 C. Kim 2004: 86.

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as Kim Suhan puts it, "slaves have been a constant entity throughout our [Korean] history."[9]

But this does not mean that the practices and conditions of slavery have not changed over time. Obviously, they have changed considerably, but the terminology commonly used to refer to them has not. The fact that the terminology of slavery has remained the same over the centuries is largely due to the fact that Korea used and retained the terms inherited from Chinese antiquity. On the one hand, this consistency helps to identify slave-related information in the sources; on the other hand, it threatens to obscure the factual differences that must be taken into account.

"By far the most common term"[10] used for slaves in ancient Chinese records describing the Korean peninsula was written as 奴, pronounced *nu* in Chinese, *nu* or *do* in Japanese, and *no* in Korean.[11]

The character is composed of the radical for "woman" 女 on the left and the radical for "again" 又 on the right. But as can be seen in the earlier form of the character in oracle bone script, the left part was originally a kneeling man with his hands tied behind his back (while the character for "woman" shows a kneeling woman with her hands crossed in front of her chest). The right part was originally a hand "steering" this man. So this character also suggests that slaves may have been mainly (war) prisoners at first.[12] More specifically, male prisoners. In ancient Chinese terminology, and probably also in reality, male and female slaves were separated. In the Chinese state of Qin (founded in the ninth century BC), male slaves were also known as 臣 (Chinese: *chen*, Korean: *shin*). The character, already documented in oracle bone inscriptions,[13] originally means "(a tortured person with) protruding eyes," and female slaves were called 妾 (Chinese: *chie*, Korean: *chŏp*), which originally means "a woman under an instrument of torture"; thus, these characters imply that slaves were people who had committed crimes and were being punished for them. After Qin became an empire in 221 BC, 臣 gradually came to mean "imperial (public) servant" or "vassal," while 妾 was used for concubines. Male slaves were then called 奴 and female slaves 婢 (Chinese: *bi*, Korean: *pi*).[14] The character 婢 is a combination of "woman" 女 and "hand tool" 卑, meaning "a woman used for manual (i.e., menial) labor." The legal texts of later Chinese empires and all the states that adopted the Chinese model of statecraft commonly used the compound word 奴婢 (Chinese: *nubi*, read as *nobi* in Korean, and *nuhi* in Japanese) to describe groups of both male and female slaves. Early Chinese ethnographic descriptions of the Korean peninsula also used it. But in reality, as Lúcio de Sousa reminds us,

9 Kim Suhan 2010: 136.

10 Wyatt 2022: 5.

11 According to Yi Ŭbong, it was pronounced as *nong* in the Cosŏn period: Yi Ŭbong 1977: 689.

12 Co Pŏpcong 2003: 165.

13 Yi Inchŏl 2003: 175.

14 Barbieri-Low and Yates 2015: 440 Fn 138; Watanabe 2014: 10.

this term "represents at least as many systems of unfree labor and bondage as there are pronunciations."[15]

It is worth reviewing the history of slavery in ancient China and Japan for comparison. In both cases, the origins of slavery were closely tied to criminal punishment, where individuals were reduced to slave status as a result of their crimes.[16] This form of penal servitude evolved over time, influencing both societies' perceptions of slaves and their association with impurity and social exclusion. In China, the link between criminality and slavery can be traced back to at least the Han dynasty, where slaves were often viewed as criminals who had committed serious offenses. Criminals subjected to corporal punishment, including tattooing, amputation, and other forms of mutilation, were often used for labor. This practice contributed to the rise of criminal slavery, where those convicted of crimes were relegated to the lowest social classes and used for menial tasks.[17]

The association between purity and slavery was also central to the conceptualization of criminal slaves in both China and Japan. In China, corporal punishment was associated with the notion of impurity, where individuals marked by such punishment were excluded from the community and subjected to menial labor as a form of social exclusion. In Japan, this idea evolved into a ritual practice where slaves were used as *haraetsumono* (purification sacrifice), reflecting the belief that certain individuals could absorb and remove communal impurity through their servitude.[18] The connection between crime, impurity, and slavery in both societies suggests that the function of slaves extended beyond economic exploitation; they also played a symbolic role in maintaining social and ritual order by bearing the impurities of their communities.[19]

The legal system of ancient China clearly divided servile individuals into two categories: state-owned slaves and privately owned slaves. The former category, known as official slaves, was further divided into government slaves and government households. The privately owned category consisted of private slaves and retainers.

Palace slaves were owned by the imperial court and the royal family and were supervised by the Bureau of Official Slaves. Their duties included menial labor in various government offices. They were distinguished by their black clothing and were prohibited from forming households. Government household slaves were also engaged in labor, but their status was slightly better than that of palace slaves. They were allowed to establish households and enjoyed a degree of autonomy. This category included individuals born to slaves and free persons, fallen commoners, and disabled or elderly slaves.

15 Sousa 2021: 9.
16 Wyatt 2022: 5.
17 Jinno 1993: 10.
18 Ibid.: 14.
19 Ibid.: 21.

Private slaves were owned by local nobles and chiefs. Although exempt from taxation and corvée duties, they were tied to their owners for labor and were not allowed to form independent households. In contrast, retainers, who also belonged to powerful local families, were granted a fraction of commoners' landholdings and were allowed to establish households.

Marriage among these servile groups was severely restricted, as they were generally allowed to marry only within their own class, while marriages between slaves and commoners were usually not recognized. Slaves were denied surnames, and legally they and their descendants were mere property, subject to inheritance, gift, and sale. Owners had absolute authority over their slaves, including the right to execute them for transgressions.[20]

In both China and Japan, the concept of hereditary slavery played a crucial role in maintaining social hierarchies. While criminals could regain their freedom after serving their sentences, slaves and their descendants were trapped in a cycle of servitude, their status passed down through generations. This hereditary aspect reinforced the distinction between slaves and criminals, ensuring that the former remained a permanent and exploitable underclass within the legal and social framework of these ancient societies.[21] In China, the notion of slaves as hereditary property emerged alongside their criminal origins. From the Han dynasty onward, slaves were seen as hereditary property that could be passed down through generations of a family. Criminals who were reduced to slave status often lost their freedom forever, and their descendants were also bound to servitude. This hereditary nature of slavery was reinforced by legal systems that equated slaves with chattel, which could be bought, sold, or given away by their owners. This created a clear distinction between the treatment of slaves and criminals, as the latter could regain their legal rights after serving their sentences, while slaves remained in bondage indefinitely.[22] The status of children born to enslaved mothers and free fathers automatically followed that of the mother. However, since private slaves were tax-exempt, their increase in number reduced government revenue. Therefore, the state imposed significant restrictions and encouraged their emancipation through legal appeals or escape, gradually reducing their numbers. Beginning in 789, children born of unions between commoners and slaves were registered as free persons. By the eleventh century, private slavery had been all but eliminated, though servile statuses as a whole never completely disappeared.[23]

In Japan, similar patterns of hereditary slavery can be observed. In early Japanese society, slaves—who made up about five percent of the population—were often regarded as criminals who bore the impurity of their offenses, and their status was also

20 Watanabe 2014: 10–11.

21 Jinno 1993: 15.

22 Ibid.: 18.

23 Watanabe 2014: 12.

transmitted to their children.[24] The hereditary nature of slavery in Japan was also tied to the notion of *tsumi kegare* (crime impurity), which was inherited by their offspring. This association with impurity not only justified their servitude but also solidified their status as a permanent underclass within society. The *ritsuryō* legal system, which was heavily influenced by Chinese law, codified the status of slaves and ensured that their servitude would be passed on to their descendants. This was particularly evident in the treatment of slaves who had been confiscated after rebellions or other crimes. However, there were cases in which slaves could be freed and integrated into society as free citizens, especially when their labor was needed for state purposes, such as frontier settlement or public works. For example, after Fujiwara no Nakamaro's rebellion in 764, hundreds of slaves were reassigned as settlers and were freed from their slave status, presumably to ensure that they could be integrated as productive members of society rather than remaining permanently bound to servitude.

While the old forms of slavery ceased to exist by the tenth century, other forms of dependency, such as serfdom, bonded labor, and indentured tenantry, continued for a long time, as did human trafficking, almost unregulated by state law.[25] Over time, the aristocratic upper class also tied the supposedly free peasants who worked their fields to themselves as slaves, thereby increasing social complexity.[26] The root cause of this development was "precarious economic conditions which foster in-group solidarity, dependency, low geographical mobility, and economic rigidity."[27] Incidentally, North Korean historiography vehemently insists on a "subjective" (*cuchejŏk*) interpretation of history[28] which presupposes the independence and uniqueness of the Korean nation in world history, as dictated by the ruling state ideology of the country. Therefore, Kim Un asserts:

> The ancient Korean slavery system originated with the establishment of Tangun Cosŏn (Old Cosŏn) in the early 30th century BC. It was established and expanded through its own development process.[29]

Due to the "lack of written records"[30] that could adequately prove this (or at least the historical existence of Tangun himself, the core figure of the "ever-expanding imagination of Korean history"[31]), the North Korean view relies mainly on archaeological evidence to prove that Korean society reached the slaveholding stage, which is called a social for-

24 Yi Yŏnghun 2004: 7.
25 Yi Yŏnghun 2004: 7; Jinno 1993: 20; Price 1969: 16.
26 Nagahara 1965: 152.
27 Price 1969: 17.
28 Kim Un 2016: 31; this is part of a "new nationalist tradition" in North Korea that has been superimposed on traditional Marxist theories since the 1960s: Petrov 2004: 231.
29 W.-C. Kim 2010: 33.
30 H. Song 2013: 49.
31 N. Kim 2016: 318.

mation in Marxist historical materialism, as early as the third millennium BC. The burial culture, which has been extensively studied in northern Korea, is used as evidence because, as the Eternal General Secretary of the Workers' Party of Korea Kim Cŏngil put it: "Sacrificial burial is a custom unique to a slave-owning society."[32] Based on the human remains excavated from a few sacrificial tombs they themselves have discovered, mainly at Yŏngsanni in 1994, North Korean historians have duly concluded that "even at the beginning of the state, there were slave owners with the privilege and status to sacrifice more than thirty slaves at once [...] Importantly, this also suggests that the slave ownership was at a more advanced stage."[33] Kim Un continues:

> The presence of such slave owners in the early Tangun Cosŏn period proves the existence of a slave economy based on hard slave labor. [...] Since the slave economy is an economic form that is managed and operated on the basis of the personal subjugation and exploitation of slaves by slave owners, where there are slaves and slave owners, a corresponding economic form inevitably arises. This proves that the slave economy already existed in the pre-Cosŏn period [...]
> Moreover, it can be inferred that the primary labor force in the early slave economy consisted of domestic slaves engaged in the household activities of the slave owner. This is supported by the condition of the artifacts found in slave burial chambers. [...]
> From this, we can infer that the early slave-owning economy was primarily based on domestic slavery, with many slaves engaged in non-productive activities, but there were also some slaves involved in productive sectors such as handicrafts. However, when looking at the overall composition of the artifacts, it is clear that the majority were domestic slaves without working tools, while artisan slaves were fewer in number.
> It is also clear that child labor was also present in the early slave economy. The presence of some juvenile bones found in slave burial chambers serves as evidence of child labor in the slave system. It is glaringly obvious how hard child labor must have been under slavery.
> Various facts indicate that the early slave economy in pre-Cosŏn Korea existed under central slave owners. Large slave owners managed about one hundred slaves, while medium and small slave owners managed about fifty slaves. Although some handicraft industries existed, the economy relied primarily on domestic slaves, even including hard child labor.[34]

Admittedly, the volume, scope, and "imagination"[35] of these inferences and conclusions are breathtaking. However, "there is no evidence that the contents of the Tan'gun myth reflect any historical reality."[36] Old Cosŏn, considered by serious scholars to be "the ear-

32 Quoted from Kim Un 2016: 107; apparently building on earlier, non-Marxist statements such as: "The existence or absence of this practice provides an important criterion for characterizing social organization." Y.-S. Kim 1986: 532.

33 Kim Un 2016: 110; however, both the age and significance of the Yŏngsanni tomb are questionable. It could also be seen as "a variant of a dolmen, its date could be estimated to be around the fourth century BC." Yi Inchŏl 2003: 155.

34 Kim Un 2016: 110–13.

35 Petrov 2004: 240.

36 H. Song 2013: 60.

liest state in Korean history"[37] if it ever existed, developed much later than the third millennium BC, namely "in the third to second centuries BC."[38]

However, Old Cosŏn is not originally associated with the Tangun myth. Instead, the legend of Kija as the founder of Old Cosŏn was first mentioned in the Chinese *Book of Han*, completed in the second half of the first century AD.[39] According to the account, Kija was granted land on the Korean peninsula by the Chinese emperor and became a virtuous ruler, known for teaching his people propriety, righteousness, agriculture, sericulture, and weaving, and for establishing the *Eight Prohibitions*, which governed their society so well that Confucius himself admired Kija's governance and lamented that the Confucian way was not being practiced elsewhere, expressing a desire to live in such a harmonious society. The *Eight Prohibitions* (whose integral text has never been recorded) included punishments:

> Murder was punished by death; injury was compensated with grain; for theft, men were enslaved as household servants and women as maidservants. To redeem themselves, they had to pay 500,000 units of currency. Although they could be freed and become commoners, the stigma remained, and they were shamed by society. As a result, people did not steal, did not lock their doors, and women remained chaste and faithful.[40]

Logically, "if everyone refrained from theft because they did not want to become slaves, and thus could live without closing their doors, it would imply that there were no penal slaves."[41] Then slavery would no longer have been an issue.

As if to confirm this interpretation, the *Samguk Sagi* ("Standard History of the Three Kingdoms"), completed during the Koryŏ period in 1145,[42] is the first Korean book to quote the Kija legend, but it omits the part about the punishments. Apparently, although Kija was slowly gaining attention in Koryŏ as a wise ruler of the past, the specific issue of slavery was not considered relevant at that time. It became important only in the early Cosŏn period, when the *Koryŏsa* ("Standard History of Koryŏ") was compiled, referring to Kija in order to position its ideological argument at the forefront of its examination of the slave law, thus reflecting the perspective of fifteenth-century Confucian scholars. Here, the control of slavery transcends mere legal codification and is elevated to the

37 Ibid.: 80.

38 H. Song 2013: 75; it has been briefly reported that the kingdom of Puyŏ, which existed in Manchuria between the second century BC and 494 AD and which is considered part of Korean history by the nationalist brand of Korean historiography, also had slavery: "In the villages and settlements, there are wealthy people, and those known as 'lower households' all serve as their slaves." *Sanguozhi*, Weishu, Dongzizuhan, Fuyu. Cf. Yi Inchŏl 2003: 156.

39 Shim 2002: 275.

40 *Han Shu* 28b, Dijizhi 8a, Lün. Cf. Yi Inchŏl 2003: 154.

41 Ibid.: 155.

42 Although the *Samguk Sagi* is an indispensable source of historical knowledge, it must be seen as representing the victorious Shilla's "historical concept of the Three Kingdoms, instead of pure historical fact." *A Bibliographical Guide to Traditional Korean Sources* 1976: 11–17.

status of a reason of state, essentially a moral imperative for maintaining social order, morality, and punishing crime.[43] With this added "twist,"[44] the Koryŏ slave laws would serve as a model for their own dynasty:

> In the past, when Kija established the state of [Old] Cosŏn, he established the *Eight Prohibitions*. Among these, if someone was caught stealing, they were confiscated and made male and female slaves of the victim's household. This is considered to be the beginning of the slave system in the Eastern Land [i.e., Korea]. In the houses of the aristocracy, those who had been handed down and used through generations were called private slaves. Those used by government offices and provincial administrations were called public slaves. As time passed, the number of slaves gradually increased. Consequently, in order to manage the conflicts and disputes that arose and increased day by day, an office was established to regulate them with very strict prohibitions. The existence of slaves in the Eastern Land greatly added to the teaching of proper behavior. It was essential for maintaining discipline both within and outside the household, for maintaining the distinctions between the noble and the humble, and for practicing rituals and righteousness. Everything flowed from this system. Many aspects of the Koryŏ laws regarding the management of slaves are worthy of adoption. Therefore, these are also included in the record of criminal laws.[45]

By the seventeenth century, this interpretation of the *Eight Prohibitions* led many Koreans to believe that Kija had established both penal slavery and hereditary slavery in Korea.[46] Although the historicity of Kija and the *Eight Prohibitions* is "one of the most controversial issues in the study of early Korean history,"[47] and though it is indeed "difficult to accept Kija as the founder of the early Korean state"[48] based on all available textual and material sources, they are still referred to in some academic contexts today, particularly in North Korea. For example, Kim Pyŏngha interprets the *Eight Prohibitions* as evidence of the early development of private property and class society in Old Cosŏn. Of the alleged eight laws, only three are handed down through Chinese records; they indicate a structured society in which personal injuries were compensated with grain, and theft could result in the perpetrator becoming a slave or paying a heavy fine. These laws suggest a well-established agrarian society based on private property. However, Kim Pyŏngha argues that while the *Eight Prohibitions* reflect the existence of private property, they also indicate the existence of a broad class of free citizens. Therefore, he believes that these laws alone are insufficient to classify Old Cosŏn as a slave society, suggesting instead that most direct producers were likely feudal serfs rather than slaves.[49] In contrast, Kim Un views the *Eight Prohibitions* as a reflection of the deeply entrenched class divisions and the exploitative nature of the slave-owning society. These

43 Yi Sangguk 2009: 82.
44 Palais 1996: 212.
45 KS 85, Hyŏngbŏp 2. Cf. Palais 1996: 212–13; Xu 2016a: 196.
46 Palais 1996: 213.
47 Shim 2002: 273.
48 Ibid.: 303.
49 Kim Pyŏngha 1974: 139–40.

provisions served primarily to protect the rights and privileges of the ruling class while further subjugating the enslaved and oppressed population. The laws prescribed harsh punishments, such as execution for murder and forced enslavement for those guilty of theft, illustrating their punitive nature. However, these laws were not universally applied; they favored the slave-owning elite, as evidenced by the fact that crimes committed by the ruling class against their slaves did not have the same legal repercussions. The *Eight Prohibitions* reinforced the *status quo* by providing legal protection for the ownership and exploitation of slaves, demonstrating the "reactionary and anti-people" character of the laws.[50]

As Vladimir Glomb points out, in post-1945 North Korea, the Kija myth underwent significant reinterpretation and criticism, reflecting the regime's ideological stance and nationalist goals. Kija was targeted for his association with Confucian values and his foreign origins, both of which were antithetical to the North Korean regime's efforts to assert an independent Korean identity. That Korean civilization originated with a Chinese figure was found to be unacceptable by the regime, which then sought to erase Kija's legacy. North Korean scholars have systematically attacked the historicity of Kija's connection to Korea. Early scholarly efforts presented the narrative of Kija's migration to Korea as an invention of Chinese historiography during the Warring States period. They argued that while Kija might have existed as a historical figure in China, his association with Korea was a later invention with no credible basis. This argument became a blueprint for subsequent criticism, emphasizing the unreliability of Chinese sources while denying Kija's connection to Korean history. As North Korea moved toward a more nationalist historical perspective in the 1960s, Kija's memory was systematically suppressed. His tomb in Phyŏngyang was destroyed, and references to him were removed from school textbooks and popular histories. However, Kija's figure was not entirely erased. He remained a subject of criticism in advanced academic discussions, where his narrative was dissected and dismissed as a product of "flunkeyism"[51] and Chinese cultural imperialism. The *Eight Prohibitions*, traditionally associated with Kija, were reinterpreted as an authentic part of Old Cosŏn culture, separate from the sage's legacy, illustrating the regime's selective appropriation of historical elements for nationalist purposes. Kim Ilsŏng frequently denounced Kija in his speeches, portraying him as a symbol of the subjugation of Korean culture to Chinese influence. Paradoxically, this kept Kija's memory alive, "albeit in a negative sense."[52] The myth served as a convenient metaphor for the broader rejection of foreign domination and the assertion of a uniquely Korean historical narrative. Over time, Kija became more of a rhetorical device than a historical figure, embodying the regime's ideological struggles against perceived cultural subservience. Despite efforts to silence his story, the "resilience of the

50 Kim Un 2016: 87–90.
51 Glomb 2022: 678.
52 Ibid.: 673.

Kija narrative"[53] ensured its continued, if contested, presence in North Korean historical discourse.

However, the real reason why North Korea sought to "kill" (in the words of Glomb) his memory may well have been that, according to Confucius himself, Kija was a slave,[54] and the idea that the first Korean state in history was founded by a slave seemed unacceptable. North Korean historians therefore strongly denied that the rulers of Old Cosŏn had been his descendants, as reported in Chinese sources. They even claimed that Kija had been freed from slavery before being enfeoffed with whatever part of China (not Korea!) he actually ruled.[55]

As for the second argument of Kim Un, what is called a *retainer sacrifice*—accompanying one's lord in death—was common in China from the third millennium BC; in such sacrifice, the buried man was usually "accompanied" by several women. Conventional[56] and Marxist Chinese historiographies have explained this with the existence of slavery. But, although the women buried with the man are clearly of lower status, there is no clear evidence that they were killed against their will, or that they were secondary wives sacrificed specifically for the burial and of higher social status than "ordinary" victims sacrificed for buildings or religious events.[57] But according to North Korean logic, evidence from China would not prove anything about the Korean peninsula because the indigenous culture there was subjectively independent of the rest of the world.

However, even archaeological findings cited by North Korean researchers themselves are not always unambiguous. In his analysis of a sixth- or seventh-century site in China's Liaoning Province, which, since 1967, has been regarded in North Korea as the tomb of slave owners and their slaves in Old Cosŏn, Yoshida Akira notes that the alleged slaves buried outside the central tomb were women and children who apparently belonged to the same family. But since, according to the orthodox Marxist definition, "the inability of slaves to form families is the most defining characteristic of slaves," this could not have been a slave burial.[58]

Archaeological research from the south of the Korean peninsula shows very different results. The practice of human sacrifice as part of funerary rituals first appeared at the end of the third century in the region of present-day Kyŏngsang, which later became the ancient state of Shilla and the federation of Kaya. There is no evidence of

53 Glomb 2022: 660.

54 Lunyü 18:1, see ibid.: 661.

55 Ibid.: 660–61.

56 For example, Kim Yong-Sŏp claims that in these burials, slaves "were killed to continue in their service even after death": Y.-S. Kim 1986: 530.

57 Yatesyates 2013: par. 18; Huang puts an interesting but untenable twist on this by claiming: "The decrease in human sacrifice and the trend towards more female and young victims in the later phase may indicate that many of the young, especially male, prisoners were used as slave labour, indicating the development of a fully fledged slave state." Huang 1989: 75.

58 Yoshida Akira 1979: 231.

such rituals in other regions of Korea. The retainer sacrifices became prominent during the fourth century, and then declined rapidly in the late fifth century.[59] Stone-covered wooden chamber tombs were used to bury high-ranking elites in Shilla's capital and the surrounding areas. While the identities of the sacrificed retainers remain uncertain, their silver ornaments suggest that they held important but not the highest positions in Shilla society, possibly as royal estate managers, concubines, servants, or personal guards. Historical records indicate a strict caste system and sumptuary laws regulating various aspects of life, suggesting that the sacrificed retainers buried with valuables and fine clothing were likely not slaves. Preliminary DNA studies suggest that some familial ties to the elite were maintained, although the exact nature of these relationships is unclear. Recent stable isotope analyses of diets show that both elites and retainers consumed similar luxurious foods found in funerary offerings, although there were slight dietary differences, with retainers eating a wider range of foods compared to the elites.[60] In conclusion, there is no archaeological evidence to support the claim that the sacrificed individuals were slaves.[61] Recent research suggests that "they were warehouse keepers, concubines, horsemen, and guards related to the grave owner."[62] Moreover, whether the retainers had been free people or considered property of elite households, their sacrifice would have been costly. If they had been slaves, their loss would have reduce the household's labor force and increased the financial burden of burials. The practice of sacrificing retainers would also have been unsustainable for centuries without some form of compensation, such as material rewards or increased social status. Thus, the elite who hosted the ceremonies likely absorbed most of the costs associated with retainer sacrifice.[63] This may explain why the king of Shilla outlawed retainer sacrifice in 502.[64] In short, retainer sacrifices were definitely neither evidence of nor compatible with a sustainable slave economy.

The enslavement of foreign invaders or prisoners of war was a common practice in East Asia, as evidenced by an episode in the Chinese *Records of the Three Kingdoms*, written at the end of the third century AD and dealing with the era of the competing Chinese states that had just ended in 280. The story concerns the relationship between the last Chinese colony in the north of the Korean peninsula, the Lelang Commandery, and the three polities formed in the other parts of the Korean peninsula, Cinhan, Pyŏnhan, and Mahan, collectively called "the Three Han" (三韓 *Samhan*). 韓 *Han* was the generic Chinese term for the ethnic groups living there, which is now used as a self-designation

59 Gelabert, Blazyte, Y. Chang, et al. 2022: e3; in contrast, Kim Yong-Sŏp claims that it "lasted for over a millennium and was specific to the social structure of that era": Y.-S. Kim 1986: 533; Yi Inchŏl asserts that sacrificial burials continued until the Mongol era, i.e., the twelfth century: Yi Inchŏl 2003: 155.

60 Conte and Jangsuk Kim 2024: 281–82.

61 Conte and Jangsuk Kim 2016: 18.

62 Gelabert, Blazyte, Y. Chang, et al. 2022: e3.

63 Conte and Jangsuk Kim 2016: 24.

64 *Samguk Sagi* (hereafter referred to as SS) 4, Cijŏng, Y. 3: Chŏng Kubok 1996: 48.

by Koreans (at least South Koreans), not to be confused with the Chinese 漢 Han dynasty, which ended in 220. These were the ethnic terms used in the following passage, which I have translated as "Korean" and "Chinese."

> During Wang Man's reign [9–23], Yŏm Sachi served as the leader of the right wing of Cinhan['s army]. When he heard about Lelang's beautiful land and wealthy people, he wanted to surrender [to Lelang]. As he was leaving his settlement, he saw a man who did not speak Korean chasing away sparrows in a field. He asked him, and the man said, "We are Chinese. My name is Hulai. We, fifteen hundred people, were cutting wood here, but we were captured by the Koreans and enslaved, and our hair was cut and we were enslaved for three years." Yŏm Sachi said, "I intend to surrender to China's Lelang. Do you want to go [with me]?" Hulai replied, "Yes." Yŏm Sachi then took Hulai to Hanzixian County, which was under the Commandery. The Commandery made Yŏm Sachi an interpreter, and he used large ships from Qinzong to enter Cinhan, rescue Hulai, and save over a thousand of his companions, though five hundred had already died. Yŏm Sachi then warned Cinhan, "Return the five hundred people. If not, Lelang will send ten thousand soldiers by ship to attack you." Cinhan replied, "The five hundred people have died, but we will pay their ransom." Then they delivered fifteen thousand people from Cinhan and fifteen thousand pieces of cloth from Pyŏnhan. Yŏm Sachi collected the ransom and returned.[65]

Since there is no record of war between Lelang and Cinhan (out of which the kingdom of Shilla would later emerge) during this time, Yoshida Akira suggests that the Han Chinese were made communal slaves by the Cinhan tribe as punishment for illegally cutting down trees on communal land.[66] Being forced to surrender 15,000 people to avoid war must have been truly disastrous for Cinhan's labor force, if it ever happened as reported; the source may have "exaggerated and distorted" the story, but at least it can be taken as evidence that slavery was institutionalized in the Cinhan polity and that "securing populations in terms of the acquisition of labor forces" in the form of slaves was a primary goal of warfare.[67]

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65 *Sanguozhi*, *Wei Shu* 30, *Han Zhuang* 3, https://ctext.org/text.pl?node=603360 [accessed 29.07.2025]. Cf. Yi Inchŏl 2003: 158; B. Kang 1995: 94–95.

66 Yoshida Akira 1979: 234; in a typical example of the kind of consideration I have described above as casual, Yi Inchŏl claims that the source has confused Cinhan in the southeast of the peninsula with Mahan in the north. There would have been plenty of opportunity to cut wood in the north, so there would have been no need to go further south. But Mahan's population was so small that it is unlikely that Mahan could have taken such a large number of captives. Therefore, the men seem to have been captured not by Mahan, but by the more powerful Päkce (which did not yet exist at the time). This means that Yi had to rewrite key elements of the story to arrive at his interpretation, and he also omitted that Lelang had threatened to send their soldiers by ship, which would make no sense if it was really the neighboring Mahan. Yi Inchŏl 2003: 158–59; Yi was not alone in suggesting this "confusion"; it had already been suggested as early as 1934: B. Kang 1995: 95.

67 B. Kang 1995: 98, 208.

Fig. 1: Traces of a retainer sacrifice in the outer coffin of tomb no. 53, Pokchŏndong Tumuli, Tongnä, Pusan, 5th c. AD. Photo by the author.

2. Slaveries and Similar Dependencies

2.2. Regions and Epochs

Brazil

Paulo Cruz Terra. "Introduction," in *Current Trends in Slavery Studies in Brazil*, ed. Stephan Conermann, Roberto Hofmeister Pich, Mariana Paes and Paulo Terra (Berlin: De Gruyter, 2023): 1–8.

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Paulo Cruz Terra

Introduction

Through the texts gathered here, the present book aims to offer some of the current trends in Brazilian slavery studies to the international public.[1] Furthermore, in this introduction, we intend to discuss the broader picture of the relevance of slavery studies in the Brazilian academic context. Slavery lasted in Brazil for more than three centuries. Equally, this country received the largest number of enslaved African people in the Americas and was the last state in the Western world to abolish slavery. These elements indicate the importance of slavery in Brazil's history; the question is to try to identify its significance in academic studies in the recent past, more specifically in historical studies. In terms of presenting the relevance of slavery in academic history, several graduate courses in history already had research areas dedicated exclusively to slavery from the very beginning, in the 1970s. This is the case, for example, of Fluminense Federal University, which had a research area called "Slavery and Abolition." The Pontifical Catholic University of Rio Grande do Sul, with the subject "Slavery in Brazil," and the Federal University of Pernambuco, with its course on "Slavery in the Northeast in the Transition to Free Labor," provide similar examples.[2] Another element that points to the theme's relevance in Brazilian academic studies is the vast number of theses and dissertations dedicated to it. From 1996 to 2019, there were around 2,500 theses and dissertations on this subject. The vast majority were in history (49%), followed by law (5%). In history alone, around 1,200 theses and dissertations involved the subject of slavery in this period, 8.81% of total production in the field.[3]

The number of historical studies on slavery has grown over the years: while there were only 13 in 1996, in 2018 they reached a peak of 89. The four universities with the most significant number of studies are the University of São Paulo, the Federal University of Bahia, Fluminense Federal University, and the State University of Campinas. Three of them are represented in this book. It is also crucial to remark that this work on slavery is currently spreading to many other parts of the country, from north to south. We can infer some reasons for this increase. A first possibility is the expansion of history graduate courses in Brazil. From 1971 to 2018, there was an increase of more than 500% in the number of master's courses in history and 1,900% in similar doctoral courses. This growth was mainly concentrated between 2000 and

1 Initial versions of the chapters were discussed at an event organized by the Bonn Center of Dependency and Slavery Studies on current trends in Brazilian slavery studies, which reunited Brazilian researchers on December 10 and 11, 2020.

2 Carlos Fico and Ronald Polito, *A História no Brasil (1980–1989): elementos para uma avaliação historiográfica* (Ouro Preto: Editora Universidade Federal de Ouro Preto, 1992).

3 Capes' catalogue on dissertations and theses: http://catalogodeteses.capes.gov.br/catalogo-teses/#!/ [accessed 02.08.2022].

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2018.[4] This increase in graduate courses was directly related to the growth of public investment in research. The two central public research funding agencies at the federal level, CNPq and CAPES, grew significantly between 2000 and 2015. CNPq, for example, had an increase in its budget of around 200% over this period.[5]

Another aspect to consider when understanding the growth of work on slavery is the approval of law 10.639, which makes the teaching of Afro-Brazilian and African history and culture mandatory in elementary and high schools. The law, approved in 2003, is the result of the struggle of black movements to re-evaluate the role of black people in Brazilian history and the appreciation of black culture. In this sense, we can relate the establishment of the law to the emergence of graduate programs dedicated to the theme, such as the professional master's in the history of Africa, diaspora, and indigenous people at the Universidade Federal do Recôncavo da Bahia. A large amount of research on slavery is being internally disseminated. Articles are published in prominent journals, such as Revista Brasileira de História, which, as perhaps the country's most important journal, had two special issues entirely dedicated to the subject between 1997 and 2020.[6] In terms of publications, it is also necessary to mention the journal Afro-Ásia, which first appeared in 1965: published periodically since 1995, it is a national journal entirely dedicated to Afro-Brazilian and African subjects.[7] The same is true of events. The biennial congresses of the National History Association, a meeting that brings together many historians in Brazil, usually have at least one thematic symposium dedicated to slavery.[8] Besides, since 2003 there has also been the conference "Slavery and Freedom in Southern Brazil" (Encontro Escravidão e Liberdade no Brasil Meridional), which has already convened ten times, most recently in 2019. Here, there were 27 sessions with the presentation of around 80 papers.[9]

However, it is important to emphasize that while works on the history of slavery have increased in Brazil, the field currently faces some challenges. The first is a drastic decrease in funding, especially after 2016. The budget for CNPq and CAPES in 2021 is 73.4% lower than it was in 2015.[10] Meanwhile, the government of President Jair Bolsonaro began in 2018: it has cut the research budget and significantly reduced space

4 Carlos Fico, Claudia Wasserman and Marcelo de S. Magalhães, "Expansão e avaliação da área de História – 2010/2016," *História da Historiografia: International Journal of Theory and History of Historiography* 28 (2018): 267–302.

5 Gabriel Zanlorenssi and Caroline Souza, "Orçamentos da Capes e do CNPq caíram 73,4% desde 2015," *Nexo Jornal*, 20/10/2021, https://www.nexojornal.com.br/grafico/2021/10/20/Orçamentos-da-Capes-e-do-CNPq-ca%C3%ADram-734-desde-2015 [accessed 02.08.2022].

6 The *Brazilian History Journal* website: https://www.scielo.br/j/rbh/ [accessed 02.08.2022].

7 The *Afro-Ásia* website: https://periodicos.ufba.br/index.php/afroasia [accessed 02.08.2022].

8 One source of information is the National History Association (ANPUH) website: https://anpuh.org.br/index.php/quem-somos/simposio-nacional-de-historia [accessed 02.08.2022].

9 See website of the conference: "Slavery and Freedom in Southern Brazil": http://www.escravidaoeliberdade.com.br/site/index.php?option=com_content&view=article&id=53&Itemid=63 [accessed 02.08.2022].

10 Zanlorenssi and Souza, "Orçamentos da Capes."

for the humanities, which are understood as superfluous. In addition, Bolsonaro's government has brought other symbolic challenges. If studies on slavery were already of political importance in Brazil, they gained even greater weight in the face of statements by government officials that slavery was positive for Africans or the remark by the deputy president on November 20, 2021 (Black Awareness Day), that there is no racism in Brazil.[11] The picture presented so far points to a broad, consolidated, and growing amount of work about slavery in Brazil. In 2010, Herbert S. Klein and Francisco Vidal Luna pointed out that "Brazilian historians and economists are doing more studies on their institution of slavery than" in the United States, "despite the imbalance in the size of the historical profession in the two countries."[12] Brazilian works have outlets within the country and are written in Portuguese. But how well they are known in the international context? In 2013, Jean Hébrard published a review of studies on slavery in Brazil. According to him, among "the countries where colonial slavery existed, present-day Brazil has undoubtedly produced the richest and most abundant research into this terrible part of its history." However, he indicated that "due to linguistic barriers, this decisive contribution to the understanding, and therefore the memory, of the institution of slavery is little known outside Brazil's borders."[13]

The language barrier can indeed be a problem. Portuguese does not wield influence outside Portuguese-speaking countries, and publishing in English can present some obstacles. Studies on academic literacy show that the evaluation of Anglophone journals is not only affected by the mastery of English literacy and rhetorical practices, but also imbalanced power relations between center and periphery with regards to knowledge production.[14] This means that knowledge of the language is not enough: it is also necessary to know Anglo academic literacy practices. When analyzing the journal Slavery & Abolition, perhaps one of the leading international journals on the subject, it is possible to verify that between 2000 and 2020, 17 articles were published

11 Guilherme Mazui, "'No Brasil, não existe racismo', diz Mourão sobre assassinato de homem negro em supermercado," in *G1*, 20/11/2021, https://g1.globo.com/politica/noticia/2020/11/20/mourao-lamenta-assassinato-de-homem-negro-em-mercado-mas-diz-que-no-brasil-nao-existe-racismo.ghtml [accessed 02.08.2022]; "Presidente da Fundação Palmares diz que escravidão foi 'benéfica'," in *R7*, 27/11/2019, https://noticias.r7.com/brasil/presidente-da-fundacao-palmares-diz-que-escravidao-foi-benefica-27112019 [accessed 02.08.2022]; Gabriela Ramos, "'Aqui no Brasil não existe isso de racismo', diz Bolsonaro em Fortaleza," in *O Estado de S. Paulo*, 28/06/2018, https://politica.estadao.com.br/noticias/eleicoes,aqui-no-brasil-nao-existe-isso-de-racismo-diz-bolsonaro-em-fortaleza,70002375442 [accessed 02.08.2022].

12 Herbert S. Klein and Francisco V. Luna, *Slavery in Brazil* (Cambridge: Cambridge University Press, 2010): IX.

13 Jean Hébrard, "L'esclavage au Brésil: le débat historiographique et ses racines," in *Brésil: quatre siècles d'esclavage. Nouvelles questions, nouvelles recherches*, ed. Jean Hébrard (Paris: Karthala, 2012): 7–61.

14 Theresa Lillis and Mary Jane Curry, "Professional Academic Writing by Multilingual Scholars. Interactions with Literacy Brokers in the Production of English-Medium Texts," *Written Communication* 23 (2006): 3–35.

that explored slavery in Brazil in detail.[15] Of these, only six were written by Brazilians, about 35%. Of course, it is important to remark on the interest in the subject shown by researchers from other countries. Equally, it is also necessary to reflect on the possible difficulties encountered by researchers from peripheral countries, such as Brazil, when publishing in English-language journals.

So, while only a tiny part of Brazilian works on slavery are published in other languages, one cannot fully agree with Hébrard that they are so unknown. In any case, it is essential to emphasize the importance of an initiative like this book (financed by the Bonn Center for Dependency and Slavery Studies) in enabling Brazilian researchers to present current trends in slavery studies to a broader audience. As mentioned previously, Brazil has produced a vast number of theses and dissertations on slavery, around 1,200 in history alone between 1996 and 2019. These theses, dissertations, conference papers, and journal articles offer multiple perspectives and discuss varied subjects, making it hard to represent this diversity in one book. That being said, even though this publication does not show all the current trends of slavery studies in Brazil, it does portray the significant ones. And, since the institution of slavery lasted for more than 300 years in Brazil, we try to offer a wide chronological selection, providing papers that range from the seventeenth century to the post-abolition era at the beginning of the twentieth century. However, most of the chapters discuss the imperial Brazilian period, which covers much of the nineteenth century.

The "negro folk songs" in places affected by the African diaspora, especially Brazil, in the late nineteenth and early twentieth centuries are analyzed by Martha Abreu. She mentions that "the music of the slave quarters was really open territory for disputes over meanings and the creation of new hierarchies about the place of African descendants in the post-abolition period." On the one hand, it is possible to verify the reconstruction and existence of racism in the musical and artistic milieu, as the songs "served to belittle the black population and spread stigmas about their bodies and behavior." On the other hand, "these songs were also important in the anti-racist fight carried out by black musicians and artists who invented paths for promotion and empowerment in this same cultural world."

The connections between Brazil and Africa are explored by Crislayne Alfagali, who examines iron and gold mining and smelting in the eighteenth century in Minas Gerais, Brazil, and the region of Ilamba in the "Kingdom of Angola and its conquests." As well as showing that "the knowledge of metallurgy was an essential element of the overseas expansion and the exploration of valuable metals such as iron," Alfagali presents how metallurgy was part of African traditions that were reinvented in the colonial context as a form of resistance.

Maria Helena Pereira Toledo Machado points out that if the more traditional historiography recognizes only the generic figure of the slave, exempt from gender and

15 See the Slavery & Abolition website: https://www.tandfonline.com/journals/fsla20 [accessed 02.08.2022].

sex, even more recent studies, which have gradually particularized the experience of captivity, have also neglected the specificities of gender in slavery: this includes maternity. The author explores this subject as she addresses the case of the murder of two slave children in São Luís, the capital of the northern province of Maranhão, in 1876. Analyzing it, she examines not only the issue of slave maternity, but also manumission and the separation of mothers and children.

The rights of liberated Africans in Brazil are analyzed by Beatriz G. Mamigonian, who discusses "the circumstances, regulations, and juridical proceedings surrounding the implementation of the peculiar statute, the exploitation of mandatory labor, and their definitive emancipation." While the history of liberated Africans in this country is connected to the complex dynamics of nation formation, "marked by the continuation of the illegal trade in enslaved Africans as well as by intense British pressure for its abolition," a comparison with groups of liberated Africans in other parts of the globe allows the author to see the Brazilian case as an illustration of the shifting worlds of labor in the nineteenth century.

Mariana Dias Paes mentions the importance of documents produced by judicial institutions to the historiography of Brazilian slavery, at least over the last thirty years. While other studies have already found that the courts were an "arena of struggle," Paes suggests in her text that we can go further and "consider them to be spaces of normative production as well, with enslaved persons and other actors involved in legal proceedings as agents of that production." In this sense, the law was not only disputed in courts but was also created, as people produced specific meanings for norms: the author shows that this process was permeated by various normative frameworks.

Tâmis Parron analyses a historical process that began between 1790 and 1830 and reached its high point from 1830 to 1860, the three decades preceding the American Civil War: this involved Brazil, Cuba, and the United States. He points out a cluster of relations between these spaces, "a trans-regional framework within which events and processes in one place began to have impact, influence, and significance on events and processes in the others." Although this was originally anchored in commodity exchanges, it "evolved into a fundamental source of political and geopolitical power for each slaveholding country in their relationship with the capitalist world economy as a whole."

Roberto Hofmeister Pich analyzes the context and contents of *In supremo apostolates*, published in 1839 by Pope Gregory XVI, the first papal document to explicitly condemn and prohibit the enslavement and traffic of *both* indigenous and black people and to unambiguously ban the transatlantic slave trade, the suppression of which was being especially pressed by Great Britain. The chapter's second goal is to offer a view of how the document impacted the Catholic Church in nineteenth-century Brazil, connecting Catholic Christians and institutions to emancipatory discourses and abolitionist movement(s). He investigates the thought of Antônio Vicente Ferreira Viçoso, who was consecrated bishop of Mariana in 1844. The analysis of a text by Viçoso characterizes the many ways the Catholic Church in Brazil, despite many ambiguities and

hesitations, was – through several of its authorities – engaged with abolitionist ideas and influenced people's opinions and attitudes towards abolitionism.

The lynchings that occurred in the nineteenth century have only recently been analyzed by historians, as mentioned by Ricardo F. Pirola. His contribution examines lynchings during "the period prior to abolition, especially in the 1880s, when the movement to abolish slavery exacerbated tensions between slaves and masters and intensified the political struggle to expansion of civil rights in Brazil." Among the different questions he answers in the text are: why were enslaved people lynched, who took part in the lynchings, and, in the case of the lynching of free individuals, what led members of the public to take the law into their own hands?

Female street vendors or peddlers (*quitandeiras*) in Brazilian urban centers in in the second half of the nineteenth century are the subject of Fabiane Popinigis' text. She shows that whether "enslaved or free, these women were fundamental for the operation of the production and consumption economy, paying taxes and using credit; they were likewise essential for basic services involving the preparation of food, cleaning, and the provision of care." These laboring women of African descent established relations, economic and emotional, with their peers and people of different social and political statuses. At the same time, they formulated expectations and attributed specific meanings to their freedom, influencing the political debates of the time.

Lilia Schwarcz investigates the presence of slavery in the iconography produced about Brazil by Europeans. The "reiteration of themes and a given visual logic" in "this iconography conforms to a 'politics of visual representation' and the creation of 'otherness'." They "also conform to perceptions capable of producing and rooting racial stereotypes." Comparing paintings and photographs, she shows that, later, artists had less control over the attitudes of their "models." The expressions and body language of black models could reveal another type of slave agency: "their refusal to embody the passive, exotic stereotypes slave-owning society cast for them."

Paulo Cruz Terra shows that while there is a great deal of academic work on abolition in Brazil, the investigation into social labor history is still incipient. His objective is to analyze how vagrancy and labor intertwined in the legislation – and the debates – of the Brazilian abolition process, which culminated with the abolition law in 1888. As the process of constructing vagrancy criminalization in Brazilian abolition cannot be understood only within national borders, he proposes approaching this subject from the perspective of global labor history, seeking connections and comparisons with the Portuguese Empire.

Regarding the vital issue of indigenous slavery, Carlos Zeron points out the notions the Jesuit priest António Vieira shared with other colonization agents in the seventeenth century and those that set him apart. Concerning the acceptance of indigenous enslavement, Zeron argues that the similarity between settlers, royal administrators, and Jesuits in Portuguese America resulted from a long period of cultural sedimentation, which was conceived, justified, and made possible by Roman law, interpreted in the light of Christian theological precepts.

Indigenous slavery; gender; racism; the representation and presence of black people in artistic expression; rights; justice; relations with labor history; slavery and its economic connections and impacts; connections between the Catholic Church and abolitionism; perspectives that try to overcome methodological nationalism: these are some of the trends present in texts gathered in this book. Several of these trends relate to academic work about slavery in places like the USA, France, and Germany.[16] However, Brazilian slavery studies are not only on the receiving end of new trends established in the historiographies of these countries: indeed, the collaboration of Brazilians with international scholars is essential for asking new questions.

Given the broad, consolidated, and growing work on slavery in Brazil, it is evident that not all current trends are represented here. We believe that the book is only a taste of this vibrant historiography, whetting the appetite of the international public for more.

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16 See, for example, Michael Zeuske's discussion on the historiography of slavery. Michael Zeuske, "Historiography and Research Problems of Slavery and the Slave Trade in a Global-Historical Perspective," *International Review of Social History* 57 (2012): 87–111.

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2. Slaveries and Similar Dependencies

2.2. Regions and Epochs

Mongolia

Dorothea Heuschert-Laage. "Slavery in Eighteenth Century Mongolia: Transactions in People and Notions of Property According to the Qanggin Banner Archives," *Working Paper* 10, Bonn Center for Dependency and Slavery Studies (2022).

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WORKING PAPER 22 | 10

Dorothea Heuschert-Laage

SLAVERY IN EIGHTEENTH CENTURY MONGOLIA: TRANSACTIONS IN PEOPLE AND NOTIONS OF PROPERTY ACCORDING TO THE ǫANGGIN BANNER ARCHIVES

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Slavery in Eighteenth Century Mongolia: Transactions in People and Notions of Property According to the Qanggin Banner Archives

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Abstract

This paper investigates moments of transition in which people were forced into dependency, or had to change from one relationship of asymmetrical dependency to another. It is argued that these transitions were backed by state law, but were rooted in practices which predated the establishment of the Qing dynasty (1636–1911). In order to understand the social, legal and economic constellations in which people were recruited or transferred to other dependency relationships, the study draws on a micro-historical approach based on records from a local archive in Inner Mongolia (China). On the basis of these findings, it develops categories of transition, and discusses the meaning of property rights in settings of multi-level dependencies.

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I. Aims and Categories

I.1. Property and Asymmetrical Dependency

In the history of slavery, Mongols play an important part. During the time of the Mongolian conquests in the thirteenth century, groups and individuals were uprooted by armed conflicts and forced migrations at an unprecedented scale, and many of them had to fulfil the demand for slaves and other dependents in the expanding empire.[1] After the dissolution of the Mongol empire, slavery flourished in the successor states and connected them with other parts of the Eurasian continent. Likewise, Mongolian rule over China in the thirteenth and fourteenth centuries saw the expansion of slavery, and for Wyatt, this "conformed to the general pattern that characterized periods of nomad domination."[2] The present paper deals with a different period of Mongolian history, in which Mongols did not dominate China, but the majority of Mongolian societies had become part of the Qing empire (1636–1911). What became of Mongolian slaving practices in the eighteenth century, when there no longer was a supply of war captives in the Mongolian territories, and the Qing emperor, who resided in Beijing, had laws for the Mongols drafted by Manchu and Chinese officials?

Slavery can be regarded as an extreme form of asymmetrical dependency, which, according to the research agenda of the BCDSS, is marked by the ability of one actor to more or less fully control another actor's actions, resources and physical mobility, and is usually maintained and enforced by an institutional background.[3] This condition cannot be simply reduced to a property relationship, which, among other reasons, may be explained with the vagueness and versatility of this category.[4] Property claims can imply a variety (or "bundle") of rights and duties in different contexts and are constructed and negotiated in the context of power relations.[5] Therefore, in order to relate notions of property to slaving practices and asymmetrical dependency, it is necessary to define what property claims meant at a given time and place.[6]

When David Sneath argues that "Western economic orthodoxy is at odds with indigenous Mongolian concepts of 'property' and 'ownership'," he emphasizes the close links between

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[1] Michal Biran, "Forced Migrations and Slavery in the Mongol Empire (1206–1368)," in *The Cambridge World History of Slavery*, vol. 2, *AD 500-AD 1420*, ed. Craig Perry, David Eltis, Stanley L. Engerman and David Richardson (Cambridge: Cambridge University Press, 2021): 98; Michael Zeuske, *Handbuch der Geschichte der Sklaverei. Eine Globalgeschichte von den Anfängen bis zur Gegenwart*, 2nd ed. (Berlin/Boston: DeGruyter, 2019): 324–25.

[2] Don J. Wyatt, "Slavery in Medieval China," in *The Cambridge World History of Slavery*, vol. 2, *AD 500–AD 1420*, ed. Craig Perry, David Eltis, Stanley L. Engerman and David Richardson (Cambridge: Cambridge University Press, 2021): 127.

[3] Julia Winnebeck, Ove Sutter Adrian Hermann, Christoph Antweiler and Stephan Conermann. "On Asymmetrical Dependency," *Concept Paper* 1, Bonn Center for Dependency and Slavery Studies (2021), https://www.dependency.uni-bonn.de/images/pdf-files/concept-papers/bcdss_cp_1-_on-asymmetrical-dependency.pdf [accessed 18.10.2022]: 8.

[4] Orlando Patterson, "Revisiting Slavery, Property, and Social Death," in *On Human Bondage. After Slavery and Social Death*, ed. John Bodel and Walter Scheidel (Chichester/Malden, MA: Wiley & Sons Inc, 2017): 217; Matthias van Rossum, "Slavery and Its Transformations: Prolegomena for a Global and Comparative Research," *Comparative Studies in Society and History* 63, no. 3 (2021): 589.

[5] Hannes Siegrist and David Sugarman, "Geschichte als historisch-vergleichende Eigentumswissenschaft. Rechts-, kultur- und gesellschaftsgeschichtliche Perspektiven," in *Eigentum im internationalen Vergleich, 18.–20. Jahrhundert*, ed. Hannes Siegrist and David Sugarman (Göttingen: Vandenhoeck & Ruprecht, 1999): 11.

[6] Peter Hunt, "Slaves or Serfs? Patterson on the Thetes and Helots of Ancient Greece," in *On Human Bondage. After Slavery and Social Death*, ed. John Bodel and Walter Scheidel (Chichester/Malden, MA: Wiley & Sons Inc, 2017): 58.

economic and political spheres in Mongolian culture, the fact that private property is comprehended as "shares of a whole," and the "custodial understanding" when it comes to rights in land.[7] Going back in history, the incongruity of property concepts becomes even more plain when we consider what a person's or family's property could possibly consist of. In eighteenth-century Mongolia, the term *ömči* (property, possessions) was frequently applied to dependent people, while, on the contrary, land or real estate could not be claimed as *ömči*. Land was considered to belong to the emperor, or, depending on the viewpoint, to local deities, and was managed by ruling noble families or by monasteries.[8] In other words, up to the eighteenth century, Mongolian concepts of property not possibly included land, but, of course, human beings.

When this paper takes up the issue of property, it does so because legal documents related to property relations are among the few sources which allow us to get closer to the lives of people who were forced into forms of asymmetrical dependency. What was the relationship between dependency and property? Who were the people against whom property claims were made, and what was the extend of these claims? Who were the people who referred to others as their property, and in what kind of situations did they do so? In the Mongolian context, by far not all dependent people, who had to perform unfree labor, were referred to as *ömči* (property), as this term seems to have been reserved to those otherwise designated as slaves and "boys of the yurt."[9] The documents investigated for this paper show that these people cannot be considered as a uniform group as some of them managed to keep their own cattle, make their voice heard in court and achieve considerable social standing. For Orlando Patterson, the ability or inability to establish claims on property is crucial for a person's legal status.[10] In the Mongolian context, however, to be regarded as the object of property did not necessarily prevent one from becoming the subject of property. Property could be helpful for disentangling oneself from a relationship of asymmetrical dependency, and lack of property could bring oneself or a family member into that very form of relationship. What was the role of property in settings of multi-level dependencies? Why were some people able to gain property and utilize it in constellations of asymmetrical dependency while others were not?

I.2. Why the Focus on Transactions in People?

The intertwining of actors, practices and institutions becomes most obvious, when the social status of an asymmetrically dependent actor changes, and the dependent person as well as those, who regard themselves to be in a legal relationship with her, re-negotiate terms of

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[7] David Sneath, "Mongolia in the 'Age of the Market': Pastoral Land-Use and the Development Discourse," in *Markets and Moralities. Ethnographies of Ethnographies of Postsocialism*, ed. Ruth Mandel and Caroline Humphrey (Milton: Taylor & Francis Group, 2002): 192–97, 202.

[8] David Sneath. "Commonwealth, Inalienable Possessions, and the *res publica*: The Anthropology of Aristocratic Order and the Landed Estate," *History and Anthropology* 29, no. 3 (2018): 335, https://doi.org/10.1080/02757206.2018.1459598.

[9] For the Mongolian terminology see section II.1. Classical Mongolian is rendered according to Nicholas Poppe, *Grammar of Written Mongolian* (Wiesbaden: Harrassowitz, 1954) except that j is used for ǰ. Mongolian in Cyrillic is transliterated according to the transliteration table in Ines Stolpe, Judith Nordby and Ulrike Gonzales, eds., *Mongolian Responses to Globalisation Processes,* Bonner Asienstudien 13 (Berlin: EB-Verlag, 2017): 8. Well-established terms and names like Aimag, Chinggis Khan, Khalkha, Khan, sum and Taiji are exceptions to these rules.

[10] Patterson, "Revisiting Slavery, Property, and Social Death": 271; Patterson, *Slavery and Social Death. A Comparative Study* (Cambridge, MA: Harvard University Press, 2018): 28.

dependency. Transactions are the moments, in which dependent people become visible in the sources, and are presented in their relationships prior to and post of the instance of transaction.[11] A focus on these moments of transition allows us to better understand the constellations through which people were forced into dependency,[12] in that it gives insight into the interconnections of dependency relationships on the local level, as well as the interaction of state law and other legal practices. A closer look at these crucial transitional instances will reveal practices in everyday life, which were protected by state law, but rooted in established procedures, and reinforced by the social web of local society.[13]

In Qing dynasty Mongolia, the law of the Qing state, hereditary rights of the Mongolian aristocracy as well as privileges granted by the Qing court contributed to a complex legal situation, which encompassed different modes of normativity.[14] Changes in dependency relationships had to be registered with the local administration. While human trafficking across the boundaries of the administrative unit of the banner (*qosiγu*)[15] was strictly forbidden, transactions within the confines of the banner were tolerated (see section II.3.). By filing transactions with the banner office (and carefully avoiding any suspicion of inter-banner trafficking), members of the community tried to achieve legal certainty by making use of the given structures of the Qing state.

Due to the different modes of normativity, dependency could be negotiated in different legal realms. In order to better understand practices and strategies of historical agents, this paper adopts a micro-historical perspective, focusing on transactions in people documented between 1747 and 1782 in the office of Qanggin (Hanggin) banner district, an administrative unit in the Ordos region, which today is part of Inner Mongolia, China. The way people were recruited or transferred to other dependency relationships, shows certain patterns, which can be fruitfully studied as categories established by the historical actors themselves.[16] In addition to gender and seniority, which can be regarded as fundamental organizing principles in Mongolian society,[17] class and status were likewise important markers in the production and reproduction of asymmetrical dependency.[18] For example, we find fully ordained monks on both sides, among the people who enslaved others, and among those, on whom others claimed property rights. What was their position in local networks of dependency?

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[11] Van der Linden defines recruitment and termination ("entry" and "exit") as the two important moments for differentiating between different forms of coerced labor relationships. The Mongolian sources are remarkably silent on the extraction of productive labor or other types of services of dependent people. This does not reduce the significance of the transitory moment for the nature of the relationship (Marcel van der Linden, "Dissecting Coerced Labor," in *On Coerced Labor: Work and Compulsion after Chattel Slavery*, ed. Marcel van der Linden and Magaly Rodríguez García [Leiden: Brill, 2016]: 315).

[12] Winnebeck et al., "On Asymmetrical Dependency": 15–16.

[13] Harriet T. Zurndorfer, "Economic, Social, and Legal Aspects of Slavery and Indentured Labor in Late Ming China (1550–1645): What the Huizhou Documents Tell Us," in *Slavery and Bonded Labor in Asia, 1250–1900*, ed. Richard B. Allen (Leiden/Boston: Brill, 2022): 146.

[14] Thomas Duve, "What is Global Legal History?," *Comparative Legal History* 8, no. 2 (2020): 105–6.

[15] The banner was the main unit of Mongolian administration during the Qing period.

[16] Christian G. De Vito, "History Without Scale: The Micro-Spatial Perspective," *Past and Present: A Journal of Historical Studies* 242, no. S14 (2019): 360–61.

[17] David Sneath, *Mongolia Remade, Post-socialist National Culture, Political Economy, and Cosmopolitics* (Amsterdam: Amsterdam University Press, 2018): 37.

[18] Christoph Antweiler, "On Dependency, Dependence, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies (2022), https://www.dependency.uni-bonn.de/images/pdf-files/discussion-papers/dp-1-antweiler.pdf [accessed 18.10.2022]: 14.

Van Rossum points out that more flexible informal slavery regimes should not be discarded as "local" or "special," but should rather be investigated as to their transformative potential and their adaptability to internal and external pressure.[19] Even though this paper has a micro-historical approach, it will be argued that the specific constellations of Qanggin banner had multiple connections to people in the surrounding Mongolian banners and beyond.[20] Moreover, the practices documented in the local office show certain regularities, which are reminiscent of concepts of dependency and property documented for Mongols in the thirteenth century. Under the conditions of the eighteenth century, however, the trajectories of slavery within the Mongolian territories changed.

Transactions here are understood as moments of transition, in which people are forced into dependency, or change from one dependency relationship to another. The commercial character of (some) transactions in people in a given community should not lead us to construe the commercial character as defining moment of a slavery regime.[21] The transactions discussed in this paper could have the character of a commercial transaction, with payments predominantly made in kind, mainly in livestock, but sometimes also with other household items.[22] In addition, people were also presented to others as gifts, or were given away to make up for material loss or to pay off debts. In some cases, if there was a substantial gap in status and power between the parties taking part in the transaction, the terminology of buying and selling was carefully avoided, and dependent people were rather "offered" to a member of the elite by commoners, who in return received a "reward." Frequently, manumissions were likewise framed as transactions, in that they implied the transition from one dependency relationship to another. Instances of manumission are investigated with regard to the motives of people releasing their dependents and possible return services.

People designated as slaves or "boys of the yurt" could be acquired, given away or released individually, but transactions could also be conducted in units of households. What significance does the individual/group aspect have for the relationship between dependents and their alleged owners? As Peter Hunt argues with regard to ancient Greece, people who were sold individually, were rather regarded as property, and had difficulty to maintain social relations.[23] An examination of the way how family ties were maintained (or disregarded) in the transaction in human beings will therefore shed light on notions of property and belonging. Possibly, this will also allow us to differentiate within the group of slaves and "boys of the yurt," and make distinctions with regard to their respective linkage to the household of their owner.

II. Mongols as Part of the Qing Empire

II.1. Terminology of Slavery

The Mongolian terminology of slavery, which had been developed during the time of the Mongol empire, was retained during the Qing period, but, over time, its meaning changed.

[19] Van Rossum, "Slavery and Its Transformations: Prolegomena for a Global and Comparative Research": 574.
[20] De Vito, "History Without Scale: The Micro-Spatial Perspective": 356.
[21] Joseph Miller, "History as a Problem of Slaving," in *Critical Readings on Global Slavery*, ed. Damian Alan Pargas and Felicia Rosu (Leiden: Brill, 2017): 231.
[22] According to Bawden it was only in the second half of the 19th century that Mongolia became a money economy (Charles Bawden, *The Modern History of Mongolia* [London: Weidenfeld & Nicolson, 1968]: 149).
[23] Hunt, "Slaves or Serfs? Patterson on the Thetes and Helots of Ancient Greece": 68.

The two most common terms related to slaving were *boγol* ("slave")[24] and *ger-ün köbegün/köbegüd* ("boy/boys of the yurt"). During the time of Chinggis Khan, the term "slave" was used as a political term designating a category of submission.[25] Its legal implications and criminal consequences are not completely clear, but the Secret History, the earliest and most significant source on Mongolian society in the thirteenth century, already relates on the different treatment of murder according to the social position of the culprit.[26] According to Michal Biran, during the time of the Mongol empire, the status of "boys of the yurt" was between free men and slaves. This term often referred to artisans who had been spared during military campaigns and who were regarded as useful in some way or another. They could receive payment for their services, but nevertheless were treated as property, which could be transferred according to the will of their owners.[27]

While during the time of the Mongol empire, the two terms *boγol* (slave) and *ger-ün köbegün/köbegüd* (boy/boys of the yurt) seem to refer to different groups of people, in seventeenth century sources overlaps in terminology are striking. The Mongolian law code circulated by the Qing government in 1695, for example, makes repeated reference to *boγol* (slaves), *ger-ün boγol* (slaves of the yurt), *jaruča* (servants), *ger-ün jarči* (servants of the yurt), *ger-ün boγul jaruča* (slaves of the yurt and servants), *ger-ün köbüd* (boys of the yurt) and *ger-ün kümün* (person of the yurt), but makes no distinctions in the legal treatment of these people. This suggests that in Qing Mongolian law, "slaves," "servants" or "boys" all belonged to the same legal category. While this observation is based on the normative source of the legal code, it is conspicuous that in administrative communication at the local level, the term "slave" (*boγol*) is used much less frequent than terms like "boys of the yurt," "people of the yurt" or simply "boys." It seems that the term "slave" was a derogatory term used condescendingly for people considered to be of low social status. In this sense, it may have been an insult to people who understood themselves as "people of the yurt" or "boys of the yurt."[28] In the present paper, the term "slave" is used as a translation of the Mongolian language term *boγol*, as it eventually occurs in official correspondence. Elsewhere, the literal translation of "boys of the yurt" is retained.

Patterson & Zhuo point out that forced movement is a central feature of trafficking.[29] In the case of Qanggin banner, forced displacement was limited to the confines of the local administrative unit, and in some cases, it is not even clear, in what way people's living conditions changed with the transaction. For this reason, the present paper refers to "transactions" rather than human trafficking. However, this should not conceal the coercive character of practices, by which children, women and men could be forced into a new

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[24] On the etymology of this term from the Chinese word *pu* 僕 (slave, servant) see Bass, Slavery, State, and Family in Qing Mongolia": 78–79.

[25] Tat'jana D. Skrynnikova, "Boghol, A Category of Submission at the Mongols," *Acta Orientalia Academiae Scientiarum Hungaricae* 58, no. 3 (2005) [= *Proceedings of the First International Conference on the Mediaeval History of the Eurasian Steppe: Szeged, Hungary May 11—16, 2004*: part 3]; Biran, "Forced Migrations and Slavery in the Mongol Empire (1206–1368)": 79.

[26] Veronika Veit, "Some Remarks on the Offence of Murder in the Mongol Legal Tradition (Thirteenth to Nineteenth Century)," in *Miscellanea Asiatica. mélanges en l'honneur de Françoise Aubin*, ed. Denise Aigle, Isabelle Charleux, Vincent Goossaert and Robert Hamayon (Nettetal: Steyler-Verlag, 2010): 577.

[27] Biran, "Forced Migrations and Slavery in the Mongol Empire (1206–1368)": 81–82.

[28] In different context, to refer to oneself as "slave" was a common self-deprecatory expression.

[29] Orlando Patterson and Xiaolin Zhuo, "Modern Trafficking, Slavery, and Other Forms of Servitude," *Annual Review of Sociology* 44 (2018): 412.

environment and different constellations of dependency, without being given the chance of raising an objection.

II.2. Dependency Relationships in Qing Dynasty Mongolia

In the eighteenth century, Mongolian society under Qing rule was characterized by three major divisions of social class.[30] While slaves and "boys of the yurt," who are in the focus of the present article, ranged at the bottom, the ruling class was made up of high incarnate lamas and of the aristocracy claiming descent from Chinggis Khan and his brothers. In between was a large group of tax- and duty-payers. They were subsumed under terms like *arad*,[31] *albatu* or *sumučin* ("commoners," "duty-payers" or "members of the *sum*"[32]) as well as *qamǰilγ-a* ("personal serfs of the nobility") and *šabi* ("subjects of monasteries and reincarnated lamas"). "Commoners," "duty-payers" and "members of the *sum*" were expected to perform duties for the administration, such as postroad, guard and militia duty, while "personal serfs of the nobility" and "subjects of monasteries and reincarnated lamas" were obliged to in-kind payments and labor services to their noble lord or monastic estate respectively. In principle, slaves and "boys of the yurt" could be in a dependency relationship with members of the aristocracy, lamas, commoners, "tax- and duty-payers" as well as "personal serfs."[33] There is no indication that Qing legislators tried to restrict property rights over "people of the yurt" to the elite. On the contrary, in 1686, the Qing emperor ruled that people who were spared from capital punishment "should be given to very low and poor commoners as slaves."[34] To belong to people of low social standing was meant as an additional punishment.

It has to be recognized that the divisions outlined above cannot be taken for granted for the early Qing period. The restriction of Mongolian noblemen's authority over their subjects and the establishment of legal categories did not come at once with Mongolian acknowledgement of Qing overlordship, but as a process, with differences according to the time and circumstances of the integration of the respective confederation into the empire. For Northern (Khalkha) Mongolia, the years 1783–89 – about a hundred years after the Khalkha nobility's formal submission –, are considered to have been a turning point, at which

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[30] Wei-chieh Tsai, "Mongolization of Han Chinese and Manchu Settlers in Qing Mongolia, 1700–1911" (PhD diss., Indiana University, 2017): 4–5; Christopher P. Atwood, *Encyclopedia of Mongolia and the Mongol Empire* (New York: Facts On File, 2004): 507–9; Sneath, *Mongolia Remade, Post-socialist National Culture, Political Economy, and Cosmopolitics*: 85.

[31] On the concept of *arad*, Ines Stolpe, *Schule versus Nomadismus? Interdependenzen von Bildung und Migration in der modernen Mongolei* (Frankfurt am Main: Peter Lang, 2008): 173–77.

[32] The *sum* (*sumu*) was the lowest administrative unit in Qing dynasty Mongolia, and was fixed as a unit of 150 households.

[33] Sh. Natsagdorj, "Geriin hüvüüdiin uchir [On Boys of the Yurt]," *Shinjleh uhaany medee* [*Scientific Reports*] 2 (1965): 85.

[34] Dorothea Heuschert, *Die Gesetzgebung der Qing für die Mongolen im 17. Jahrhundert anhand des Mongolischen Gesetzbuches aus der Kangxi-Zeit (1662–1722)* (Wiesbaden: Harrassowitz, 1998): 242–43; Mongγol-un čaγajan-u bičig [Mongolian Code], undated woodprint preserved at the National Library in Ulaanbaatar under the following note of registration: Ґadaγadu mongγol-un törö-yi jasaqu yabudal-un yamun-un engke amuγulang-un üy-e-dü 1693 on-du keblegsen, dotor-a 1629 on-ača ekileged udaγ-a daraγ-a qaγad-un üy-e-dü jarlaγsan čaγaja-ud-i jasamjilaγsan mongγol-un čaγajan-u bičig [Mongolian Statute-Book, Which has Corrected the Laws Proclaimed in the Time of the Successive Emperors from 1629 Onwards and Which Was Published in 1693 During the Time of Kangxi by the Lifanyuan]: 113a/b.

noblemen were demanded to divide their subjects along the lines of Qing social categories into "state duty-payers" and "personal serfs."[35]

In the office of every banner, registers were kept on male members of the nobility as well as their male dependents. As O. Oyunjargal argues, after the establishment of a legal category of "personal serfs," the ruling nobility attempted to reserve this category for their own dependents and saw to it that dependents of lower and non-ruling noblemen were entered in the registers as "boys of the yurt," just as the dependents of commoners. After protest among members of the lower nobility, this practice changed and all dependents of noblemen claiming descent from Chinggis Khan and his brothers were registered as "personal serfs."[36]

These findings are interesting because they reveal a more nuanced picture with less clearly defined categories and more flexible practices. To have one's dependents registered as "personal serfs" obviously was more prestigious than to have them registered as "boys of the yurt." This indicates a certain degree of arbitrariness. The duty to perform "forced" or "unfree labor" affected many people in Qing dynasty Mongolia, and was not a distinguishing feature of slave or "boy of the yurt" status, an observation, which Reid also made for other parts of Asia.[37] What impact did social categorizations have on labor relations?

In Qing dynasty Mongolia, families were structured along the lines of patriarchy. Towards the end of the dynasty, with accelerating impoverishment and an increasing number of males taking religious vows, formal marriage became less frequent and many households were headed by women.[38] Encampments usually comprised not just one family, but also extended family members or dependents. Sneath, discussing labor relations in Mongolia in historical perspective, makes out two types of arrangement: 1) the procurement of additional labor through the extension of the household or rather the encampment, which could be achieved by adoption or the marrying-in of a son-in-law, but also by the engagement of retainers or "client" households; 2) placing livestock with another household, who in compensation retained a certain amount of the produce.[39] In contrast, Christopher Atwood distinguishes three types of labor relations in Qing dynasty Mongolia: 1) a poorer family living close to the camp of a richer family (who often claimed higher social status) giving labor while benefitting from their resources; 2) the placement of herds with another household, which in return was allowed to keep a certain amount of the surplus for itself; and 3) contract labor provided by people from outside the community.[40] Both models make no reference to slaves or "boys of the yurt," but it's fair to assume that they could be tied into all types of relationship (though I have no example for type three defined by Atwood). In what way labor conditions of "boys of

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[35] Ochir Oyunjargal, "Süm hamjlagyg yalgah shaardlaga: Saishaalt Erööltiin üeiin Tüsheet han aimgiin jisheen deer [The Demand to Divide Commoners into *Sumu* and *Qamjily-a:* The Case of Tüsiyetü Khan Aimag in the Jiaqing Period]," in *Chin uls ba Mongolchuud* [*The Qing dynasty and the Mongols*], ed. Sampildondovyn Chuluun, Hurts, Hiroki Oka (Sendai: Center for Northeast Asian Studies, 2014): 103.

[36] Ochir Oyunjargal, "House Slaves and Legislation: The Case of Qalq-a during the Qing Period," Paper presented at the 16th Annual Conference of the Central Eurasian Studies Society, 2015: 7; Samuel H. Bass, "The Bound Steppe: Slavery, State, and Family in Qing Mongolia" (PhD. Diss., Indiana University, 2021): 212–26.

[37] Anthony Reid, "Slavery and Forced Labour in Asia: *Status Quaestionis*," in *Slavery and Bonded Labor in Asia, 1250–1900*, ed. Richard B. Allen (Leiden/Boston: Brill, 2022): 33–35.

[38] Christopher P. Atwood, *Encyclopedia of Mongolia and the Mongol Empire*: 174.

[39] David Sneath, "Producer Groups and the Decollectivisation of the Mongolian Pastoral Economy," in *The History of Mongolia*, ed. David Sneath and Christopher Kaplonski (Folkestone: Global Oriental Ltd, 2010): 1081–82; Sneath, *Mongolia Remade*: 92.

[40] Atwood, *Encyclopedia of Mongolia and the Mongol Empire*: 508.

the yurt" differed from those of "personal serfs" or subjects of monasteries, is still open to question. There is no indication that they performed labor which differed in principle from the work of other herders.

II.3. Transactions in People and the Law

Mongolian laws, promulgated by the Qing court and, over the course of the dynasty, published in codes,[41] frequently address hierarchies, dependencies and social distinction. For people referred to as "slaves," "servants" or "boys," Qing legislation for Mongols could become relevant in a number of situations, such as when their master committed a crime and they were given over to the offended party as compensation, or by ensuring their protection in case they had testified against their delinquent master. In cases of murder or injury, the personal hierarchical relationship between perpetrator and victim was important:[42] For killing their master, persons with the status of "slave," "servant" or "boy" faced the maximum penalty – execution by slicing – while crimes against them were sanctioned less severely than in the case of commoners or noblemen.[43] However, hate crimes against "slaves of the yurt and servants" (*ger-ün boγol jaruča*) resulting in death, were defined as a special offence with punishments stated for commoners and ruling Mongolian noblemen alike.[44] Interestingly, what is absent from Qing Mongolian legislation are regulations for manumission, which, of course, does not mean that there were no established practices of manumission. As records from Khalkha Mongolia show, manumission was frequent and regularly adjudicated by local representatives of Qing administration.[45]

People from all strata of Qing Mongolian society could be involved in transactions in human beings. Some of these practices became the target of the Qing legislation, but not all of them were illegal. Legislative measures and attitudes of the Qing court towards transactions in human beings in Mongolia have been addressed by the Japanese scholar Mamoru Hagihara in a recent article. Hagihara maintains that, in the eyes of the Qing, human trade networks threatened social stability and for this reason called for severe punishments. This is congruent with the findings of Claude Chevaleyre, who argues that in late imperial China human trafficking was associated with "banditry."[46] Transactions in human beings which were motivated by the need to incorporate new family members, however, were regarded as

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[41] Dorothea Heuschert, *Die Gesetzgebung der Qing für die Mongolen im 17. Jahrhundert anhand des Mongolischen Gesetzbuches aus der Kangxi-Zeit (1662–1722)*; Dorothea Heuschert, "Legal Pluralism in the Qing Empire: Manchu Legislation for the Mongols," *The International History Review* 20, no. 2 (1998); Frédéric Constant, "The Legal Administration of Qing Mongolia," *Late Imperial China* 40, no. 1 (2019).

[42] On this legal concept, Geoffrey MacCormack, *The Spirit of Traditional Chinese Law* (Athens, GA: University of Georgia Press, 1996): 69; Claude Chevaleyre, "Acting as Master and Bondservant: Considerations on Status, Identities and the Nature of 'Bond-Servitude' in Late Ming China," in *Labour, Coercion, and Economic Growth in Eurasia, 17th–20th Centuries*, ed. Alessandro Stanziani (Leiden/Boston: Brill, 2013): 243–44.

[43] On a similar regulation in the Tang Code, Don J. Wyatt, "Slavery in Medieval China," in *The Cambridge World History of Slavery*, vol. 2, *AD 500–AD 1420*, ed. Craig Perry, David Eltis, Stanley L. Engerman and David Richardson (Cambridge: Cambridge University Press, 2021): 278.

[44] Mongγol-un čaγajan-u bičig, 46 a/b.

[45] Dorothea Heuschert-Laage, "Künstliche und natürliche Verwandtschaft: Zu Adoption und Erbe in der Qalqa-Mongolei im 18. Jahrhundert," *Zentralasiatische Studien des Seminars für Sprach- und Kulturwissenschaft Zentralasiens* 38 (2009); Bass, "The Bound Steppe."

[46] Claude Chevaleyre, "Human Trafficking in Late Imperial China," in *Slavery and Bonded Labor in Asia, 1250–1900*, ed. Richard B. Allen (Leiden, Boston: Brill, 2022): 169.

tolerable and were conceptualized differently than long distance trafficking networks driven by economic interests.[47]

Within its legislation for Mongols, the Qing government tackled human trafficking as early as 1683.[48] Subsequently, the Mongolian code of 1789 includes several articles outlawing trafficking.[49] Notably, sanctions differed according to the descent or origin of the victim: Trafficking a Chinese person was a graver offence than trafficking a Mongol. Selling a Mongol as slave, maid servant, wife, concubine or heir, was punished with flogging and a severe penalty in cattle. If committing the same crime to someone "from the inner territories" – the core regions of China –, this penalty was established only for accomplices, while the ringleaders had to face capital punishment. Likewise, Mongolian victims of enslavement were punished with flogging, while victims "from the inner territories" were only punished if they had consented to the transaction.[50] The reason why Qing legislators in the context of human trafficking in the Mongolian territories established more severe punishments for Mongols – both offenders and victims – than for their other subjects is not completely clear. According to my assessment, officials of central government agencies, who were the ones who drafted the regulations, considered Mongols to be more prone to transactions in human beings and for this reason saw the need for regulations with a stronger deterrent effect.

The ambiguous attitude of the Qing government towards transactions in people in the Mongolian territories becomes clear in a regulation enacted in 1772, and also included in the Mongolian code, which entails that transactions in humans in the Mongolian territories were not necessarily a punishable offence. Only transactions which involved people from other banners or from the "inner territories" were considered illegal. Buying and selling people, who had not entered population registers, was explicitly permitted if the transaction took place within the confines of the administrative unit of the banner.[51] As Hagihara argues, the 1772 regulation pertained only to people not registered for corvee labor, thus indicating the concern of the Qing government to secure the performance of state duties.[52]

Even though there were strict laws against human trafficking across the boundaries of the local administrative unit in the Mongolian territories as in China, it of course could not be prevented altogether. Case files preserved in the extensive Qanggin archives and other Mongolian archives show, that especially the selling of women was a recurring problem, which – if detected – was taken seriously by judicial authorities and entailed severe punishment.[53] The material investigated below does not concern criminal cases of trafficking, but rather records on lawful transactions. The cases make clear that, even before the law enacted in 1772,

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[47] Johanna S. Ransmeier, *Sold People. Traffickers and Family Life in North China* (Cambridge, MA: Harvard University Press, 2017): 103–4; Chevaleyre, "Human Trafficking in Late Imperial China": 164.

[48] Mamoru Hagihara, "Shindai Mongoru ni okeru jinshin baibai kisei-hō [Legislation on Human Trafficking in Qing dynasty Mongolia]," *Tōhōgaku = Eastern Studies* 139 (2020): 24; Da Qing Huidian [Collected Institutions of the Great Qing Dynasty], 1690, 162 chap. (Woodprint preserved in the Harvard-Yenching Library): 145, 5a/b.

[49] Hagihara, "Shindai Mongoru ni okeru jinshin baibai kisei-hō": 24–29.

[50] Batsühiin Bayarsaihan, *Mongyol čaγajin-u bičig* [*The Mongolian Statute Book*] (Ulaanbaatar, 2004): 220–21. On the overlap of "ethnic" and "territorial" categories in Qing law see Heuschert, "Legal Pluralism in the Qing Empire: Manchu Legislation for the Mongols": 317–20.

[51] Bayarsaihan, *Mongyol čaγajin-u bičig*: 84–85; Hagihara, "Shindai Mongoru ni okeru jinshin baibai kisei-hō": 26–27.

[52] Hagihara, "Shindai Mongoru ni okeru jinshin baibai kisei-hō": 30–31.

[53] QQJYD: V, 497–98 and 512–13 (case from 1739); LFYTB: XIX, 34–43 (case from 1789).

transactions in people at the local level were not kept secret, but were regarded as administrative matters for which local officials were responsible.

III. Case Studies From Eighteenth Century Qanggin Banner, Ordos, Inner Mongolia

III.1. Banner Archives as Sources for the Study of Dependency

The Qanggin banner records on transactions in people demonstrate how coercion, poverty and dependency were negotiated at the level of the local community, and for this reason are among the sources, which allow us to get closer the realities of slaving in everyday life.[54] In Qing dynasty Mongolia, while transactions in human beings across administrative boundaries were strictly forbidden, transactions of and between people who belonged to the same administrative unit, were tolerated. They were obviously viewed as internal matters of the banner. The insignificance of these transactional activities in the eyes of central government officials, however, did not change the fact that, in order to be legally secured, they had to be documented with the local authorities. In contrast to other administrative and judicial procedures, transactions in people at the level of the banner were not subject to a review process. For this reason, it is only through the opening of local archives that information on practices of forceful displacement among Mongols on the level of the community and the family becomes available.

Qanggin banner, on whose archives the present paper is based, was (and is) situated on the Ordos plateau, and, in the Qing dynasty, belonged administratively to Yeke Juu league, which in the eighteenth century was one of the six leagues of Inner Mongolia. Within Yeke Juu league, Qanggin banner was rather large in area, and its Mongolian population probably numbered in the region of twenty thousand persons.[55] Qanggin banner was headed by a hereditary nobleman, who was in regular contact with central government offices and was responsible for civilian and military administration. Within the extensive collection of archival material from Qanggin banner published in Inner Mongolia in 2016, the present paper concentrates on records of decisions of the banner administration from two different time spans, from 1747 to 1758 and from 1774 to 1782.[56] In more or less regular meetings, with intervals ranging from several days to several months, the head of the banner recorded issues brought forward by the banner population, which concerned changes in dependency relations. Expressions like *niγur tulju dangsalaba*[57], *niγur tulju dangsan-dur temdeglebe*[58] *bey-e-ber niγur tulju dangsan-dur temdeglebe*[59] ("recorded in the files during a face-to-face meeting") indicate that the issues were taken to the records in the presence of the persons concerned. So far, the records have not received scholarly attention.

The Qanggin banner archives are not the only Mongolian archives from the Qing period which include proceedings on transactions in people filed by local people. A comparable collection

[54] Van Rossum, "Slavery and Its Transformations: Prolegomena for a Global and Comparative Research": 594; Bass, "The Bound Steppe: Slavery, State, and Family in Qing Mongolia": 21–23.
[55] There are no reliable data for the eighteenth century. According to Atwood 2002: 196, by the end of the dynasty the Mongolian population of the seven banners of Yeke Juu league has been estimated of about one hundred thousand people.
[56] QQJYD: XXV, 119–320.
[57] QQJYD: XXV, 287.
[58] QQJYD: XXV, 246.
[59] QQJYD: XXV, 253.

of documents on adoptions, manumissions and inheritance involving dependent people in Qing dynasty Mongolia are preserved in the archives from the office of the Northern left-wing banner in Khalkha Mongolia's Tüsiyetü Khan Aimag. Published in Ulaanbaatar in 1971 by Sh. Natsagdorj, the documents from Khalkha Mongolia date from 1738 to 1792 and have been investigated as an important source on kinship relations, slave emancipation and changes in dependency structures in Qing dynasty Mongolia.[60] Compared to these documents from Khalkha Mongolia's Tüsiyetü Khan Aimag, which reproduce the reports of individuals in detail, the entries in the Qanggin banner archives are much shorter, giving only basic information on the transaction. In return, the number of entries in the Qanggin banner archives is much greater, allowing it to observe regularities in the categories of transaction.

III.2. Categories of Transaction

III.2.1. Debt Slavery

According to Alain Testart[61], "debt slavery is a form of bondage resulting from a situation of debtor insolvency." As in the practices described by Testart, dependency resulting from debt among Mongols was a concomitant of extreme poverty. From the Qanggin archival records we learn that debt slavery in the Mongolian territories was closely connected to compensation practices. Secondly, the effects of the debt were often transferred to one or more dependents of the debtor, a situation, which Testart relates to intrinsic forms of dependency, which were rooted in family structures.[62]

For children in Qing dynasty Mongolia, to have parents accused of a crime entailed the risk of being given away in debt slavery. This practice was in accordance with Mongolian legal thinking, in which compensation of the victim was mandatory.[63] From the thirteenth century, it is well known that in case of poverty, family members of the debtor were given to the offended party at a certain exchange rate instead of cattle.[64] The Qanggin banner archives prove that this practice was continued under the Qing:

> On the same day, it was taken to the records that because Tuuqai of Baruuqai *sum* does not have livestock to give as compensation for stealing a horse from Taiji[65] Nasu of Sanjab *sum*, he has given his four-year-old son as compensation.[66]

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[60] Hiroshi Futaki, "Shindai Haruha Mongoru no dorei kaihō bunsho ni tsuite [Qing Dynasty Khalkha Mongolian Manumission Documents]," in *Tōyōhōshi no tankyū: Shimada Masao hakase shōju kinen ronshū* [*Studies in Asian Legal History in Honor of Shimada Masao*], ed. Shimada Masao hakase shōju kinen ronshū kankō iinkai (Tokyo: Kyūko Shoin, 1987); Heuschert-Laage, "Künstliche und natürliche Verwandtschaft: Zu Adoption und Erbe in der Qalqa-Mongolei im 18. Jahrhundert"; Bass, "The Bound Steppe: Slavery, State, and Family in Qing Mongolia."

[61] Alain Testart, "The Extent and Significance of Debt Slavery," *Revue française de sociologie* 43, Supplement: An Annual English Selection (2002): 175, https://doi.org/10.2307/3322762.

[62] Testart, "The Extent and Significance of Debt Slavery": 178–79.

[63] Françoise Aubin, "Some Characteristics of Penal Legislation Among the Mongols (13th–21st Centuries)," in *Central Asian Law: An Historical Overview. A Festschrift for the Ninetieth Birthday of Herbert Franke*, ed. Wallace Johnson (Topeka, KS: Society for Asian Legal History, The Hall Center for the Humanities, 2004): 131–32.

[64] Aubin, "Some Characteristics of Penal Legislation Among the Mongols (13th–21st Centuries)": 136–37.

[65] Taiji constituted the aristocracy and claimed descent from Chinggis Khan and his brothers.

[66] QQJYD: XXV, 235. March 6, 1774 (tngri-yin tedkügsen / Qianlong (1736–1795) [referred to hereafter as QL] 39, 24th day of the first month of spring). On the term *yal-a* see Aubin, "Some Characteristics of Penal Legislation Among the Mongols (13th–21st Centuries): 142–43.

> On the same day, it was taken to the records that because Dorjimu of Majur *sum* had been caught stealing sheep of the *Kiy-a* guard[67] Dural and had no livestock for compensation, he gave his thirteen-year-old daughter to Dural and [in return] received one cow.[68]

The last entry gives the impression of a mutual agreement between debtor and the offended party. The debtor, however, was under compulsion to offer compensation, and for this reason agreed to a transaction which he very likely had otherwise rejected. What is presented here as an agreement reached between two actors in order to make up for the damage one side has inflicted on the other, actually conceals the power imbalance between a destitute herder and the banner authorities. The records also show that in cases of debt slavery, a third party, usually a wealthy or influential personality, could be involved in the compensation process:

> On the same day, the matter of Lubsang of Darji *sum* was decided in court, who after he had stolen a horse of Kisigtü of Dalad banner, had killed and eaten it, and was caught red-handed; because Lubsang owned absolutely no livestock, after nine animals were taken in the name of the responsible Janggi[69] of the *sum* [named] Darji, and presented to the owner of the [stolen] cattle Kisigtü, two sons of the thief Lubsang aged thirteen and nine years old were given to the Janggi Darji and were made 'people of the yurt' and this was taken to the records.[70]

While in many other cases the question, in what capacity the debtor's children entered the new household, is left open, for Lubsang's sons to be given away as compensation clearly entailed a change in status. Lubsang belonged to the large group of "tax- und duty-payers" (see section II.2.), and Darji was responsible for him in his capacity as official on the level of the *sum*. Through the transactional agreement, Lubsang's two sons became "people of the yurt" of Darji. Their change in status was not temporary, but permanent. They had to render a debt, which their father had become guilty of and which could not be reimbursed through labor, but bonded them for life. Darji was not a member of the aristocracy (in that case the file had identified him as Taiji), so he could not own "personal serfs." He nevertheless was willing to pay quite a high price, nine animals given to the aggrieved party, in order to have the two boys registered as his "people of the yurt." The case illustrates how local power relations reinforced the formation of dependency relationships. Initially, Darji was not involved in the case, but in the outcome, the number of his personal dependents was increased as a result of the compensation deal. Notably, the case was negotiated between two different banners: The offender Lubsang belonged to Qanggin banner, while Kisigtü, the victim, belonged to Dalad banner. If the compensation had been given directly, this had meant for Lubsang's sons to move to another banner. Another case likewise shows that inter-banner transactions were avoided:

> That same day, Bunikeü of Dorji *sum* made the following report: 'Last year, in the matter that Sirab of Majur *sum* stole a horse from Urad [banner] and his guilt was proved beyond doubt, Taiji Daicing made the decision that because Sirab had no "people of the yurt" nor any livestock to give as compensation, he should sell his fifteen-year-old daughter to me

[67] *Kiy-a* guards were personal guards in the service of a noble family (Bass, Slavery, State, and Family in Qing Mongolia: 132).
[68] QQJYD: XXV, 248. August 27, 1775 (QL 40, 2nd day of middle month of autumn).
[69] Official in the banner administration.
[70] QQJYD: XXV, 308–9. March 5, 1782 (QL 47, 22nd day of first month of spring).

> and one horse and objects worth three *lang*[71] [money] should be given as compensation.' For this reason, the matter was taken to the records accordingly.[72]

The offended party, which did not belong to Qanggin but to Urad banner, was compensated with livestock and objects. These were provided by someone from the banner community, who in turn raised the claim to have bought the debtor's daughter. The quote above makes clear the order, in which dependent people, livestock and children were seized in order to gather the required amount of compensation. "People of the yurt" were given away first, while children were only claimed if the debtor owned no livestock.

For the sake of completeness, it should be noticed that not only dependent people and biological children could be forced into debt slavery. Younger siblings and in one case even the mother of the offender could likewise be coerced into dependency. The Qanggin banner records consulted for this essay include only three cases, in which the offender himself had to face debt slavery. In one case, a camel thief became a "boy of the yurt" of the victim,[73] while in the other cases, the debtor did not directly enter into a dependency relationship with the offended party, but became a slave (*boγol*)[74] or "boy" (*köbüd*)[75] of other people within the banner, who in turn had to provide compensation for the offended party.

Debt slavery was known among Mongols already in the thirteenth and fourteenth centuries.[76] In contrast to that time, the practices observable in Qanggin banner in the eighteenth century frequently involved a third party. Very likely, this development was in context with increasing impoverishment in the Mongolian territories, where stolen livestock often was immediately killed and eaten. A household, which had become victim of livestock theft, was deprived of its means of subsistence. In this situation, compensation in form of another mouth to be fed was of no avail. Well-to-do members of the community, who provided the offended household with cattle to make up for the damage, while forcing family members of the debtor into dependency, stepped in as intermediaries.

III.2.2. Household Extension and Acquisition of Labor

The Qanggin archival records include only scarce information on the capacity, in which people, who were forcefully displaced, entered a new household, and what services they were expected to render. In the discussion on dependency relationships in Mongolia (see section II.2.), it was argued that one way of acquiring labor force was the extension of the encampment, which could be achieved by the forceful displacement of people. However, there is evidence for a rural labor surplus in Qing dynasty Mongolia,[77] and this should caution us to relate all transactions in human beings to the acquisition of labor. In order to better understand the motives and circumstances of displacement, this section investigates who the actors were and in what relationship they were with each other. An important aspect in this context is the social integration of the displaced person: Children, women and men could be

[71] Unit of currency.
[72] QQJYD: XXV, 253–54. April 27, 1776 (QL 41, 10th day of last month of spring).
[73] QQJYD: XXV, 290. July 22, 1779 (QL 44, 10th day of last month of summer).
[74] QQJYD: XXV, 309. March 5, 1782 (QL 47, 22nd day of first month of spring).
[75] QQJYD: XXV, 316. March 5, 1782 (QL 47, 22nd day of first month of spring).
[76] Aubin, "Some Characteristics of Penal Legislation Among the Mongols (13th–21st Centuries)": 131–32; Biran, "Forced Migrations and Slavery in the Mongol Empire (1206–1368)": 87.
[77] Atwood, *Encyclopedia of Mongolia and the Mongol Empire*: 328.

forced into dependency individually, but also within the unit of their household. We may assume that persons who became object of a transaction in association with family members, were in a position of 'client' households.[78] The situation of persons, who were uprooted alone and who usually lived in the same household as their alleged owner, however, is much more difficult to assess. Among those, who entered a now household alone, boys adopted as heirs were probably in the most favorable position.

Qing law explicitly restricted Mongolian women's inheritance rights, and allowed adoption only of (male) agnatic kinsmen.[79] Male persons, who did not belong to the patrilineal kin group, could only claim entitlement to inherit, if there were no male agnatic relatives, and if they had been registered in the banner office during the lifetime of the testator as adoptees.[80] The need to have the names of non-biological (or extramarital) sons recorded in the banner office is reflected in the Qanggin archival records, and, among the changes in dependency relations, quite a number of entries concern the registration of heirs. In most cases, the adoptees are presented to the administration as agnatic kin, but there are also a number of entries in which the adoption of a boy with no family ties is requested with no information on the existence (or non-existence) of agnatic candidates for adoption.

> On the same day, it was taken to the records and approved that Barimad of Bičaqai *sum*, who in the 21st year of Qianlong (1756) had bought a one-year-old boy from Sundui of Majur *sum*, made a report on the first day of the middle month of autumn of the 40th year of Qianlong (1775) with the words: 'I want to adopt (*köbegünčiley-e*) that boy'.[81]

> On the twenty-fourth of the middle month of winter, it was taken to the records that Badma of Tegüsküleng *sum* adopted (*köbegünčilen*) the eight-year-old Jamsu, son of the 'boy' (*köbüd*) Bayar of Sabdandorji of Jeb *sum*, and gave a horse and a *deel*[82] to Bayar.[83]

While in other parts of the Qing empire, the law, which forbid adopted children of slave status to change into the group of commoners, was strictly enforced,[84] the last entry indicates that in the Mongolian territories this was not always the case. Badma adopted the son of another man's 'boy'; the gift, which was exchanged on this occasion, was given to the biological father of the child. As several other passages likewise show, Mongolian adopting parents were not anxious to conceal the origin of their adoptees. This is in contrast to the observations of Watson on transactions in people in South China, where it was considered crucial that birth parents would not be able to locate their child.[85] According to the Qanggin records, usually favors were given to the adoptee's biological family, and the boundary between payment and gift is not clear. As the following entry shows, the terminology of buying and selling was sometimes carefully avoided:

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[78] Sneath, "Producer Groups and the Decollectivisation of the Mongolian Pastoral Economy": 1081–82.
[79] On inheritance in Qing dynasty Mongolia, Heuschert-Laage, "Künstliche und natürliche Verwandtschaft: Zu Adoption und Erbe in der Qalqa-Mongolei im 18. Jahrhundert."
[80] Bayarsaihan, *Mongyol čaγajin-u bičig*: 70–75.
[81] QQJYD: XXV, 247–48. August 27, 1775 (QL 40, 2nd day of middle month of autumn).
[82] Mongolian coat.
[83] QQJYD: XXV, 250–51. January 14, 1776 (QL 40, 24th day of middle month of winter).
[84] Pamela Kyle Crossley, "Slavery in Early Modern China," in *The Cambridge World History of Slavery*, vol. 3, *AD 1420–AD 1804*, ed. David Eltis and Stanley L. Engerman (Cambridge: Cambridge University Press, 2011): 188.
[85] James Watson, "Transactions in People: The Chinese Market in Slaves, Servants, and Heirs," in *Asian and African Systems of Slavery*, ed. James Watson (Berkeley: University of California Press, 1980): 233.

> When, in times of distress, Šarabdan of Zambu *sum* took his newborn son and abandoned him in the wilderness, Taki of Damčuγ *sum* found him, took care of him and raised him and gave to his father Šarabdan one neutered goat, four buckets of grain, one piece of coarse linen and one brick of tea; the transaction[86] was not taken to the records [at the time], but now his responsible Taiji Jamsan has received one large livestock, which he had demanded from Taki, and the thirteen year old boy Obungkeü is taken to the records as [Taki's] son.[87]

Obviously, in this case the adopting family got in trouble, because they had not registered their adoptive son with the responsible Taiji in time. Considering the items given to the biological family of the adoptee, the handling fee of one large livestock seems to be fairly high and may be due to the procrastination of the case. Moreover, the case stands out for its ambiguity to present the adoption of Obungkeü as both, an act of charity and an economic transaction.

While boys when they entered a new household had a certain change of being acknowledged as son, for girls the situation was different. According to the Qanggin archives, girls were sold more frequently than boys, and in most cases, the sellers were their fathers.

> That same day, it was taken to the records that Mayitai of Čerinčüü *sum* sold his seven-year-old daughter to Cambu Gelüng of Sonom *sum* and took three *lang* [money].[88]

> That same day, it was taken to the records that Baljur Gelüng of Kiraqai *sum* bought the twelve-year-old daughter of Nasun of Lubsang *sum* for two cattle and one piece of coarse linen.[89]

In both cases, the buyers were *gelüng*, i. e. fully-fledged monks. In Mongolia, only a minority of monks lived in monasteries, and it was not uncommon for a *gelüng* to return to the countryside and live with a woman and children. The information on the transaction is extremely sketchy, but it is likely that the girls entered the respective households as servants. They were, of course, vulnerable to sexual exploitation.

In cases of parents selling their children, the documents frequently adopt a language of desperation with set phrases, which refer to "bad times" (*caγ-un maγuu-dur*)[90] and situations of desperateness and extreme poverty, such as "having lost livelihood" (*aju törökü arγ-a-ügei-degen*).[91]

> It was taken to the records that Dalaijab of Quduγ *sum*, because he did not have the means to raise her, sold his three-year-old daughter to Namulai of Kibsüng *sum* for two pieces of cloth.[92]

> It was taken to the records during a face-to-face meeting that Biligtü of Erinčin *sum* said: 'I have nothing to live on', and sold his eleven-year-old son named Sayitu to Janggi Bilig

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[86] Literally „the giving and taking" *öggüged abuγsan*.
[87] QQJYD: XXV, 266–67. December 22, 1777 (QL 42, 23rd day of the middle month of winter.
[88] QQJYD: XXV, 183. February 22, 1753 (QL 18, 20th day of first month of spring).
[89] QQJYD: XXV, 235. March 6, 1774 (QL 39, 24th day of the first month of spring).
[90] QQJYD: XXV, 288.
[91] QQJYD: XXV, 286 and 291. For a similar observation on the language in Chinese legal material see Ransmeier, *Sold People. Traffickers and Family Life in North China*: 5.
[92] QQJYD: XXV, 224. March 10, 1757 (QL 22, 21st day of the first month of spring).

> for one cow, grain worth of two *lang* [money], one piece of coarse linen and one [brick of] tea.[93]
>
> It was taken to the records that Qoura of Čoγtai *sum* sold his younger sister to Taiji Sunjin for items worth of three *lang* [money].[94]

Notably, the eleven-year-old boy Sayitu was sold at the highest price, and, among the children coerced into dependency, he is also the only one who is referred to by name. This may be seen as further indication that male children were valued higher than female. Women, however, were not only victims of transactions in people, but could also claim property rights over others.[95] As the Qanggin archival records confirm, they did so especially as widows acting on behalf of their deceased husbands:

> That same day, it was taken to the records, that the lady of the deceased Taiji Dondoγ gave four people, Saranjab, Toγar, Somonai, and Bayar, to her grandson, Taiji Darmasiri as his property (*ömči*).[96]

We do not know, what reasons the lady had to transfer dependent people to her grandson, who at some point would have been among the rightful heirs anyway. It is likely that she wanted to make sure a safe transfer or that other parts of her wealth were passed on to other family members not mentioned in the record.[97] The entry makes plain, that the claim on property rights over people was not confined to the alleged owner's lifetime, but – within the confines of Qing law – could be inherited on discretionary basis. As the following entry shows, women not only arranged for the inheritance of dependent people, but sometimes closed their own deals.

> On the same day, it was taken to the records that Gočiqu's lady of Jortai *sum* sold 'people of the yurt', [namely] the household of Nurmu with four people, to Čorji Lama of Sangqu *sum* (*Sangqu sumuni Čorji blam-a-du*) for one camel.[98]

In the records from Qanggin banner, quite a number of people who acquired human beings, are referred to by their Buddhist ranks and titles. In all cases, their affiliation is specified with an administrative unit like the *sum*, not with a monastery. By the end of the Qing period, a large percentage of Mongolian men had finished a monastic education and had taken monastic vows,[99] but for the mid-eighteenth century, there are no numbers on the percentage of the male population with monastic ranks. For this reason, the involvement of monks in transactions in people is not necessarily disproportionate.

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[93] QQJYD: XXV, 275. July 3, 1778 (QL 43, 10th day of last month of summer).
[94] QQJYD: XXV, 252. January 14, 1776 (QL 40, 24th day of middle month of winter).
[95] Bass, "The Bound Steppe: Slavery, State, and Family in Qing Mongolia": 390–95.
[96] QQJYD: XXV, 276. January 2, 1779 (QL 43, 15th day of middle month of winter).
[97] For an example of inheritance of a family's dependents in the patrilineal line, and material wealth in the matrilineal line see Bass, "The Bound Steppe: Slavery, State, and Family in Qing Mongolia": 395.
[98] QQJYD: XXV, 192. March 25, 1754 (QL 19, 2nd day of last month of spring).
[99] For estimated numbers in the various parts of Mongolia see Atwood, *Encyclopedia of Mongolia and the Mongol Empire*: 508.

III.2.3. Human Dowry

The Qanggin banner archives give little evidence for the reselling of human beings for profit. However, not all people, who were forced to enter another household with the status of slave or "boy of the yurt," actually stayed there for life. People given away as compensation of debt were among those, who were further uprooted. Moreover, persons who were required to serve others as "human dowry" (*inje*) were forced to transfer from one dependency relationship to another. According to Mongolian custom, a bride of noble origin and rich background would be given maidservants, and in some cases also menservants, to accompany her to her new home and be at her command.[100] We know of this Mongolian practice already from thirteenth century, when the number of people forced to join a bride could number in the hundreds.[101] According to the Qanggin records, fathers or brothers, who granted a female family member a "human dowry," usually assigned one or two of their "people of the yurt" to accompany her. In this source, the largest number of people allocated as "human dowry," is six. Not always were these people chosen from the existing group of "people of the yurt," and the purchase of a person could be in direct connection with the desire to equip a family member with "human dowry." The following two transactions were concluded on the same day:

> That same day it was taken to the records that Ayusi of Siratoloγai *sum*, because he did not have enough to live on, sold his twenty-one-year-old daughter to Čuuqai of Kibsüng *sum* for three *lang* [money].[102]
>
> That same day, it was taken to the records, that Čuuqai of Kibsüng *sum* equipped his daughter with a dowry and gave one 'person of the yurt', a twenty-one-year-old girl, to Jibalu of Majur *sum*.[103]

Because in both entries the name of the young woman is not mentioned, it cannot be proved beyond doubt that the twenty-one-year-old female Čuuqai bought, was the person he registered as "human dowry" that same day. If this was indeed the case, however, it shows again that the condition of being bought and sold went along with loss of status. Ayusi, the father of the girl, belonged to the group of "tax- and duty-payers," while the girl forced into the role of "human dowry" was referred to as "person of the yurt." The fact that she had been the object of a transaction transformed the girl from commoner to slave status.

The Qanggin archives include further evidence that persons, who had to accompany the bride as part of the dowry, beforehand had become victim of forced displacement.

> Because that same day Erinčen's 'boy' with the name Obootu said: 'I am suffering greatly, because I was forcefully enslaved[104] by the Janggi [E]rinčen', we examined the old records and [found] that in the 28th year of Qianlong (1763) Taiji Dorji of Sanjab *sum* bought the eleven-year-old boy Obootu from the woman Qarakeü of Nasun *sum* for five buckets of

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[100] The role of dowry in Mongolian history has recently been discussed by Chuluunbaatar Udaanjargal and Leland Liu Rogers, "Property Relations of Mongolian Women during the Qing Period," *Inner Asia* 22 (2020): 320–38.
[101] Atwood, *Encyclopedia of Mongolia and the Mongol Empire*: 461.
[102] QQJYD: XXV, 249. August 27, 1775 (QL 40, 2nd day of middle month of autumn).
[103] QQJYD: XXV, 249, August 27, 1775 (QL 40, 2nd day of middle month of autumn).
[104] Literally: "made Chinese" *kitadčilan.* Beginning in the sixteenth century, the term *kitad* became a Mongolian term of enslavement, while retaining its original meaning "Chinese" (Bass, "The Bound Steppe: Slavery, State, and Family in Qing Mongolia": 90–100).

> grain, a pair of a sheep and a goat, one piece of coarse linen and tea, and gave it [all] to the mother; because there can be no doubt that Taiji Dorji made [the boy] follow his daughter[105] as dowry and handed him over to Janggi Erinčen, Obootu was rebuked and given instructions and Janggi Erinčen's competence was entered in the records.[106]

Notably, it was possible for Obootu, a "boy of the yurt," who once had been purchased and given away as "human dowry," to file a complaint against the man, who claimed property rights over him. His case was taken seriously and underwent judicial review. This is important for understanding the agency, which "people of the yurt" could develop within the structures of Qing administration. Even though Obootu's attempt to free himself from Erinčen's claims on him was not successful, his advance shows that agency in this relationship of asymmetrical dependency was not unidirectional.[107] The Qing state, which protected alleged property rights of human beings over others (see section I.2.), likewise opened up opportunities for questioning these rights.

The practice of human dowry was common not only among Mongol, but also among the Manchu elites of the Qing empire. Wei-chieh Tsai investigated the role of Han and Manchu bondservants, who accompanied Manchu princesses to their Mongolian in-laws as part of the dowry. He points out that, after the death of a princess, her "human dowry" would be reallocated by the court, and, not unfrequently, dependent people were sent back to Beijing.[108] This shows that people regarded as dowry would not inevitably pass over into the possession of the Mongolian husband and the princess's children. The Qanggin records suggest that, likewise, in Mongolian society property rights of a surviving husband over "human dowry" of his deceased wife were not very strong.

> Even though before, in the 37th year of Qianlong (1772), it was taken to the records that Taiji Čoyijung of Majur *sum* made a 'boy' named Yasai to the dowry of his daughter and gave him to the bridegroom Jalan[109] Sanji of Kibzüng *sum*, now, because Yasai says: 'Sanji is treating me badly' and the bride has passed away, Yasai is handed over to the originally competent Taiji Rabdan and it was taken to the records that same day that he is released into Majur *sum*.[110]

Yasai, after the death of the woman he had accompanied to her in-laws, obtained manumission, and was registered as a "tax- and duty-payer" under the responsibility of the family, who once had given him away as "human dowry." Even though Yasai had been registered as property of the *bridegroom,* the death of the former bride was an argument for his manumission. This suggests that people, who were made "human dowry," had a special status with several parties being entitled to bring forward property claims against them. This, however, may also have enabled people forced into the role of "human dowry" to negotiate for their own interests. For them, the death of the former bride represented an opportunity

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[105] Literally: "lady" *abayai.*
[106] QQJYD: XXV, 250. October 9, 1775 (QL 40, 15th day of last month of autumn).
[107] Winnebeck et al., "On Asymmetrical Dependency": 11.
[108] Tsai, "Mongolization of Han Chinese and Manchu Settlers in Qing Mongolia, 1700–1911": 164–65.
[109] Official in the banner administration with the rank of Jalan-u Janggi.
[110] QQJYD: XXV, 311. March 5, 1782 (QL 47, 22nd day of first month of spring). The spelling of Kibsüng/Kibzüng/ Keyibsüng *sum* varies in the Qanggin archival records.

for manumission and a raise in status. As will be discussed below, manumission could also be obtained in other constellations.

III.2.4. Manumission

As the Mongolian scholar Natsagdorj pointed out, over the course of the Qing dynasty, especially in the time between 1770 and 1870, the number of "people of the yurt" in Mongolia decreased. By the late 19th century, there is almost no reference to people with this status in the sources.[111] The reasons for this development are not entirely clear, but are probably related to increasing poverty.[112] The inheritance records from Khalkha Mongolia's Tüsiyetü Khan Aimag (see section III.1.) show that it was common practice among "tax- and duty-payers," to make arrangements in the banner office, so that – after their death – their slaves or "boys of the yurt" were likewise acknowledged to have this status. These dependents were frequently presented as children bought in infancy, or as sons who men had with women with the status of "people of the yurt."[113] The terminology used for manumission suggests that it was not just regarded as an administrative act but a physical transformation: In the sources, to become a member of the *sum* as "tax- and duty-payer" is eventually referred to as "whitening one's bones" (*yasu-i anu čayilγaju*).[114] According to Samuel Bass, "whitening of bones symbolized a transition from a non-color, degraded status of slave or illegitimacy to one of banner or parish membership."[115] What needed to be "whitened," was not conceived as the result of polluting labor, but was the situation of being outside of the banner community.[116] In addition, the records from the Qanggin banner archive indicate that manumission was frequently framed as adoption:

> On the first day of the last autumn month, it was taken to the records that Sarab Bandi of Majur *sum*, because he had no offspring, adopted his own 'boy of the yurt' Banjiraša as his son and released him to become an armed soldier of the *sum*.[117]
>
> The same day, it was taken to the records that Ayusi, the son of Jodba of Namujab *sum*, releases [his] 'people of the yurt', Gelüng Dongrub and Sunrab, into the *sum*, and they become 'duty-payers' of the Taiji.[118]

With regard to the last entry, it seems likely that Gelüng Dongrub and Sunrab had been "people of the yurt" of Ayusi's father, and were released upon the father's death. The two entries also show that, strictly speaking, the release was framed as a transfer, which entailed the transition from one form of dependency to another. After their release, Banjiraša, Gelüng Dongrub and Sunrab belonged to the large group of "tax- und duty-payers."

In contrast to the records from Khalkha Mongolia's Tüsiyetü Khan Aimag, the Qanggin records provide little insight into merit generation as motivation for manumission. In accordance with

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[111] Natsagdorj, "Geriin hüvüüdiin uchir": 83–84.
[112] Bass, "The Bound Steppe: Slavery, State, and Family in Qing Mongolia": 220.
[113] Heuschert-Laage, "Künstliche und natürliche Verwandtschaft: Zu Adoption und Erbe in der Qalqa-Mongolei im 18. Jahrhundert": 188–94.
[114] Heuschert-Laage, "Künstliche und natürliche Verwandtschaft: Zu Adoption und Erbe in der Qalqa-Mongolei im 18. Jahrhundert": 194.
[115] Bass, "The Bound Steppe: Slavery, State, and Family in Qing Mongolia": 140.
[116] Bass, "The Bound Steppe: Slavery, State, and Family in Qing Mongolia": 126.
[117] QQJYD: XXV, 264. October 1, 1777 (QL 42, 1st day of last month of autumn).
[118] QQJYD: XXV, 216. January 13, 1757 (QL 21, 24th day of middle month of winter).

the Buddhist concept of merit accumulated as a result of good deeds and thoughts, to release a person into a different (and better) status category, was conceived as a highly meritorious act.[119] Especially offerings of slaves to monasterial estates have to be understood in this context. The decision of Ayusi to release the dependents of his father, Gelüng Dongrub and Sunrab, may also have been motivated accordingly.

According to the Qanggin archival records, manumission frequently required a ransom. As the case of a certain Čaγangelüng makes plain, it was not impossible for people with the status of "boy of the yurt" to accumulate extensive wealth and utilize it in order to obtain a change in status:

> In the court dispute between Sundui and Čaγan Gelüng, Čaγan Gelüng, who [according to the records] was a 'person of the yurt' of Taiji Sundui of Keyibsüng *sum*, said: 'I was a "person of the yurt" of Čubai, I was not a "person of the yurt" of Taiji Sundui'; that same day Čaγan Gelüng and his two younger brothers, these three people, were made 'people of the yurt' of Čubai of Noyad *sum* and this was taken to the records.[120]

While it is striking that – apparently – Čaγan Gelüng's statement alone was sufficient evidence to alter his and his brothers' administrative affiliation, an entry made one year later indicates that Čaγan Gelüng owned a considerable quantity of livestock. He used his wealth to exit his status of "person of the yurt":[121]

> The same day it was taken to the records that, because Čubui of Noyad *sum* could not make a living, he released [his] 'people of the yurt', Čaγangelüng and his two disciples and the two people of Lubsang's household, altogether five people, and offered them to the responsible Taiji Sabdan; [Čubui] took fifty sheep and five large livestock from Čaγangelüng.[122]

The impression is that Čaγan Gelüng in 1755 initiated legal proceedings, so that he became the property of someone else, Čubui, who, in 1756, was willing to release him and his followers for the payment of a substantial amount in livestock. Again, there is no indication that the monastery where Čaγan Gelüng took his vows made any claims on him or his property. In other cases, manumission was granted in return for loyalty:

> Because Sanjab, a 'person of the yurt' of Jalan Yerentei, made a report when the Qaraču Noyan complotted against Jalan Yerentei, now, after he gave two horses to Jalan Yerentei, Sanjab, Sundui and Gendün, father and sons, altogether four people, are made 'duty-payers' of the responsible Taiji Altangerel and become armored soldiers of Dalantai *sum*.[123]

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[119] Bass, "The Bound Steppe: Slavery, State, and Family in Qing Mongolia": 227–61.

[120] QQJYD: XXV, 206–7. December 22, 1755 (QL 20, 20th day of middle month of winter).

[121] On payment of ransom in case of manumission see Tsai, "Mongolization of Han Chinese and Manchu Settlers in Qing Mongolia, 1700–1911": 111.

[122] QQJYD: XXV, 214. November 1, 1756 (QL 21, 9th day of leap autumn month). The variants in the spelling of names can be explained with different scribes in the banner office. Regarding the companions of the *gelüng*, the inconsistency of "younger brothers" (*degüü*) versus "disciples" (*šabi*) may indicate the growing respect towards Čaγan Gelüng.

[123] QQJYD: XXV, 257. August 14, 1776 (QL 41, 1st day of 1st month of autumn). The household apparently also included a person, whose name is not mentioned in the records.

Because of Sanjab's trustworthiness when Yerentei was attacked by a third party, he was granted the chance to free himself from the status of "person of the yurt." In addition to Yerentei's acceptance to release him and his family, however, this required a ransom. From this we may conclude that, despite of his dependent status, Sanjab disposed over property to which Yerentei had no access.

IV. Conclusion

The present paper deals with *transactions* in people, but the people in Qanggin banner, who were forced into dependency relationships (or managed to get out of it), did not leave the confines of the local administrative unit of the banner. An important aspect of slaving practices in Qing dynasty Mongolia was their restriction to the level of the banner. When van Rossum distinguishes between mobilizing and immobilizing regimes of asymmetrical dependency and enslavement,[124] the constellations in Qanggin banner rather point to the latter. A diachronic investigation of slavery regimes in Mongolian history will particularly focus on this aspect, when contrasting slaving practices of the Qing period with those of the Mongol empire. While thirteenth century Mongols are credited with the establishment of long-distance slave trade routes and networks of trafficking,[125] slaving in the eighteenth century was negotiated between local actors and tied people down to their community.

Qing law with its establishment of categories of legal status had considerable impact on inter-Mongol relations in terms of asymmetrical dependency. Legal provisions of the state, however, were not the only factors shaping slaving practices in Qanggin banner. Debt slavery and human dowry were practiced in Mongolian societies long before the Qing period, but with the integration into the Qing empire they were administered by authorities confirmed by the Qing court. As section III.2.1. makes plain, debt slavery in the eighteenth century frequently involved a third party, who offered to provide livestock for the payment of compensation while in return enslaving a member of the debtor's family. As there are no guidelines for this practice in relevant legal codes, it can be regarded as an adaption of existing practices to the increasing impoverishment of wide sections of the population. This leads to the conclusion that the demand for compensation of the offended party was an important component in the reproduction and transformation of relationships of asymmetrical dependency. In effect, the involvement of a third party led to a concentration of property claims over dependent people in the hands of fewer people. This can be seen as an example for the adaptability of informal regimes of slavery to internal and external pressures.[126] In Qanggin banner, many of those, who purchased other human beings or benefitted from debt slavery, had ranks in the banner administration. Holders of offices like *Kiy-a* and *Janggi* seem to have been wealthy enough to enlarge their encampment with individuals and client families. While members of the aristocracy maintained different types of dependency relationships to "tax- und duty-payers," "personal serfs" and "people of the yurt," office-holders, who did not belong to the upper aristocracy, possibly saw the acquisition of "people of the yurt" as a means to consolidate their local power base.

[124] Van Rossum, "Slavery and Its Transformations": 591–92.
[125] Zeuske, *Handbuch der Geschichte der Sklaverei*: 324.
[126] Van Rossum, "Slavery and Its Transformations: Prolegomena for a Global and Comparative Research": 574.

As in other parts of the world, in Qing dynasty Mongolia the majority of enslaved people were women and children,[127] and an impoverished family was never safe from being torn apart. The ones most prone to be given away were younger family members, children and young women. Apart from debt slavery, they could be sold by fathers (sometimes also mothers) and elder brothers, in order to improve the economic situation of the family. There is not much information on the services these people were supposed to render. They lived dispersed in encampments, and some of them were forcefully transferred into other dependency relationships as "human dowry." In what way property claims on people declared to be "human dowry" differed from claims on other enslaved people calls for further research. With regard to notions of property, the study confirms the close relationship between property and inheritance inherent in the Mongolian term *ömči*.[128] Dependents, just like other property, could be passed on to the next generation, but in the case of inheritance their dependence could stand up for discussion. There is evidence that this went especially for people, who were forced into a life as "human dowry."

Manumission was not framed in the terminology of freedom, but was referred to as "release into the local administrative unit," and thus meant a change into a different kind of dependency. Even though in Qing dynasty Mongolia, commoners as "tax- and duty-payers" often suffered from the burdens imposed on them from the local administration, for historical actors it was obviously desirable to abandon the status of slave or "people/boy of the yurt" and rather have this status. This change, however, required the consent of the person (or family) who regarded a dependent person as their property, and who often expected compensatory measures. The paper shows that some slaves and "people of the yurt" were able to accumulate considerable wealth, which was out of the reach of their alleged owner. Even though these cases seem to have been exceptions, there is evidence that the status of slave or "boy of the yurt" was not the only deciding factor for a person's place in the community. Further research on local archives will show how relationships of asymmetrical dependency were shaped by the interaction of legal norms, practices and local power relations.

[127] Miller, "History as a Problem of Slaving": 219.
[128] Sneath, ""Mongolia in the 'Age of the Market': Pastoral Land-Use and the Development Discourse": 202.

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LFYTB = *Qingchao qianqi lifanyuan man meng wen tiben / Dayičing gürün-ü ekin üy-e-yin γadaγadu Mongγol-un törö-yi jasaqu yabudal-un yamun-u manju mongγol ayiladqal-un debter-üd* [*Manchu and Mongolian Routine Memorials of the Lifanyuan From the Early Qing Period*], ed. Borjigidai Oyunbilig, Wu Yuanfeng and Jiγačidai Buyandelger, 23 vols. (Hohhot: Nei Menggu renmin chubanshe, 2010).

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2. Slaveries and Similar Dependencies

2.2. Regions and Epochs

Crimea

Turkana Allahverdiyeva. “Bound with the Family: Slaves in the Family Setting of Early Modern Crimean Khanate,” in *Slavery and the Shaping of the Premodern Muslim Family*, ed. Cristina de la Puente, Karen Moukheiber and Serena Tolino (Berlin: De Gruyter, 2026): 111–130.

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Turkana Allahverdiyeva

Bound with the Family: Slaves in the Family Setting of Early Modern Crimean Khanate

1 Introduction

Writing about the role of slaves within family[1] structures in the Crimean Khanate should be considered a challenge due to the limited amount of research on this topic. This study seeks to combine the limited available material on the social life of the Crimean Tatars with insights derived from court registers to better understand these aspects. This preliminary investigation is conceived as a work in progress that aims to open new avenues of research by raising previously neglected questions.

Crimean Khanate was a key geopolitical buffer zone between Russia and the Ottoman Empire.[2] It became a semi-independent vassal state of the Ottoman Empire around the year 1475. However, it gained independence following the Küçük Kaynarca Treaty in 1774 which was short-lived. The Russian Empire shortly terminated the independence of the Khanate after a mere nine years, concluding in the first annexation of the Peninsula in 1783.[3] The Giray dynasty, which ruled the Crimean Khanate for three centuries (fifteenth-eighteenth centuries), claimed to be descendants from Genghis Khan.[4]

1 This paper focuses on non-elite, modest, and ordinary families which can be interchangeably referred to as 'households' or 'non-elite households' throughout the article. By 'family,' I understand a group of individuals who are related by blood or marriage and who constitute a close-knit unit because of their marriage and biological ties. On the other hand, the term 'household' describes a more expansive group of people who belong to the same domestic or economic unit but may not be blood relatives. In addition to family members, this broader group frequently consists of slaves, servants, and other individuals who are integrated into the familial bonds within the household. For more information on households and families, see: Laura Culbertson, "Slaves and Households in the Near East," in *Slaves and Households in the Near East*, ed. Laura Culbertson (Chicago: The Oriental Institute of the University of Chicago, 2011): 1–21; Charles L. Wilkins, "Masters, Servants, and Slaves: Household Formation Among the Urban Notables of Early Ottoman Aleppo," in *The Ottoman World*, ed. Christine Woodhead (London: Routledge, 2012): 291–306; also see Charles L. Wilkins, "Slavery and Household Formation in Ottoman Aleppo, 1640–1700," *Journal of the Economic and Social History of the Orient* 56 (2013): 345–91, Suraiya Faroqhi, *Osmanlı Kültürü ve Gündelik Yaşam*, 5th ed. (Istanbul: Tarih Vakfı, 2005).

2 Will Smiley, *From Slaves to Prisoners of War, The Ottoman Empire, Russia, and International Law* (Oxford: Oxford University Press, 2018): 21.

3 Dariusz Kolodziejczyk, *The Crimean Khanate and Poland-Lithuania, International Diplomacy on the European Periphery (15th–18th Century), a Study of Peace Treaties Followed by Annotated Documents* (Leiden: Brill, 2011): 21–22.

4 Kolodziejczyk, *The Crimean Khanate*: 10; Maryna Kravets and Victor Ostapchuk, "Cossacks as Captive-Takers in the Ottoman Black Sea Region and Unfreedom in the Northern Countries," in *Slavery in the Black Sea Region, c. 900–1900*, ed. Felicia Roşu (Leiden: Brill, 2021): 25, https://doi.org/10.1163/9789004470897_010.

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The slave trade was one of the principal sources of revenue for the Khanate. Non-Muslim individuals from neighbouring northern regions were frequently abducted during organised slave raids; those captured were either ransomed or enslaved by the Crimean Tatars operating along the frontier.[5] The northern neighbours of the Khanate—Muscovy, Poland-Lithuania and modern-day Ukraine—were not only the principal victims of these raids, but also bore their economic and social consequences for a long period.[6] These slave raids continued until Muscovy gained military and political advantages over the Ottomans. During the second half of the seventeenth century and the early eighteenth century, the Muscovite state reinforced its position and exerted increasingly severe control over these incursions through diplomatic attempts, battle, and negotiations.[7] However, despite the shifting balance of power between the Ottomans and Muscovy, slavery continued to play an important role in the economic and social life of early eighteenth century Crimean Tatar society.

In the Crimean Khanate, as elsewhere, both Muslim and non-Muslim populations acquired slaves primarily for domestic labour,[8] embedding them into the daily family life. Slavery influenced many parts of daily life, extending beyond servitude to affect the very foundations of familial and social systems.[9] In this context, slaves were not only outsiders: they were integral parts of a multi-ethnic and multi-religious society,[10] living alongside free individuals and being integrated into family life. That is to say, they were

5 Brian L. Davies, *Warfare, State and Society on the Black Sea Steppe, 1500–1700* (London: Routledge, 2007): 25; Zübeyde Güneş Yağcı, "16. Yüzyılda Kırım'da Köle Ticareti," *Karadeniz Araştırmaları* 8, no. 8 (2006): 12–30.

6 For more detailed information on slave raids, see Kravets and Ostapchuk, "Cossacks as Captive-Takers": 321.

7 Rıfaat A. Abou-El Haj, "The Formal Closure of the Ottoman Frontier in Europe: 1699–1703," *Journal of the American Oriental Society* 89 (1969): 467.

8 Mikhail Kizilov, "Slaves, Money Lenders and Prisoner Guards: The Jews and the Trade in Slaves and Captives in the Crimean Khanate," *Journal of Jewish Studies* 58, no. 2 (2007): 4.

9 In the recent scholarly work authored by J.R. Burns, a distinction is made between the terms 'enslavers' and 'slaveholders,' as well as 'enslaved' and 'slaves.' Aligning with the core arguments presented in the article, I adopt a similar differentiation between these terms. Specifically, I use the term 'slaveholder' or 'slaveowner' in lieu of 'master' or 'enslaver,' acknowledging that individuals categorised as 'slaveholders' might not have directly engaged in the act of enslaving but rather acquired slaves through inheritance or purchase. While 'enslaver' gives the impression that the person who owns a slave has participated directly in the act of enslavement. In the particular cases selected for this article, 'enslaver' might not be true for slave holders. Moreover, I use 'slaves' and 'enslaved' interchangeably. However, I prefer 'enslaved' where I believe individuals have been enslaved by force, while recognising that certain individuals may have entered into slavery voluntarily by selling themselves into bondage. Then 'slave' is preferred for such cases. This kind of detailed terminology aims to reflect the diverse and complex dynamics within the institution of slavery, providing a more accurate representation of the varied experiences. For more detailed discussion, see: James Robert Burns, "'Slaves' and 'Slave Owners' or 'Enslaved People' and 'Enslavers'?" *Transactions of the Royal Historical Society* 2 (2024): 371–88.

10 For information on Crimean Jewry, see Kizilov, "Slaves, Money Lenders and Prisoner Guards": 1– 22.

more than merely passive entities: as members of the household, they influenced their immediate familial environment and the collective identity of the broader community.

Reconstructing slaves' lives is not an easy task, but it is possible to learn a lot from the experience of historians of the Ottoman Empire, who found qadi courts records particularly useful to do so. For instance, by looking at Bursa qadi registers, Suraiya Faroqhi could reveal the bond that remained between former slaves and their owner even after manumission, like in the case of Gülbahar, a slave girl of Sultanpaşa, who received 200 *akçe* from her owner to begin her new life upon manumission.[11]

Qadi registers are helpful sources to reveal slavery in the family settings because, as put by Ehud Toledano, "enslavement in the Ottoman, Iranian, and Arab societies of the Middle East and North Africa was driven by patronage, grounded in the family, and backed by Shariʿa law and socio-cultural norms."[12] Additionally, the Qur'an[13] and the Sunna[14] also provide important information on how slaves should be treated by their owners.[15] Interestingly, Joseph Schacht has categorised slavery inside family law, and not property law, saying: "The Islamic law of slavery is patriarchal and belongs more to the law of family than to the law of property."[16] While it is clear that female slaves, such as *umm al-walads*,[17] a term referring to a slave woman who bore her owner's child, were integral to family formation, also trusted male slaves, who managed family affairs beyond the household, significantly contributed to the family structure, akin to *umm al-walads*.

Moreover, qadi registers allow us to see how slaves navigated a social order that put them in a marginalised situation. As Madeline Zilfi notes:

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11 Suraiya Faroqhi, "From the Slave Market to Arafat: Biographies of Bursa Women in The Late Fifteenth Century," *Turkish Studies Association Bulletin* 24, no. 1 (2000): 9, http://www.jstor.org/stable/43384747 [accessed 07.02.2024].

12 Ehud Toledano, "Enslavement and Freedom in Transition," *Journal of Global Slavery* 2 (2017): 116.

13 For the subject of slavery in Qur'an, see Rüveyda Sağlam Ince, "The Subject of Slavery in Qur'an" (master's thesis, Ankara University, 2010).

14 Sunna *(sünnet)* is the actions, sayings and approvals of Prophet Muhammad that Muslims take them as examples to follow in daily Islamic lifestyle, worship and ethics. See Ferhat Koca, "Sünnet," in *TDV Islam Ansiklopedisi*, vol. 38, 2010: 154–55, https://islamansiklopedisi.org.tr/sunnet–hukum [accessed 20.11.2024].

15 For instance, Qur'an 24:33: "And those who cannot afford marriage should keep themselves chaste until Allah enriches them out of His grace. And those of your slaves who wish to enter the contract of *kitāba* (emancipation by paying money), contract *kitāba* with them, if you recognise some good in them. And give them out of the wealth of Allah that He has given to you. And do not compel your maids to prostitution – if they wish to observe chastity – in order that you may seek the temporary benefit of the worldly life. If one compels them, then after their being compelled, Allah is Most-Forgiving, Very-Merciful." https://quran.com/24/33?translations=84,17,85,18,95,101,19,22,31 [accessed 14.12.2023].

16 Joseph Schacht, *An Introduction to Islamic Law* (Oxford: Clarendon Press, 1982 [1964]): 130.

17 Also written as *Ümmü'l-veled*.

> Resistance in the form of collective rebellion was rare, and significant numbers of manumitted slaves not only inherited from their former masters and mistresses but also outdistanced many freeborn contemporaries in social status and material condition [. . .] Yet slavery was not a free-standing institution lacking moral and material attachment to the rest of society. It was culturally and institutionally integral to both state and society.[18]

In this sense, slavery was clearly embedded in a specific social order, namely a "system of institutions, social relations, value orientations and practices," and "the structuring and structured processes of social reality," that also "includes the emic perspective of actors by way of describing their 'worldview'." As pointed out by the Bonn Center for Slavery and Dependency Studies (BCDSS), social order "should not be perceived as a rigid set of norms, but as a flexible product of human exchanges."[19] As such, it is subject to change and negotiation.

In this chapter, I argue that the Crimean qadi registers provide valuable insights into the social order and daily lives of modest Tatar families as they intersected with the lives of enslaved individuals. After the first annexation of the Crimean Khanate by the Russian Empire in 1783, many of the state documents were lost, destroyed or taken to Saint Petersburg archives and libraries and preserved there.[20] The original of total 122 registers are kept in Saint Petersburg National Library.[21] They were long known by Russian historians and they had been studied by Russian scholars until Halil Inalcık announced with an article that he had brought the copies of those court registers to Turkey.[22]

18 Madeline Zilfi, *Women and Slavery in the Late Ottoman Empire: The Design of Difference* (Cambridge: Cambridge University Press, 2010): 99–100.

19 Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler and Stephan Conermann, "The Analytical Concept of Asymmetrical Dependency," *Journal of Global Slavery* 8, no. 1 (2023): 1–59, https://doi.org/10.1163/2405836x-00801002: 6.

20 Halil İnalcık, "Kırım Hanlığı Kadı Sicilleri Bulundu," *Belleten* 40, no. 227 (1996): 165–91.

21 Alp Atakan Eryılmaz, "Kırım Tatarlarında Aile, 1700–1750 Şer'iyye Sicillerine Göre" (master's thesis, Eskişehir Osmangazi Universitesi, 2019): 2–3.

22 Inalcık, "Kırım Hanlığı Kadı Sicilleri Bulundu": 165–91. Before H. Inalcık introduced the manuscripts to Turkish scholarship, Russian scholars such as V.D. Smirnov had long been aware of them, and numerous studies had already been conducted from the 1880s to the present day in Russian language. Also see Turkana Allahverdiyeva, "The Blurred Boundaries of Slavery and Freedom in the Early Modern Crimean Khanate," *TRASISBLOG*, University of Bern, 2024, https://trasisblog.unibe.ch/?p=322 [accessed 04.08.2025].

Since then, several studies have been conducted on them.[23] After a thorough study of Yücel Öztürk[24] and his students[25] on different aspects of Crimean Khanate history, several scholars such as Ahmet Turan Nezihi,[26] Zeynep Özdem,[27] Ömer Bıyık,[28] and Nuri Kavak,[29] have dedicated their research to the study of slaves in the Crimean Khanate using qadi court registers, making significant progresses in the field of slavery studies. However, even though the work of these scholars has been ground-breaking, there is still a need for future research that focus on the shaping of the family and the roles of slaves in this process.

For this purpose, employing strong asymmetrical dependency approach and the concepts of gendered agency[30] and social order,[31] this paper interprets three enslaved

23 Ahmet Cihan and Fehmi Yılmaz, "Kırım Kadı Sicilleri," *İslam Araştırmaları Dergisi,* 5, no. 11 (2004): 131–76.

24 See Yücel Öztürk, *Osmanlı Hakimiyetinde Kefe, 1475–1600* (Ankara: T.C. Kültür Bakanlığı Yayınları, 2000); Yücel Öztürk, *Özü'den Tuna'ya Kazaklar* (Istanbul: Yeditepe Yayınları, 2004); Yücel Öztürk, *Doğu Avrupa Türk Mirasının Son Kalesi Kırım* (Istanbul: Çamlıca Yayınları, 2015); Yücel Öztürk, "XIII. ve XVII. Yüzyıllarda Karadeniz Ticareti," *Türk Dünyası Araştırmaları* (1995): 113–36.

25 See Dilek Çelik, "67 A 90 Nolu ve 1017–1022 (1608–1613) Tarihli Kırım Hanlığı Kadıasker Defteri (Tahlil ve Transkripsiyon)" (master's thesis, Sakarya University, 2011); Emine Yıldırım, "67 a 90 numaralı Kırım Kadıasker Defterine göre Kırım'da Sosyal ve Ekonomik Hayat (1075–1076/1665)" (master's thesis, Sakarya University, 2020); Şahin Kılıç, "17 numaralı Kırım Şer'iyye Sicili (H. 1084–1085/m. 1673–1674) Transkripsiyonu ve Değerlendirmesi" (master's thesis, Sakarya University, 2019); Mehmet Caner Çavuş, "67 A 90 Numaralı (Onuncu Cilt) 1077–1080 (1666–1670) Tarihli Kadıasker Defterine Göre Kırım'da Sosyal ve Ekonomik Hayat (1–70 Varak)" (master's thesis, Sakarya University, 2019); Sema Aktaş Sarı, "3a–3b numaralı, 1648–1679 tarihli Kırım Kadıasker Defterlerine göre Kırım'da Sosyal ve Ekonomik Hayat" (master's thesis, Sakarya University, 2016); Fırat Yaşa, "67 A 90 numaralı (Dördüncü Cilt), 1061–1062 tarihli Kadıasker Defteri'ne göre Kırım'da Sosyal ve Ekonomik Hayat" (master's thesis, Sakarya University, 2014); Mustafa Işık, "701 Nolu Tapu Tahrir Defterine göre Akkirman Sancağı" (master's thesis, Sakarya University, 2008).

26 Ahmet Nezihi Turan, "Bahçesaray Köleleri, 17–18. Yüzyıllar," *Bilig* 48 (2009): 241–54; Ahmet Nezihi Turan, "Kırım Hanlığı Kadı Sicilleri Hakkında Notlar," *Türk Kültürü İncelemeleri Dergisi* 9 (2003): 1–16.

27 Zeynep Özdem, *Kırım Karasubazar'da Sosyo-Ekonomik Hayat, 17. Yüzyıl Sonlarından 18. Yüzyıl Ortalarına Kadar* (Ankara: Türk Tarih Kurumu Yayınları, 2010).

28 Ömer Bıyık, "Osmanlı Yönetiminde Kırım (1600–1774)" (PhD diss., Ege Üniveristesi Sosyal Bilimler Enstitüsü, 2007); Ömer Bıyık, *Kırım'ın İdari ve Sosyo-Ekonomik Tarihi, 1600–1774* (Istanbul: Ötüken Press, 2014).

29 Nuri Kavak, "Kırım'ın Karasu Kazası 1683–1744, Şeriyye Sicillerine Göre" (PhD diss., Gazi University, 2008)

30 I take agency following the definition suggested by Bonn Center for Dependency and Slavery Studies. "BCDSS suggests that agency should be understood not merely in terms of (violent) opposition or resistance, but rather as the opportunity to act within relations of asymmetrical dependency. As a result, the BCDSS proposes an understanding of agency based on the concept of interagency emphasising that individual agency should always be studied in its relation to other actors." Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler and Stephan Conermann, "On Asymmetrical Dependency," *Concept Paper* 1, Bonn Center for Dependency and Slavery Studies (2021), https://www.dependency.uni-bonn.de/images/pdf-files/concept-papers/bcdss_cp_1-_on-asymmetrical-dependency.pdf [accessed 04.08.2025]: 6.

31 Winnebeck et al., "On Asymmetrical Dependency": 6.

individuals: two female non-Muslim slaves, both named Nasta, one *umm al-walad* and one ordinary female slave. The male slave Gazanfer's case highlights the significance of gendered agency, illustrating how the experiences and opportunities for agency varied considerably between male and female slaves in family settings. The second Nasta's case emphasises the importance of networking and the circulation of knowledge in shaping slave agency. As outsiders to the local community, culture, and Shariʿa, enslaved individuals, both male and female, relied on diverse sources to acquire knowledge about their rights. This knowledge empowered them to navigate the Shariʿa court system effectively, and, in some instances, secure their freedom.[32]

Two main concepts are crucial to the analysis: the first one is *strong asymmetrical dependency*, an analytical tool recently developed by the BCDSS.[33] According to the BCDSS' definition, strong asymmetrical dependency is characterised by three aspects: 1. it occurs within relations between two or more actors; 2. It is based on the ability of one actor to control the actions and the access to resources of the other actor; and 3. It is supported by an "institutional background" in a way "that the dependent actor normally cannot change their situation by either going away ('exit') or by articulating protest ('voice')."[34]

The second one is *agency*. This concept goes beyond mere resistance: it involves the capacity to act and exhibit mobility within strong asymmetrical dependencies. In particular, I refer to the concept of gendered agency, that acknowledges that the degree and forms of agency may vary based on gender, and that male and female slaves experienced different levels of mobility, network connections, and social relations,[35] and to that of interagency.[36] Mutual dependencies can manifest in scenarios where not only do slaves exhibit absolute dependency on the slave owner, but slave owners may also develop their dependencies. This could take the form of emotional attachment, kinship, patronage, or reliance on slaves for domestic tasks, financial management, or financial

32 Veruschka Wagner, "Lives in Pieces: Female Slaves and Mobility in Early Modern Istanbul," in *Transottoman Biographies, 16th–20th Centuries*, ed. by Denise Klein and Anna Vlachopoulou (Göttingen: V&R Unipress, 2023): 100.

33 Winnebeck et al., "On Asymmetrical Dependency"; Christoph Antweiler, "On Dependence, Dependency, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies (2022), https://www.dependency.uni-bonn.de/images/pdf-files/discussion-papers/dp-1-antweiler.pdf [accessed 04.08.2025].

34 Winnebeck et al., "On Asymmetrical Dependency": 2.

35 Veruschka Wagner, "'Speaking Property' with the Capacity to Act: Slave Interagency in the 16th and 17th Century Istanbul Court Registers," in *Slaves and Slave Agency in the Ottoman Empire*, ed. Stephan Conermann Stephan and Gül Şen (Göttingen: V&R unipress, 2021): 10

36 Juliane Schiel, Isabelle Schürch and Aline Steinbrecher, "Von Sklaven, Pferden und Hunden: Trialog über den Nutzen aktueller Agency-Debatten für die Sozialgeschichte," *Schweizerisches Jahrbuch für Wirtschafts- und Sozialgeschichte* 32 (2017): 17–48.

operations.[37] For instance, a widow who owns slaves may develop a dependency on her male slave to conduct external financial operations and manage finances due to restrictions on women's mobility during that historical period.

After an introduction to family and slavery in the Early Modern Crimean Khanate, I discuss the three case studies, arguing that 1. a detailed analysis of the Crimean qadi court registers provides valuable insights into the socio-economic structures and daily lives of modest Tatar families; 2. strong asymmetrical dependency as an analytical framework offers a more detailed understanding of various forms of enslavement and their enduring impact, even beyond manumission, and 3. enslaved individuals actively contributed to shaping family structures, drawing on their unique experiences within their households.

2 Family and Slavery in the Early Modern Crimean Khanate

Even though family structures manifest in very diverse forms, be it patriarchal or matriarchal, they seem a constant in different geographical and historical contexts. L. Culbertson emphasises the importance of households as "domestic units, temple and state institutions, or legal and symbolic entities" where slavery and non-slavery co-existed and notes that they are the best places to understand the realities of slavery.[38]

The concept of family hold cultural, social, economic and religious significance.[39] In Muslim-majority multi-ethnic societies, such as the Ottoman and the Crimean Khanate, the understanding of the family is often rooted in Islamic teachings and traditions, that shape familial structures and dynamics. Marriage was celebrated as a significant event, marking one of life's most memorable days, while divorce, conversely, stood as a painful process.

In an examination of qadi court registers covering the years 1700–1750, Alp Atakan Eryılmaz has provided some valuable insights into what a family was like in the early eighteenth Crimean Khanate. His analysis reveals that the family setting in the Khanate closely mirrored that of other Muslim societies, and especially the Ottoman society. Eryılmaz's exploration extends across various familial aspects, including engagement,

37 Charles Wilkins calls mutual dependency as 'involuntary relationship' defining slavery as "In all these forms, slavery can be defined as a kind of patronage, 'an involuntary relationship of mutual dependence between two quite unequal partners." Wilkins, "Masters, Servants, and Slaves": 299.

38 Culbertson, "Slaves and Households in the Near East": 2

39 Iris Agmon, *Family and Court, Legal Culture and Modernity in Late Ottoman Palestine* (Syracuse: Syracuse University Press, 2006): 5.

marriage, diverse forms of divorce, polygamy, alimony *(nafaka*), *mihr, iddet,* and heritage.[40]

Historically, family studies were long neglected, and the family unit remained largely overlooked for a long time. The voices of the marginalised—such as women, children, rural people, and slaves in the ordinary non-elite households – have been notably absent from scholarly narratives,[41] even though this has changed in recent years. For what regards the Muslim world, several scholars realised that s*hariʿa* court records, when available, offer a privileged avenue to engage with and reconstruct the histories of these marginalised individuals, at least within the limits of the available sources.

For example, in her research on Jaffa and Haifa, Iris Agmon[42] showed that qadi court cases offers a wealth of information that contributes significantly to our understanding of familial structures in the nineteenth century. To quote her, qadi courts are "a social and cultural arena [. . .] therefore, their use for investigating the family requires a deconstruction as well as a reconstruction of court practice."[43] Agmon's insights emphasise that the Shariʿa courts not only serve as passive reflectors of societal transformations but actively engage in shaping the contours of these changes. Her work positions the qadi courts themselves as historical actors, that are pivotal in both preserving and transforming societal norms, adding a layer of complexity to our understanding of legal institutions as dynamic participants in historical processes. Considering that the family has historically housed a myriad of "diverse forms of human bondage" that transcended binary oppositions such as "slavery versus freedom,"[44] I build up on her work to show that court proceedings offer valuable insight into the role of the slaves in the family structures in the Crimean Khanate.

Within familial relations, various types and degrees of asymmetrical dependencies emerged within a certain social order, extending beyond the dichotomy of free individuals and slaves. Slaves were a part of these families with specific type of human bondage and different degrees of asymmetrical dependency, as noted by Ehud Toledano ". . .within enslavement, there were gradations of bondage and servitude, not merely a dichotomy between free and enslaved."[45] These dependencies permeated relationships between spouses, parents and children, and the elder and younger generations, and slaves significantly shaping broader social relations and social order.

The BCDSS definition of strong asymmetrical dependency, emphasising its institutional underpinning, highlights the limited options for the dependent actors to alter

40 Eryılmaz, *Kırım Tatarlarında Aile*.
41 Agmon, *Family and Court*: 23.
42 Agmon, *Family and Court*: 5.
43 Agmon, *Family and Court*: *6.*
44 Winnebeck et al., "On Asymmetrical Dependency": 2.
45 Toledano, "Enslavement and Freedom": 100.

their situations through either exit or voice.[46] In the context of the Crimean Khanate, the dynamics become even more challenging as trans-cultural and inter-religious asymmetrical dependencies, mutual dependencies, and a continuum of dependency within families, with non-Muslim or convert slaves becoming integral to these social relations, including kin and patron-client ties.

Often abducted in Tatar slave raids, individuals newly enslaved non-Muslim and non-Tatar speakers had to learn and adapt to the complexities of an entirely foreign society.[47] These enslaved individuals became not only subjects of asymmetrical dependencies, dictated by their captive status, but also active participants in mutual dependencies within familial frameworks. The spectrum of these dependencies extended beyond the confines of master-slave relationships, encompassing kinship and patron-client ties.

Several scholars have discussed the integration of slaves into society. In his foundational work Orlando Patterson spoke of 'social death,' stating that slavery, in addition to involving ownership and control over an individual, also causes the social and symbolic death of the slaves. Beyond mere physical confinement, the concept of social death highlights the dehumanisation and extreme social exclusion that slaves endured: Patterson argues that the loss of autonomy, social identity, and ties to one's cultural origins causes slaves to become 'socially dead.'[48]

Patterson's contribution has been invaluable in this regard. However, more recent scholarship has a more detailed position. For example, Ehud Toledano, in his studies of slavery in Ottoman societies, emphasises that the integration of enslaved individuals to the families and society did actually take place. That is to say, many of the enslaved formed networks and connections within families, households, and communities.[49] Slaves were not kept at a distinct societal periphery: in this sense, domestic slaves often transcended their traditional roles and seamlessly became integral parts of the families they served. In this context, the boundaries between the enslaved (or slaves) and the free and the degree of freedom (and dependency) became blurred, challenging conventional notions of strict social stratification.

46 Winnebeck et al., "On Asymmetrical Dependency": 3.

47 From fifteenth to the end of the eighteenth century, thousands of non-Muslim people from the steppes had been abducted and enslaved by the Crimean Tatars. For more information on slave raids of the Crimean Tatars, see: Arkadiusz C. Blaszczyk, "Frühneuzeitliche Dimensionen Steppennomadischer Gewalt. Tataren, Mangiten und Nogaier als grenzüberschreitende Gewaltakteure im Krimkhanat und im Osmanischen Reich, 1538–1637" (PhD diss., University of Giessen, 2022), also the book: Arkadiusz C. Blaszczyk, *Frühneuzeitliche Dimensionen steppennomadischer Gewalt Tataren, Mangiten und Nogaier als grenzüberschreitende Gewaltakteure im Krimkhanat und im Osmanischen Reich, 1538–1637* (Berlin: De Gruyter, 2023).

48 Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge, MA: Harvard University Press, 1982): 5

49 Ehud Toledano, *As if Silent and Absent, Bonds of Enslavement in the Islamic Middle East* (New Haven: Yale University Press, 2007): 247.

In addition to shaping the lives of individual slaves, this unique integration had also an impact on the Crimean Khanate general social and cultural structure. Therefore, rather than viewing the slaves of the Crimean Khanate as 'socially dead,'[50] attaching them passive roles, this chapter argues to acknowledge their space for agency,[51] mobility, and active participation in shaping daily family life.

In this regard, an interesting question arises if slaves could integrate into families, could they also establish families of their own? Islamic jurisprudence not only permitted but also advocated for the marriage and formation of families by both female and male slaves. J. Schacht notes that a person under slavery possesses rights as a human being, notably the right to marry.

The male slave is permitted to marry a maximum of two female slaves; the female slave may marry a free man who is not her owner, and the male slave may marry a free woman who is not his owner. The marriage of a slave necessitates the owner's consent; the owner may also arrange the slave's marriage involuntarily.[52]

While recognising the individuality of each slave's case and experience, categorisation based on the similarity of their roles in family shaping becomes a feasible avenue for exploration. The influential role of female slaves in family dynamics became apparent in particular when they delivered their slaveholder's babies, marking a significant transition from *câriye* to *umm al-walad*, as we will see in the case of Nasta.

3 Nasta, a Resilient *umm al-walad*

Discussing the relationships of the slaves with the household, Toledano highlights that "these were often lifetime relationships that entailed protection, patronage, loyalty, and mutual affection."[53] In the case of the *umm al-walad*, the importance of these connections became obvious.

Upon delivering their owner's babies, female slaves underwent a transformation in status. This important shift not only marked their integration into the family but also established them as integral contributors to the familial lineage and inheritance.

Leslie Peirce wrote on *umm al-walad*s:

50 Patterson, *Slavery and Social Death*: 35–92.

51 Ehud Toledano notes on agency that, "some of the acts of resistance committed by enslaved persons were taken on a whim, under rage, out of despair, or to make a statement, rather than to achieve concrete goals." Toledano, "Enslavement and Freedom": 118.

52 Schacht, *An Introduction to Islamic Law*: 127–28.

53 Ehud R. Toledano, "The Concept of Slavery in Ottoman and Other Muslim Societies: Dichotomy or Continuum," in *Slave Elites in the Middle East and Africa: A Comparative Study*, ed. Miura Toru and John Edward Philips (London: Kegan Paul International, 2000): 169.

> Under Islamic law, the male owner of a female slave enjoyed lawful sexual access to her (unless she was married to-another); any unmarried female slave of a male owner was thus by definition a potential concubine. The Muslim concubine, once she had borne a child, enjoyed a legally and socially enhanced position. [. . .] If her master wished to marry her, he had first to manumit her. An umm al-walad's children were free and enjoyed equal legal and social status with the children of their father's free wife.[54]

Umm al-walad was a designation referring to both the act of childbirth and the strong bond it created within the family unit. Female slaves, now mothers to the owner's offspring, became inseparable from the family unit.[55] In this sense, *Umm al-walads* were female slaves with unique experiences of agency, asymmetrical dependency, emotions, sexual abuse, attachment, family and mobility.[56] They could be freed upon the death of their slaveowners and the children they delivered were considered as free-born upon the paternity recognition *(nasab)* of the free-born father.[57] Schacht also highlights this point that the offspring of a female slave inherit their mother's status; but, the child of a concubine, acknowledged by the owner as his own, is free and possesses all the privileges of children born from a union with a free woman.[58] However, if a slave woman is married to a free man with her owner's consent, and she gives birth to a child, the offspring is regarded as the property of the owner,[59] and therefore not free.

Pernilla Myrne highlights even that:

> In legal terms, concubines had some advantages over free women. The law stipulated men could divorce their free wives easily—which meant that free women could be forced to move abruptly from their home and children—whereas men were not allowed to sell their concubines if they had given birth to their children (and if paternity was acknowledged).[60]

Cristina de la Puente also emphasises that "In the case of female slaves, it is known that their integration into host families was greater through concubinage and acquisition of the legal status of *umm al-walad,* which, of course, required acknowledgment of paternity by the owner."[61]

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54 Leslie Peirce, *The Imperial Harem: Women and Sovereignty in The Ottoman Empire* (Oxford: Oxford University Press, 1993): 30.

55 Yavuz Aykan, "On Freedom, Kinship, and the Market, Rethinking Property and Law in the Ottoman Slave System," *Quaderni Storici* 154 (2017): 15.

56 For more information, see Zilfi, *Women and Slavery.*

57 Aykan, "On Freedom": 15.

58 Schacht, *An Introduction to Islamic Law*: 127–28.

59 Madeline Zilfi, *Women and Slavery*: 111.

60 Pernilla Myrne, "A Jariya's Prospects in Abbasid Baghdad," in *Concubines and Courtesans: Women and Slavery in Islamic History*, ed. Matthew S. Gordon and Kathryn A. Hain (New York: Oxford University Press, 2017): 64.

61 Cristina de la Puente, "The Ethnic Status of Female Slaves in al-Andalus," in *Concubines and Courtesans: Women and Slavery in Islamic History*, ed. Matthew S. Gordon and Kathryn A. Hain (New York: Oxford University Press, 2017): 136

However, notwithstanding their special status, as noted by Yavuz Aykan, sometimes these women could be placed outside of the kinship system due totheir fragile and vulnerable place.[62] Madeline Zilfi pointed out that in some exceptional cases, even if the owner acknowledged paternity, they might still be sold or married off to someone else, leading to their departure from the household and separation from the child.[63] Therefore, it does not surprise that *umm al-walad*s (or their children) often had to adopt strategies to have their status recognised and gain access to the family's economic resources, inheritance and eventually manumission,[64] as the case of Nasta and her son shows.

In the year 1705/1706, a teenage boy *(emred)* named Ḥasan and his *umm al-walad* mother, Nasta from the village of Mirket,[65] filed a case in Bakhcisarai. Ḥasan filed a lawsuit against Halil Mirza ibn Mehmed, who had enslaved him. Through Ḥasan's narrative, we learn about Nasta's story.[66] Nasta's likely Russian or Ukrainian origin, stemming from her capture during Crimean Tatars' raids, is evident in the preservation of her name. The absence of a Muslim name implies that she maintained her non-Muslim identity and religion throughout her life.

Nasta had once been a slave girl *(memlûke-i mahsûsa)* under the ownership of the deceased Geni Hâtun, a female slaveholder. Before Geni's demise, Nasta was given as a gift to her husband Canoş by Geni Hâtun. In due course, she gave birth to a daughter, Bökçe, who Canoş acknowledged as his own, and then to a son, Ḥasan, who Canoş also recognised. Unfortunately, due to Geni's lack of awareness *(cehâletine binâen),* Ḥasan was mistakenly gifted to a certain Karmış by Geni Hâtun, ultimately being sold to Halil Mirza by Karmış for 130 *guruş*.[67] Ḥasan fervently appealed for his case to be examined, emphasising his inherent right to freedom as a son of *umm al-walad* Nasta and freeborn

62 Aykan, "On Freedom": 16. For instance, on December 19, 1666, residents of the Hoca Hayreddin quarter in Istanbul called for the removal of a man named Mehmed from the community. In court, the complainants provided testimony about Mehmed's inappropriate behaviour *(sû-i hâl),* which encompassed his repeated efforts to sell his *umm al-walad* named Sertab in the slave market. Due to this grave misconduct, coupled with charges of alcohol consumption and harassment of neighbours, the judge ordered Mehmed's eviction from the neighbourhood. Aykan also shows several samples from the seventeenth century Istanbul's qadi court registers where *umm al-walads* inherit money and property upon the death of their owners and in the case of the child's decease, they get the share of the child, too.

63 Zilfi, *Women and Slavery*: 112.

64 On offences and crimes against female slaves and those committed by female slaves, see: Hayri Gökşin Özkoray, "From Persecution to (Potential) Emancipation," *Hawwa* 17, no. 2–3 (2019): 257–80.

65 Crimean Court Register [Kırım Kadı Sicili], vol. 38, A.H. 1116–1117, A.D. 1704–1706: 11 b1

66 Turkana Allahverdiyeva, "Slave Voices Unveiled: Practices of Slavery, Dynamics of Agency and Asymmetrical Dependency in the Early Modern Crimean Khanate," in *Law and Religion in the Early Modern Period (Recht und Religion in der Frühen Neuzeit),* ed. Christoph Haar (Leiden: Brill/Paderborn: Ferdinand Schöningh, 2024): 118–20.

67 For currency used in the Crimean Khanate, see: Mehmet Arpacı, "Kırım Hanlığına Ait Yarlıklarda Geçen Para Birimleri Üzerine Bir Değerlendirme," *5. Yıldız Sosyal Bilimler Kongresi* (13–15 Aralık 2018): 773–85.

father Canoş. From Ḥasan's narrative, we understand that both Canoş and Geni Hâtun have passed away prior to the date of the record.

Nasta was living in the same household with Canoş and Sahibe Hâtun and when children Bökçe and Ḥasan were born, they were all living together. As it is emphasised in the court case, it seems Sahibe Hâtun was ignorant that the children should be considered free-born because of the father's free-born status. Since Nasta originally belonged to her and they were still living together, she also saw ownership on the children. Subsequently, she gifted Ḥasan as a child slave to Karmış which was a mistake that Ḥasan had to correct and fight in the court for his freedom.

In response to the qadi's inquiry for substantiating evidence, witnesses attested to Canoş's acknowledgment of Bökçe and Ḥasan as his legitimate children, thereby affirming their status as free individuals. The court, recognising Canoş as Ḥasan's biological father, a free-born man, decreed Ḥasan's freedom, absolving him from enslavement.

Another aspect to pay attention is that although Ḥasan filed the application to the court, his mother Nasta was present in the courtroom with him. This highlights her mobility, agency and resistance to the system that oppressed them and subjugated her son decreasing to slavery. With this kind mobility, Nasta and Ḥasan also confirmed the daughter Bökçe's free status by birth.

This case also highlights the vulnerability of subaltern individuals showing that although Nasta and her children were entitled to certain rights under the *Shariʿa*, law, their rights could be easily violated. A free-born child could be separated from an *umm al-walad* mother and be gifted as a slave child or sold to someone else. Still, although being a non-Muslim *umm al-walad,* Nasta was aware of her rights and her children's rights and actively took their fates into her hands.

4 Gendered Agency

The role of male slaves in shaping the family is different than that of the *umm al-walad*, and becomes evident through their active participation in various aspects of the family's economic endeavors. This included engaging in the family business, managing finances, participating in trade, and undertaking roles as artisans, gardeners, shepherds, or merchants, as the case of Gazanfer shows.[68]

In the year 1702/1703, Gazanfer, an enslaved man who was a shepherd working for Gülşah Bike, the wife of the deceased Kemal Bey from the Yaşdağ settlement, brought a case to court.[69] He accused a man named Odabaşı, known as Kassab, who was also

68 Veruschka Wagner, Zeynep Yeşim Gökçe, Zeynep Dörtok Abacı and Turkana Allahverdiyeva, "Transcending Boundaries: Rethinking Slave Agency in the Ottoman Empire Through Religious Conversion Practices," *Working Paper* 14, Bonn Center for Dependency and Slavery Studies (2024): 11–12.

69 Crimean Court Register [Kırım Kadı Sicili], vol. 36, A.H. 1113–1118, A.D. 1701–1706: 37.

present in the court, asserting that he had sold 21 sheep for 70 *akçe* each. According to Gazanfer, Kassab had only paid him 1000 *akçe,* leaving a debt of 470 *akçe*. Gazanfer requested the court to compel Kassab to settle the outstanding amount of 470 *akçe.* In response to the inquiry, Kassab confirmed the purchase of 21 sheep for 70 *akçe* each, acknowledged the payment of 1000 *akçe* to Gazanfer, and asserted that he had given the remaining 470 *akçe* to Gülşah Bike. The case dropped once it appeared that Kassab did not have to pay anything to Gazanfer or Gülşah Bike.

What insights can we glean from this case regarding male slaves and their role in the family structures within the Crimean Khanate? As argued by Saadia Yacoob, the intersection of multiple aspects, including gender, slavery and age, provides a more comprehensive understanding of a person's legal position in Islamic law.[70] In this regard, the case of Gazanfer suggests a different perspective on enslavement practices in the Crimean Khanate than the one of Nasta and her son Ḥasan. That is to say, Gazanfer as a slave of Gülşah Bike had duties for the household's commercial operations outside of the household. It is not difficult to imagine that, he enjoyed more agency, less dependency and a notable degree of mobility in comparison with a female and child slave.

Gazanfer engaged actively in daily societal and economic affairs, bought and sold property of his female owner Gülşah Bike on her behalf and did not hesitate to file a lawsuit for his owner's interests. The death of Gülşah Bike's husband necessitated a male figure to oversee financial activities outside the household, so Gülşah Bike entrusts Gazanfer with the management of her property, finances, and external household activities. This dynamic showcases a unique form of dependency that is more mutual than in other cases.[71]

It was a common practice integrating a male slave into the family life as artisans, merchants, shephers, gardeners, or farmers. Despite these activities happened outside of the household not inside, they nonetheless formed part of family life.[72] With a basic comparison between the enslavement experiences of male and female slaves, the aspects of 'gendered agency' becomes clear, such as different levels of mobility, networking, agency, daily activities and dependency.[73]

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70 Saadia Yacoob, *Beyond the Binary: Gender and Legal Personhood in Islamic Law* (Berkeley: University of California Press, 2024): 6–8.

71 This case has been built upon what Ehud Toledano had shown: "male slaves with special talents would often gain the confidence of their slaveholders or mistresses and be entrusted with various tasks in the household. They could manage finances for their owners, trade in his or her behalf and even rise to prominence in the Ottoman administration." Toledano, "The Concept of Slavery in Ottoman and Other Muslim Societies": 169.

72 Şahin Kılınç, "Kırım Hanlığında Köle Kaynak Noktaları, Istihdam Alanları ve Köle Azat Etme Yöntemleri," *Journal of International Eastern European Studies* 1, no. 2 (2019): 301.

73 Londa Schiebinger, *Secret Cures of Slaves: People, Plants, and Medicine in the Eighteenth-Century Atlantic World* (Redwood City: Stanford University Press, 2017): 147–66

Despite these gendered variations, male slaves played a pivotal role in the daily life of their owning families alongside with female slaves.[74]

5 Slavery, Gender and Knowledge

Another aspect that allows us to see the impact of gendered agency in family settings is knowledge circulation. Indeed, both male and female slaves held opportunities for acquiring knowledge, but based on their gender, they would acquire it through different channels.

The exchange of knowledge among slaves encapsulated acquiring knowledge in a large context, from learning local Crimean Tatar language to local customs, religion, *Shariʿa* court proceedings and slaves' rights. It is usually presumed that male slaves who were usually outside of the household had more access to this knowledge, but the reality could be more complex.

Occasionally, the circulation of information within family households exceeded that which occurred externally. This detail is significant because the majority of knowledge circulation available to female slaves occurs within the confines of the household.

Female slaves were substantially engaged in a rich environment of knowledge exchange and activities within the family structure including serving in the dining room, raising kids, cooking, cleaning, spending nights with their owners, and participating in communal tasks such as washing and attending the *hammam* with other women, thereby becoming attentive listeners, learners, and active contributors to daily conversations among women.[75]

Through household activities, female slaves acquired knowledge and information concerning their legal rights and court process. Before applying to the court, they had clear understanding how to navigate in the legal system, what the procedures were, the required number of witnesses, the court fee and under which circumstances they would be considered free and win the case.

This is shown by the case of another Nasta, who spent numerous years (at least ten years) in the household of Sahibe bint Mustafa, where she cared for and raised Sahibe's son, Cantimur.[76] When Nasta decided to seek her freedom, she did so with a considerable understanding of the legal process. Utilizing the knowledge, she had accumulated during her years of servitude, Nasta applied to the court with witnesses from neighbourhood, who testified that Sahibe had declared Nasta to be a free woman orally a decade prior, in an attempt to protect her from being seized by soldiers.

74 Şahin Kılınç, "Kırım Hanlığında Köle Kaynak Noktaları": 301–2.
75 Şahin Kılınç, "Kırım Hanlığında Köle Kaynak Noktaları": 301.
76 Crimean Court Register [Kırım Kadı Sicili], vol. 36, A.H. 1113–1118, A.D. 1701–1706: 50

Since Sahibe's oral declaration on freeing Nasta was overheard by the neighbours, Nasta could win the case and get her freedom. Nonetheless, it is astounding how much agency, networking, and mobility Nasta displayed by organising the neighbours (witnesses) and persuading them to accompany her to the court. Nasta had extensive knowledge in the processes involved in the legal system, and she was aware that she had little chance of winning the case before the court if she did not have witnesses.

The case study that Nasta provided gives support to our argument on the circulation of knowledge and the methods by which female slaves became familiar with this information. Their enslavement was not limited to the confines of the walls of their owning families; rather, it extended beyond those boundaries in order to obtain knowledge. Although their agency and movement were restricted, they did not hesitate to speak for their rights and freedom when they saw the opportunity to exit slavery. This was true despite the considerable obstacles they faced, such as being female slaves and being completely unfamiliar with the system and society. In the Crimean Khanate, the circulation of information inside household settings, particularly among female slaves, served as a platform for the exchange of information, the acquisition of knowledge, and the establishment of social networks that had an effect on the lives of the slaves employed there.

6 Conclusions

Despite the transcultural and inter-religious asymmetries, non-Muslim slaves integrated into familial settings and kinship relations with their slave-owners. This kind of integration raises interesting questions about their role in shaping family structures, their level of participation, daily life, networking, and adaptation based on their intersectional aspects, such as gender, age, ethnicity and conversion.

This chapter attempted to answer some of these questions looking at their individual unique enslavement experiences and lives. However, to come up with a more solid picture, there is still a need for further research in the light of more case studies for the time period.

Enslaved individuals—whether artisans, merchants, shepherds, or domestic servants—exhibited varying degrees of agency and dependency, that were also influenced by gender. Through an analysis of qadi court records, this study highlights the importance of knowledge circulation, the networks of agency among slaves, and the role of family structures as spaces for information exchange, learning, and social connectivity.

As Orlando Patterson argues, patron-client ties can be understood as 'fictive kinship,'[77] wherein power dynamics shift between enslavement and strategies for re-humanizing the enslaved. This concept raises compelling questions about the evolution of

77 Patterson, *Slavery and Social Death*: 63.

relationships between former slaves and their patrons after manumission.[78] Previous scholarship on the Ottoman Empire underscores that such dependencies did not dissolve with manumission but evolved into new forms. As Veruschka Wagner observes, "the relationship between former owners and slaves was maintained after manumission" and "merely a different kind of social, economic, or even emotional dependency developed. This kind of mutual dependency between slave owner and slave that continued after manumission can be described as patronage or as a bond of personal loyalty."[79] Similarly, Betül İpşirli Argıt emphasises that manumission marked not the end of the slave-owner relationship but its transformation into another form of dependency.[80]

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78 Patterson, *Slavery and Social Death*: 18.

79 Veruschka Wagner, "'Free Like Other Freeborn People' or Just Another Form of Dependency? Questioning the Situation of Manumitted Slaves in Early Modern Istanbul," *Working Paper* 6, Bonn Center for Dependency and Slavery Studies (2022): 1.

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2. Slaveries and Similar Dependencies

2.2. Regions and Epochs

Eurasia

Christoph Witzenrath. "Introduction," in *The Russian Empire, Slaving and Liberation, 1480–1725: Trans-Cultural Worldviews in Eurasia* (Berlin: De Gruyter, 2025): 1–22.

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Introduction

> Paradox! The most insular people in the world managed to establish the largest empire the world has ever seen. No, not paradox. Insularity, like empire-building, requires superb self-confidence, a conviction of one's moral superiority.
>
> Paul Scott, A Division of the Spoils (The Raj Quartet [1975] 1977: 106)

> Old pirates, yes, they rob I
> Sold I to the merchant ships
> Minutes after they took I
> From the bottomless pit
> [. . .]
> Cause all I ever have
> Redemption songs
>
> Bob Marley

This book re-examines the role of slavery and the reactions to it in the political language of the Muscovite Empire – a topic sorely neglected by scholarship. It aims to reconnect the extant sources to the context that once was so obvious to most observers there seemed no need to mention it. Historians have approached this subject from two directions: many, foremost among them non-specialists, overlooked or denied the focus of the Muscovite worldview on being the New Israel, preferring other sources, barely related to the state sphere, from a teleological point of view of later imperial power. This interpretation originated during the heyday of imperial glory in the early nineteenth century, when Muscovite ideas might seem inglorious and even dangerous.[1] Others admit, even insist that Muscovite worldviews cannot be traced without focusing on New Israel imagery. However, these findings remain scarcely contextualised in politics and everyday life as semiotic, hagiographic, theological, or theatre studies, or again placed sub specie of later concerns, particularly theocracy.[2]

Recent debates about imperial ideologies have opened more questions than could be answered. One strand stresses the pragmatic character of imperial power, operating as it does mainly in discrete, often re-negotiated deals and reserving ideological discretion to the imperial centre which was configured in secular terms. These historians shifted attention from imperial expansion to more intricate questions of accommodating difference and sustaining order and cohesion in the imperial space. The predominant religion grounds imperial imagery and enjoys certain privileges over other creeds, especially those deemed heretical; however, toleration of the religions of subjected groups overrules those privileges. The focus on imperial repertoires and especially, on

1 See chapter 2 for a more detailed historiographical discussion of the Third Rome historiographical myth and Muscovite self-representation as New Israel.

2 For the latter: N.I. Efimov, *Rus' – novyi Izrail': Teokraticheskaia ideologiia svoezemnago pravoslaviia v do-Petrovskoi pis'mennosti* (Kazan' and Urzhum, 1912).

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intermediaries as those who performed them rather than on ideologies, is at the core of Frederick Cooper's and Jane Burbank's account of empire.[3] Even though they and others in this strand of the discussion include imperial imaginary in their notion of empire, they tend to downplay its import in day-to-day governance and the lives of subjects. This current of historiography suggests that empires are more about the humdrum business of governing and practices of accommodating difference in a narrow sense and a repertoire of practices beyond the discursive sphere in the broader sense of the meaning of imperial expediency. Ideas and flights of imagination are even regarded as perilous for imperial realism and its improvised policies – some would say that this is precisely the reason they decay and break down.[4]

Recent debate highlighted a second strand in imperial historiography which put forward a different perspective: empires appear as durable political formations that neither experience perpetual decline nor continually anticipate their end. Instead, this perspective appreciates imperial durability over millennia and asks what may explain it. It is doubtful that ad hoc practices that do not connect or cohere into a system can sustain complex polities over a long period. All empires, despite the purported continuity of their structures, underwent a series of ruptures and transformed themselves. Some of the questions raised may seem ambitious for this study of an early but formative period; however, they can be adapted to its needs: what could provide a vector of transformations and an opportunity for the renewal – or, in the case of the subject of this study, original installation – of imperial politics? Some comparative studies claim that without a mission there is no empire, and that therefore no account of a long-lived empire can omit discussing it.[5] Moreover, the expansionist dynamism and resilience of the Russian Empire in crisis cannot be explained without giving imperial ideology its due.[6]

Within this approach, Kumar insists that imperial missions are always universalist, a quality that has often been attributed to the Muscovite Empire. However, such a broad generalization was clearly not contemporary but a teleology ('Third Rome') expanded in the nineteenth century without an adequate basis in the sources.[7] There are

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3 An early and defining start was made by A. Kappeler, *The Russian Empire: A Multiethnic History* (Harlow and New York, 2001 [German: 1992]). J. Burbank and F. Cooper, *Empires in World History: Power and the Politics of Difference* (Princeton NJ, 2010); K. Barkey, *Empire of Difference: The Ottomans in Comparative Perspective* (Cambridge, 2009); N.S. Kollmann, *The Russian Empire 1450–1801* (Oxford, 2017).

4 P.M. Judson, *The Habsburg Empire: A New History* (Cambridge MA, 2016); A. Semyonov, 'How Five Empires Shaped the World and How this Process Shaped those Empires', *Ab Imperio,* 4 (2017), pp. 27–51, here p. 45.

5 K. Kumar, *Visions of Empire: How Five Imperial Regimes Shaped the World* (Princeton NJ, 2017), p. 385.

6 Semyonov, 'How Five Empires Shaped the World and How this Process Shaped those Empires', here pp. 43–46.

7 D. Rowland, 'Moscow – the Third Rome or the New Israel?', *Russian Review*, 55, 4 (1996), pp. 591–614. Researchers of the documents citing the 'Third Rome' now concede that it does not claim the imperial power of the former Roman Empire for Muscovy: D. Khunchukashvili, 'Die

surely many empires with universalist missions, but we should not expect these to dovetail neatly across centuries or even millennia.[8] Muscovy hardly aspired to universalism, which was a cause for concern even for Greek Orthodox clerics, at least some of whom expressed their wishes to be rescued by the Orthodox tsar as an ethnic and religious group from the Ottoman Empire. Muscovite diplomats spent much of their precious time rebuffing these attempts and those of papal diplomats to persuade the Muscovites to reclaim their supposed 'Byzantine heritage' by military means.[9] More to the point, the Muscovite worldview could be particularistic but inclusive: this study traces how the Muscovite Empire combined a particularistic mission of liberating and ransoming mainly Orthodox believers with a concern for empire and its non-Orthodox subjects.

As a concern that partly arose in the course of planning and writing large parts of this book, the Cluster of Excellence 'Beyond Slavery and Freedom' aims to break out of binary models: there is more than slave and free, a whole continuum of dependency.[10] It has been fundamental to the design of this study not to ask whether Muscovites were free or slaves, but rather to enquire how the attempts to improve the lots of captives, slaves, and their relatives spared and left in Muscovy during raids were reflected in official and unofficial visions of empire, and trace the symbolical means of these attempts and their implications. This Introduction will therefore provide a brief overview of the different forms of dependency that existed in interconnected areas of inner Eurasia as requisite background information.

It is instructive to cross-reference two little-connected debates, namely about slavery and empire. The late John Calder Miller sought to synthesize approaches to slavery throughout historical periods in a highly influential and well received account. In Miller's terms, Kumar's cases – except for the Roman Empire which abandoned its captive citizens – would qualify first of all as monarchies, rather than merely empires. This differentiation may at first appear not to fit the concerns of historians of empire. Nevertheless, it makes sense to focus on the role of slaves in a polity, an aspect often neglected in the historiography of empire. A development from an early, conquering empire to later, monarchical one fits both epistemes and introduces a new quality into the debate. The import in world history of conquerors – chiefly from the steppe – has

heiligen Städte als eschatologische Legitimationssymbole der Zarenmacht unter den Rjurikiden', in Diana Ordubadi and Dittmar Dahlmann, eds., *Die 'Alleinherrschaft' der russischen Zaren in der 'Zeit der Wirren' in transkultureller Perspektive* (Göttingen, 2021), pp. 129–158, here p. 145.

8 J.C. Miller, *The Problem of Slavery as History: A Global Approach* (New Haven CT, 2012).

9 N.S. Chaev, ''Moskva-tretii Rim' v politicheskoi praktike moskovskogo pravitel'stva XVI v.', *Istoricheskie zapiski*, 17 (1945), pp. 3–23; Rowland, 'Moscow – the Third Rome or the New Israel?', p. 595.

10 D. Eltis and S.L. Engerman, 'Dependence, Servility, and Coerced Labor in Time and Space', in D. Eltis and S.L. Engerman, eds., *The Cambridge World History of Slavery*, Vol. 3: *AD 1420–AD 1804* (Cambridge, 2011), pp. 1–21; C. Witzenrath, 'Introduction: Slavery in Medieval and Early Modern Eurasia: An Overview of the Russian and Ottoman Empires and Central Asia', in C. Witzenrath, ed., *Eurasian Slavery, Ransom and Abolition in World History, 1200–1860* (Farnham, Surrey, 2015), pp. 1–77.

been underrated in almost all historiography; only recently has it been highlighted by a growing number of studies.[11]

About 6,000 years ago,[12] when the new mounted nomadic lifestyle first expanded beyond the steppe, the empires often founded or supported by nomads were not interested in new subjects, whom they treated as expendable, cheap labour, but in further expansion and more spoils. At a later stage merchants began to extend credit to agricultural subjects and so created fast-growing numbers of debt dependents of their own. It took time until imperial elites and leaders in some cases reconsidered their relation to subjects who had become tax-exempt slaves of merchants. They restyled themselves redeemers of peasants, protecting them at no cost to themselves from creditors to salvage tax payments.[13]

Such a practice was inextricably linked to ideology, which found its expression in an entire field of terms in many world languages connecting debt, bondage, and ransom, among others in the Bible. Muscovites were particularly fond of drawing on these sources, as they found models fitting their situation almost perfectly; but they were far from the only ones to do so. This study will demonstrate that the role of the Muscovite state in redeeming its subjects from slavery formed the basis of the fundamental transcultural worldview of the empire. It sets out to challenge the assumption, still prevalent in historiography, that Moscow only developed a coherent imperial worldview under Peter I, even though the multi-faith empire dated back as far as the conquest of Kazan.[14]

Only sub-Saharan Africa surpassed Eurasia as a source of slaves during the sixteenth and seventeenth centuries. An estimated one to 2.5 million people were captured, mainly from the steppe, in the trans-Ottoman slave raids to meet the demand created in the common economic space of the Ottoman Empire and its neighbours from the 1470s to the late seventeenth century, when Ottoman expansion waned.[15] Periodic destructions and the constant drain of manpower made the capacity to stem the flow the inescapable rationale for any power which sought to establish itself in Eastern Europe. Muscovy employed ideological motifs similar to those of European powers who had to deal with slave raids on a much smaller scale. However, the fact that the main systems

11 I.B. Neumann and E. Wigen, *The Steppe Tradition in International Relations: Russians, Turks and European State Building 4000 BCE–2018 CE* (Cambridge, 2018), Introduction.

12 For a more recent timeline, starting 4200 years ago, see Librado, Pablo, et al. "The Origins and Spread of Domestic Horses from the Western Eurasian Steppes". Nature 598, no. 7882 (2021): pp. 634–40.

13 Miller, *The Problem of Slavery as History*.

14 Kappeler, *The Russian Empire*.

15 For the concept of new regional studies focusing on mobility and transcending, but not abandoning, national boundaries and traditional regional limitations, see S. Conermann, A. Fuess and S. Rohdewald, eds., *Transottomanica: Osteuropäisch-osmanisch-persische Mobilitätsdynamiken: Perspektiven und Forschungsstand* (Göttingen, 2019). U. Freitag and A. v. Oppen, 'Translocality. An Approach to Connection and Transfer in Regional Studies', in: U. Freitag and A. v. Oppen (eds.), *Translocality – the Study of Globalising Phenomena from a Southern Perspective* (Leiden, 2010), pp. 1–21.

of slavery supported by European maritime empires were far away in the colonies facilitated the separation of the issue of slavery from debates about individual liberty.[16]

Russia could not do this because slavery was a different issue for the Russian Empire. Firstly, Russia had its own brand of slavery. Secondly, despite some basic differences the system of serfdom, which grew throughout the seventeenth and eighteenth centuries, bore some of the hallmarks of slave systems. Furthermore, Eastern Orthodox Christians themselves were victims of slave raiders and traders to an extent, in a way that was unknown among the metropolitan inhabitants of maritime European colonial empires.[17] Balancing these seemingly incompatible needs was paramount for imperial cohesion, as serfdom was an essential ingredient.

This study will show that religious elements shared throughout the history of faiths and confessions were particularly important for imperial cohesion. It turned out to be more important to construct loyal subjecthood as the empire grew increasingly multi-ethnic and multifaith, and expanded into the steppe and further frontier zones without clear borders. One central concern was to include those who served the tsar regardless of their background, but to exclude slavers – at least those who did not serve the tsar.

Throughout, I shall present Muscovy as embedded within the wider region of Eurasia. This is a useful concept in which to explore the wider perspectives of trade connections and related forms of slaving. However, Eurasia remains an ambiguous word in terms of definite territorial boundaries: it may refer to almost the whole of the Old World, sometimes including even northern Africa. Most pertinent for the present study is the Eurasian heartland or inner Eurasia[18] circumscribed approximately by the subarctic tundra, the Stanovoy, Tien Shan, Altai and Caucasus mountain chains, the Black Sea and the western borderlands of Eastern Orthodoxy; although I will largely leave out the Habsburg and Ottoman Slavic lands.[19] This area is characterised by a common continental climate and, except for a few narrow outlets on the Black and Caspian Seas, mountain barriers thwarting moderate or even sub-tropic influences. Common bands of climatic zones extend from west to east, desert in the south, various forms of

16 There are now some accounts of how this issue returned with a vengeance and influenced the movement to abolish the slave trade, for example during the struggle of publicists between partisans of the New England rebels and British rule: C.L. Brown, *Moral Capital. Foundations of British Abolitionism* (Chapel Hill, 2006). The underlying forces structuring the transatlantic slave trade shaped ideas of difference, race, commerce, and kinship: J.L. Morgan, *Reckoning with Slavery: Gender, Kinship, and Capitalism in the Early Black Atlantic* (Durham NC, 2021), p. 3.

17 L. Colley, *Captives: Britain, Empire and the World, 1600–1850* (London, 2002).

18 D. Ostrowski, 'The End of Muscovy: The Case for ca. 1800', *Slavic Review*, 69, 2 (2010), pp. 426–438; D. Christian, *A History of Russia, Central Asia and Mongolia*, vol. 1 (Oxford and Malden MA, 1998), p. xxi.

19 G. Dávid and P. Fodor, eds., *Ransom Slavery along the Ottoman Borders: Early Fifteenth – Early Eighteenth Centuries* (Leiden, 2007).

steppe grasslands, wooded steppe, deciduous forest, taiga and tundra in the arctic.[20] However, the history of slavery describes phenomena which, for most of the historical record, were entangled with trade and cannot be properly studied without the trade corridors that link inner Eurasia with China, Persia, India, the Ottoman Empire and Europe.

The predominance of continuities across the so-called Petrine divide has been demonstrated recently in various ways.[21] By referring to Muscovy as the Russian Empire in its title, this book highlights this continuity and questions the self-assured expectation that Muscovy did not matter after Peter. Nevertheless, in my Conclusion I will raise the question to which extent it is correct to speak of discontinuity with respect to the imperial world view, and its likely starting point.

This study focuses on worldviews; however, it aims to embed them in social history as a necessary background and interaction. Practices are related to ideas because they exist only with reference to patterns of the mind, while ideas can survive without any link to designated practices. Nevertheless, in most cases ideas that do not engender practices remain obscure. I will briefly introduce slaving in western Eurasia in order to provide a practical context for the Muscovite worldview. Chapter one skims recent approaches to empire and slaving for cues on how worldviews link both fields. It seeks to explain how liberation could become an ideology of empire in an area and period otherwise renown for enserfment. To this end it reformulates the recent and widely discussed proposal of the no-slaving zone, adding the concept of a counter dependency zone which accounts for enserfment. It will also be of interest for those studying empire on how recent advances in slavery studies might benefit this field. Chapter two delves into the nitty gritty details of how the ideology of liberation from slavery appeared in Muscovy, and how it was first formulated. It will mainly follow and analyse the narrative of an exceptional and widely admired source to demonstrate the focus on slavery in contemporary views of a defining event: the conquest of Kazan. This is a necessary limitation as this focus has been ignored or downplayed in topical studies so far. Moreover, the identification of Muscovy with the New Israel, widely acknowledged in recent studies, will be grounded in perceptions of slaving. Chapters three and four widen the circle by drawing on further chronicles, laws, murals, icons, hagiography, maps, as well as sources pertaining to ritual and theatre. These sources are scrutinized to establish the extent to which Muscovite worldviews were limited to a narrow elite in and around the Kremlin, or whether these views can be documented within the wider population. Some of the sources examined are among the most pervasive, giving access to widely shared beliefs and views in a period characterized far beyond Muscovy by a paucity of sources on the worldviews of ordinary, mainly illiterate

20 Kollmann, *The Russian Empire 1450–1801*, pp. 21–28.

21 Ostrowski, 'The End of Muscovy'. Recent introductions and overviews of the Muscovite period: Kollmann, *The Russian Empire 1450–1801*; M. Perrie, ed., *Cambridge History of Russia*, vol. 1: *From Early Rus' to 1689* (Cambridge, 2006); V.A. Kivelson and R.G. Suny, *Russia's Empires* (New York and Oxford, 2017).

men and especially women: some theatrical performances took over the streets, some of the saints are among the most revered and cross-kissing was the core ritual of confirming loyalty and subjecthood. These chapters explore how notions of salvation combined with the culture of liberation to exalt the image of the tsar. Chapter five studies the petitions and interviews recorded in Moscow chancelleries of returned former slaves and captives to explore notions of loyalty and competition for them in trans-Ottoman theatres of labour and service relations. They are placed near the end because many concepts resonating in them will have been established in the earlier chapters. Elite and common worldviews tend to be more connected than even those who aim to separate or reform them are aware, even though the forms taken by such connections may be complex and intricate. The last chapter goes beyond the views of Orthodox people to scrutinize relations of loyalty in the multi-faith empire. How could the culture of liberation and the counter-dependency zone contribute to mend relations between the tsar and the Orthodox and Tatar or other ethnic and confessional servicemen?

Slaving, ransom, and serfdom in western inner Eurasia, 1470s–1700s

Muscovy and the steppe

By the sixteenth century the neighbours of the Eurasian heartland south of the great mountain chains became 'gunpowder empires', stabilizing Islamic power after its previous decline in the fourteenth to sixteenth centuries.[22] Their armies, or those of their allies in the steppe and on the Atlantic seaboard, the Turkmens, Tatars, and Maghreb corsair states, carried off infidel captives on a grand scale from India to Eastern Europe, from the Sahara to the Balkans and from Newfoundland to Central Asia.[23] A Crimean Tatar army sacked Moscow outside the Kremlin walls in 1571, and 'harvested' up to 150,000 captives. They burned the suburbs of Moscow again in 1592, while Muscovite forces were busy fighting the Swedes. In the first half of the sixteenth century alone, Muscovy experienced forty-three major Crimean and Nogai attacks. Incursions intensified during the Time of Troubles in the early seventeenth century and the 1630s. More importantly, smaller armies led by members of the Girei dynasty or local dignitaries carried out annual stealth raids; hard to track on the steppe and sometimes financed by credit extended by Ottoman merchants, they took the majority of captives. The

22 The following is a condensed and updated version of Witzenrath. 'Introduction: Slavery in Medieval and Early Modern Eurasia'.

23 B.G. Williams, *The Crimean Tatars: The Diaspora Experience and the Forging of a Nation* (Leiden, 2001), pp. 49–51; R. Hellie, 'Slavery', in P.W. Goetz, R. MacHenry, J.E. Safra and D. Hoiberg, eds., *The New Encyclopaedia Britannica* vol. 27 (Chicago and London, 1993), pp. 288–300; H. İnalcık, ed., *An Economic and Social History of the Ottoman Empire* (Cambridge, 1997), pp. 284–285.

khan was often politically too weak to curb them. Even the larger attacks aimed more at raiding villages and capturing slaves than at crushing armed forces.[24] Still, many Tatars on the Crimean Peninsula lived as settled agriculturalists and were very reluctant to answer even the khan's call to arms.[25]

These advances of Islamic armies obscured structural flaws: newly conquered Christians and Hindus often refused to convert,[26] which increased pressures to rely on administrative and military slaves. Amongst others, Europeans shifted the balance of power in the Mediterranean further in their own favour; Ethiopia regained the upper hand in the late sixteenth century.[27] Muscovy relied on semi-independent Tatar retainers from the late fourteenth century onwards, and annexed the Tatar khanates of Kazan, Astrakhan and Sibir in the second half of the sixteenth century.[28] Cossacks from a variety of cultural and regional backgrounds who adopted sold boys or married local girls settled on Islamic frontiers while Tatars under Russian rule could no longer own Christian slaves after 1628.[29] Oirat Mongols adhering to Buddhism migrated westwards from 1608, displacing Muslim Tatars as far as the lower Volga while also raiding for, and selling, slaves.[30] From the seventeenth century onwards, discontent with slavery surfaced in gunpowder empires attempting to centralize power. Slavery was stagnant during the eighteenth century, as Muslim gunpowder empires lost their technological and cultural edge to Christian powers.

Serfs, slave raids, and border regime

Serfs and slaves are in many regards different, if linked, categories, and what serfdom exactly entailed has been questioned in recent studies, shedding new light on this old question. About half of the peasant population was still not owned by landlords in the eighteenth century; serfs regionally preponderated only in the mixed forest areas around Moscow and in the black soil areas closer to the steppe.[31] Many

24 B.L. Davies, *Warfare, State and Society on the Black Sea Steppe, 1500–1700* (London, 2007), pp. 17–22; V.E. Vozgrin, *Istoriia krymskikh tatar: Ocherki ėtnicheskoi istorii korennogo naseleniia Kryma*, vol. 1 (Simferopol', 2013), pp. 440–454.

25 Vozgrin, *Istoriia krymskikh tatar*.

26 M. Hodgson, *The Venture of Islam*, vol. 2 (Chicago and London, 1974), pp. 59–133.

27 S.C. Levi, 'Hindus beyond the Hindu-Kush: Indians in the Central Asian Slave Trade', *Journal of the Royal Asiatic Society*, 12, 3 (2002), pp. 277–288.

28 Kappeler, *The Russian Empire*; D.G. Ostrowski, *Muscovy and the Mongols: Cross-Cultural Influences on the Steppe Frontier, 1304–1589* (Cambridge, 1998).

29 R. Hellie, *Slavery in Russia, 1450–1725* (Chicago, 1982), pp. 73–74.

30 P.B. Golden, *An Introduction to the History of the Turkic Peoples: Ethnogenesis and State Formation in Medieval and Early Modern Eurasia and the Middle East* (Wiesbaden, 1992), p. 327; Levi. 'Hindus beyond the Hindu-Kush: Indians in the Central Asian Slave Trade', p. 279.

31 Overview: Kollmann, *The Russian Empire 1450–1801*, pp. 362–363.

hold that serfdom was close to or like slavery.[32] Others emphasize that, for the peasants, it was a way of living in climatic conditions severely limiting the fertile period. The harvest was often threatened by fluctuations in temperature, humidity and other factors the extent of which would have been minor in more moderate zones. The landowner's obligation to dispense aid in periods of famine provided a buffer against such effects. Sometimes peasants more easily accepted labour obligations for the owner of the estate than monetary contributions, since the former did not depend on climatic vagaries and the vicissitudes of the market, which was volatile due to climatic conditions and harvests.[33] Slaves were either raided or traded, while serfs were bound to the ground or the landowner and the community, but in Russia became increasingly tradable in the eighteenth century.

Recent studies of individual local estates looked closely at rights and obligations. Especially along the newly settled steppe frontier, they found harsh and restrictive conditions characterized by cooperation between the heads of households and the landowner to prevent over-exploitation of locally scarce resources such as wood.[34] The rebellions that included a serf element mostly erupted along the steppe frontier, but they were led by militarized cossacks and attracted non-Orthodox locals. However, complaints about serf flight came mainly from the owners of small estates. Their peasants fled to larger estates, monasteries, and even to the frontier and to the cossacks, where they found better conditions. This tells about the pressure on small landowners whose small and dwindling workforce increasingly struggled to provide for them during their frequent campaigns.[35]

Serfs on at least some of the larger estates were ruled by distinct, localized sets of administrative practices, property rights, judicial structures and customary norms to extract rents while peasants were flexibly allowed to engage in markets.[36] The limitations of this model of governance were on a different plane: they arose at the boundaries between these separate estate microcosms. Serfs could not rely little on institutions that spanned the whole of Russia, or considerable parts of it beyond the estate on which they lived and the landholder's office in the capital as a central authority. Imperial administration was run on a shoestring, occupying a poor third

32 P. Kolchin, *Unfree Labor: American Slavery and Russian Serfdom* (Cambridge MA, 1987).

33 R. Hellie, *Enserfment and Military Change in Muscovy* (Chicago, 1971); D. Moon, *The Russian Peasantry, 1600–1930: The World the Peasants Made* (London and New York, 1999); D. Khitrov, 'Tributary Labour in the Russian Empire in the Eighteenth Century: Factors in Development', *International Review of Social History*, 61, S24 (2016), pp. 49–70. On climatic conditions, see Kollmann, *The Russian Empire 1450–1801*, pp. 25–28.

34 S.L. Hoch, *Serfdom and Social Control in Nineteenth Century Russia: Petrovskoe a Village in Tambov* (Ann Arbor, 1983).

35 Hellie, *Enserfment and Military Change in Muscovy*.

36 E.K. Wirtschafter, *Russia's Age of Serfdom 1649–1861* (Malden MA, 2008), pp. 97–98; M.P. Romaniello, *The Elusive Empire: Kazan and the Creation of Russia, 1552–1671* (Madison WI, 2012). Cf. Kolchin, *Unfree Labor*, p. 41, 399 n. 74.

place after the military and concerns about stabilizing the tax base.[37] Peasant economic potential was both stabilized by serfdom and constrained by its limited range of influence.[38] However, many actually lived outside the estate in towns, while still paying their dues to the landowner.[39] In the Muscovite period at least, there were few middle-ranging institutions available to peasants beyond the reach of the estate; however, most peasants still lived in conditions of subsistence. The actual influence of the only overarching set of institutions – the tsar and the chancelleries – depended heavily on their local allies and therefore on the local balance of power.[40] This balance was partly determined by the power of landowners and heads of community to send peasants to Siberia, to the army or, from 1721 on, even to sell them.

Such a view of serfdom is upheld by a comparative overview of forms of the new serfdom in Central and Eastern Europe. It looks at the causes and degrees to which peasants lost their initial privileges and freedoms, which they were granted upon settlement both in Russia and in the West. The underlying factor that influenced the degree of loss was how recently settlement had begun or intensified before the state penetrated the countryside, taxing people directly or, as in serfdom, through the landowner. The ability of peasants to stabilize their agency depended on how securely intermediate agents, such as the church, monasteries, bailiffs, independent courts of minor rulers or towns and others, were established and how many diverse agents were available for interaction.[41]

Due to their close historical ties, serfdom and slave raiding contribute to understanding Russian history in its Eurasian setting. Serfdom as a form of bondage limiting mobility was introduced incrementally since the devastating Livonian War starting in 1558, when the tsar's forces relied on local servitors who petitioned to tie down their peasants. However, in the longer term, increasing opportunities for settlement in the more fertile and milder southern areas on the steppe frontier contributed to the growth of serfdom. These areas gradually became available for settlement as fortification secured them against incursions from the steppe, which had earlier impeded agriculture.

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37 P.B. Brown, 'How Muscovy Governed: Seventeenth-Century Russian Central Administration', *Russian History*, 36, 4 (2009), pp. 459–529; Kollmann, *The Russian Empire 1450–1801*; B.L. Davies, 'The Politics of Give and Take: Kormlenie as Service Remuneration and Generalized Exchange 1488–1726', in A.M. Kleimola and G.D. Lenhoff, eds., *Culture and Identity in Muscovy, 1359–1584* (Moscow, 1997), pp. 39–67.

38 T. Dennison, *The Institutional Framework of Russian Serfdom* (Cambridge, 2011).

39 D. Brower and S. Layton, 'Liberation through Captivity', *Kritika*, 6, 2 (2005), pp. 259–279.

40 V.A. Kivelson, *Autocracy in the Provinces: The Muscovite Gentry and Political Culture in the Seventeenth Century* (Stanford CA, 1996); C. Witzenrath, *Cossacks and the Russian Empire, 1598–1725: Manipulation, Rebellion and Expansion into Siberia* (London and New York, 2007).

41 C. Schmidt, *Leibeigenschaft im Ostseeraum: Versuch einer Typologie* (Köln, 1997); P. Freedman and M. Bourin, eds., *Forms of Servitude in Northern and Central Europe* (Turnhout, 2005). On interagency, see chapter 5.

Lack of suitable implements for tilling the heavy, rich ground was a second limiting factor, which delayed full settlement until the eighteenth century.[42] For both strategic and economic reasons, as the next chapters will show, the tsar and the chancelleries were interested in stabilizing the frontier and legalized military settlement, which attracted many from among the enserfed peasantries. However, commitment in the interior depended on landlords for the same reason affected by loss of labour. While hardly anybody questioned the benefit of fewer raids from the steppe, the lower and middling service ranks clamoured about the loss of peasants to the 'strong people' – the boyars and monasteries whose estates were larger and therefore allowed their owners to be more lenient towards peasants.[43]

For the tsar, the dilemma was marked by the loss of agricultural labour for their military servicemen, dependable retainers at grassroots level. A slow evolution of countermeasures mainly based on state intervention and rule enforcement took until the mid-seventeenth century to somewhat reduce peasant flight. Under such conditions, border fortifications were intended not only to stop slave raids, but also to control in- and out-migration and to attract peasant migration. Moreover, border governors had instructions to pursue returning slaves fleeing the custody of slave traders. The traders brought the slaves closer to their homes and former master, the tsar. To do so, they often had paid for manumission of the slave or even pledged their own relatives as collateral to the slave's master. Such a transposition of dependency from slave master to tsar via the intermediary merchant was obstructed if the debtor and former slave fled to eschew repayment. It was in the interest of the tsar and the elite to keep this channel open.[44] However, neither peasants nor returning slaves could completely be stopped from uncontrolled moving in one direction or the other.

Fixing the ransom price was riddled with many uncertainties. Since Tatar captors brought captives to places hundreds of miles from home, they had few means of knowing captives' resources and social status to determine a proper ransom rate. The captor had the power over the captive's body, but little or no knowledge about

42 The lack of a suitable plough allowing to cut through the heavy soil and grassroots clods of the steppe: B.J. Boeck, 'Containment vs. Colonization: Muscovite Approaches to Settling the Steppe', in N.B. Breyfogle, A.M. Schrader and W. Sunderland, eds., *Peopling the Russian Periphery: Borderland Colonization in Eurasian History* (London, 2007), pp. 41–60; W. Sunderland, *Taming the Wild Field: Colonization and Empire on the Russian Steppe* (Ithaca NY, 2004), pp. 55–95. I am grateful to Donald Ostrowski for bringing this to my attention.

43 R. Hellie, 'The Economy, Trade and Serfdom', in M. Perrie, ed., *Cambridge History of Russia*, vol. 1: *From Early Rus' to 1689* (Cambridge, 2006), pp. 539–558, here p. 548; N.A. Gorskaia, *Krest'ianstvo v periody rannego i razvitogo feodalizma*, vol. 2 (Moskva, 1990), pp. 379–380; P. Smirnov, *Chelobitnaia dvorian i detei boiarskikh vsekh gorodov v pervoi polovine 17 veka* (Moskva, 1915), pp. 10, 38–41, 44.

44 H. Hecker, 'Die Christenpflicht als Rechtsnorm. Der Loskauf der Gefangenen im Uloženie von 1649', in U. Halbach, ed., *Geschichte Altrusslands in der Begriffswelt ihrer Quellen: Festschrift zum 70. Geburtstag von Günter Stökl* (Wiesbaden, 1986), pp. 154–163.

them. On the one hand, the problem was overcome by the regularity of these cases – Russian envoys might receive blanket authorization to pay, as in the 1680s Crimea, 120 rubles for members of the service class, 80 rubles for male peasants and 60 rubles for women.[45] On the other hand, if captors and intermediaries suspected that captives hid their true status to either avert final sale overseas with moot chances to return, or alternatively downplay their value in case of high status, they might use torture to overcome this lack of knowledge. A good strategy for captives trying to avoid sale to the Ottoman Empire was to promise double the going price for slaves on the market.[46]

Michael Khodarkovsky has attributed imperial Russia's low level of urbanization to the drain on the labour force due to the raids and resulting expenses for tribute, ransom and fortifications.[47] This factor in Russia's slow development needs to be discounted for the newly founded, if small, towns in the south that ignited urbanization in areas formerly devoid of settled population. Earlier than in Ukraine and the Caucasus, fortifications curtailed slave raids in Muscovy by the second half of the seventeenth century. The resulting reallocation of resources increased the demand for labour at the frontier but constrained large-scale urbanization intermittently since the 1570s and more incisively since the 1630s. This further reduced the number of mid-range agents available to peasants, such as poor, unemployed jurists. In fifteenth-century Italy and France, redundant and migrant lawyers offered their services to peasants who faced challenges from landlords seeking to increase tributes, improving peasant interagency and their access to courts of law.[48] In Russia, there was a long-standing shortage of jurists because universities, which had first been projected under tsar Boris Godunov in the late sixteenth century, were in fact established only from the eighteenth century onwards, due to the economic exigencies of the Time of Troubles, steppe fortifications building and general warfare. Clearly, Muscovy was neither Europe nor the Ottoman Empire: 2–3% of the population could read

45 B. J. Boeck, 'Identity as Commodity: Tournaments of Value in the Tatar Ransom Business', *Russian History*, 35, 3–4 (2008), pp. 259–266, at 260. The 1649 law code stipulated for nobles and gentry 20 rubles per 133 acres, but a lower rate of 5 rubles if they were not caught in combat or during official assignments, 40 rubles for Moscow musketeers, 25 rubles for other musketeers and cossacks, 20 rubles for townsmen, 15 rubles for peasants and 'boiar's people' (*kholopy*). R. Hellie (ed.), *The Muscovite Law Code (Ulozhenie) of 1649*, vol. 1 (Irvine, CA, 1988), p. 18.

46 Ibid.; M. Broniewski, 'Opisanie Kryma (Tartariae Descriptio)', *Zapiski Odesskogo obshchestva istorii i drevnostei*, 6 (1867), pp. 333–367, at 363. On market prices: Z. Güneş-Yağcı, 'The Black Sea Slave Trade According to the Istanbul Port Customs Register, 1606–1607', in C. Witzenrath, ed., *Eurasian Slavery, Ransom and Abolition in World History, 1200–1860* (Farnham, Surrey, 2015), pp. 207–220.

47 M. Khodarkovsky, *Russia's Steppe Frontier: The Making of a Colonial Empire, 1500–1800* (Bloomington IN, 2002), p. 21.

48 Overview of the literature: Witzenrath, *Cossacks and the Russian Empire, 1598–1725*, pp. 73–74, nn. 93, 95.

and write, according to inconclusive studies of literacy even in the capital. However, the fact that of the cossacks in the eastern Siberian trade hub of Irkutsk at least eleven per cent had highly functional literacy – a measure for the level of literacy that remains impossible to prove for all European countries – is just one example of the interconnected island conditions that accounted for higher levels of education within some groups and localities.[49]

Slavery and Islam in Eurasia

As Islam came to be the dominant religion in one of the world's most developed and culturally advanced regions, the Middle East, Central Asia and the Mediterranean, it inherited whole sets of institutions and customs. They were not always easily compatible with what had taken root in the mind of Mohammed in an impoverished peninsula inhabited by herdsmen and some townspeople. Connected to civilization but remote in the desert, early Muslims combined an ancient local identity with a universal, monotheistic truth to create a momentum that kept them both apart from and connected to the cultures they conquered.[50] In these regions and beyond, one of the main institutions of the ancient world, slavery, proliferated and soon obtained its own, specifically Muslim flavour, understood here as a cultural vector rather than a purely religious one. The tensions inherent in the cultural adaptation of nomads to the remnants of antiquity lived on and may still be discerned in various forms in early modern Muslim perspectives on slavery.[51] There is consequently no one Muslim take on slavery: the various schools of religious law, laws promulgated by Muslim rulers, the locally strong admixtures of customs or regional, pre-Islamic laws and the diverse Sufi orders as well as individual Islamic scholars, all contributed to a rich and variegated patchwork of views. The tensions created by these overlapping texts, practices and customs could be exploited by slaves to some degree; therefore, the study of Islamic slavery presupposes a great deal of attention to details of law.[52]

There is no creed in history that can be singled out for slavery and the trade in slaves.[53] However, there were factors that set apart certain areas and periods in terms

49 *Rukuprikladstvo* included a text of between one line and up to a paragraph which was changed according to several parameters in each signature: C. Witzenrath, 'Literacy and Orality in the Eurasian Frontier: Imperial Culture and Space in Seventeenth-Century Siberia and Russia', *The Slavonic and East European Review*, 1 (2009), pp. 53–77.

50 Cf. R. Brunschvig, ''Abd', in P. Bearman et al., eds., *Encyclopedia of Islam* (Leiden, 1960), pp. 24–40.

51 Cf. P. Crone, *Slaves on Horses: The Evolution of the Islamic Polity* (Cambridge and New York, 1980), pp. 18–26.

52 E. Toledano, *As if Silent and Absent: Bonds of Enslavement in the Islamic Middle East* (New Haven CT, 2007), p. 16; W.G. Clarence-Smith, *Islam and the Abolition of Slavery* (London, 2006).

53 J. Jomier, *Pour connaître l'Islam* (Paris, 1988), p. 102.

of the demand for slaves. Commerce, exchanges and wars in the Middle East, Central Asia and the Mediterranean between the early modern gunpowder empires and with expanding European powers generated a growing intake of involuntary labour. These factors are partly related to religion, partly to the establishment – or the survival – of a military regime, or to commercial and administrative competition that induced the elite to augment its economic potential by taking on human resources hitherto unrelated to their extended households, enterprises or the state.[54] Religion as part of the epistemological framework of culture and of institutions was basic to the definition of slavery, and for embedding in law and its practice.[55] Some ostensible believers also treated slaves as recruitment material for the cause of Islam. Nevertheless, Islam from early on called for the humane treatment of slaves.

Scholarly debate has centred on whether Muslim slavery was, as has often been claimed, 'milder' than the chattel slavery suffered by many Africans in the New World. Such claims are doubly dubious against the backdrop of recent and continuing enslavement in remote areas and sexual slavery in the modern world, and because of the more methodically bottom-up perspective of the latest scholarship on the early and middle periods of Ottoman history. Students of Islamic slavery are now less prepared to accept the good-treatment thesis created as a defensive concept by the late Ottoman elite in the face of Western abolitionists.[56]

Marshall Hodgson has put forward the paradox that an egalitarian and socially mobile society seemed to require slaves to balance those who had quickly risen to the top.[57] While this contention remains insufficiently explored, a sensible hypothesis is that, in Islam, slavery had a special edge because of its very egalitarian ideals and high social mobility. However, the military successes of strictly monotheistic egalitarianism brought about the creation of dominant social groups who expected political influence. Such broad enfranchised groups before long refused to serve in the military. Before industrialization, the only other source of military power for the sultan were slaves brought in from abroad.[58] Moreover, Islam quickly adapted to the social proviso of irrigated agriculture requiring a large workforce. Consequently the ubiquity of slave labour, drawn mostly from captives of wars or bought abroad,

54 E. Toledano, 'Enslavement in the Ottoman Empire in the Early Modern Period', in D. Eltis and S.L. Engerman, eds., *The Cambridge World History of Slavery*, vol. 3: *AD 1420–AD 1804* (Cambridge, 2011), pp. 25–46.

55 S. Peabody, 'Slavery, Freedom, and the Law in the Atlantic World', in D. Eltis and S.L. Engerman, eds., *The Cambridge World History of Slavery*, vol. 3: *AD 1420 – AD 1804* (Cambridge, 2011), pp. 594–630, here p. 609.

56 Toledano, *As if Silent and Absent*, p. 17.

57 M. Hodgson, *The Venture of Islam*, vol. 2: *The Expansion of Islam in the Middle Periods* (Chicago, 1974), p. 355.

58 On exploring the relations between egalitarianism and slavery, see Clarence-Smith, *Islam and the Abolition of Slavery*, p. 19.

was a response to the inadmissibility of serfdom and forced labour by Muslims and subservient infidels.[59]

After the initial wave of conquests, rulers were no longer able to rely politically and militarily on Arabic tribes and the faithful who retreated to asceticism and local concerns; so they found a new pool of recruits in slaves. Elite slavery became a menace to public life, taking over political power in many places; concubines posed a parallel threat in the private sphere.[60] By the same token, however, slavery itself contributed to upward social mobility – characteristics that set Muslim societies apart from the social rigidities of European medieval social estates.

The definition of slavery was straightforward, except for the areas in which customary law was strong, which created numerous complex and conflicting gradations of slavery. According to the holy law of Islam, the sharia, slaves were chattels which could be resold, akin in many respects to livestock. However, unlike livestock they possessed certain cautiously marked-out rights, as their humanity was incontestable.[61]

The clear legal definition obscures a perplexing variety of social roles which obscures the scholar's view and puts obstacles in way of solidarity between those under the sway of slavery.[62] Rulers became dependent on household and military slaves and on eunuchs and concubines to such a degree that slaves sometimes seized power.[63] Singing-girls could become influential at court, and a concubine who bore a son to a mighty man wielded immense power, especially as a widow. The early seventeenth-century Ottoman Empire was even dubbed the 'sultanate of the women', many having originally come from Inner Eurasia as slaves.[64] Some female slaves successfully sued for mistreatment, especially if they were sold while pregnant.[65]

Early Ottoman court practice seriously undermined the sharia norms of family life. From the late fourteenth century, sultans restricted the succession to sons of concubines, who were permitted to have only one male child. After that, a concubine devoted her life to conspiring in favour of the boy, whose probable destiny was death at the hands of a rival, frequently a half-brother. If her son succeeded,

59 Ibid. Cf. chapter 1.

60 P. Crone and M. Cook, *Hagarism: The Making of the Islamic World* (Cambridge, 1977), p. 148.

61 Clarence-Smith, *Islam and the Abolition of Slavery*, p. 2; Brunschvig, ''Abd'.

62 Toledano, *As if Silent and Absent*.

63 T. Miura and J.E. Philips, *Slave Elites in the Middle East and Africa: A Comparative Study* (London, 2000).

64 E. Toledano, *Slavery and Abolition in the Ottoman Middle East* (Seattle, 1998), p. 44. On Roxelane/Hürrem L.P. Peirce, *Empress of the East: How a European Slave Girl Became Queen of the Ottoman Empire* (New York, 2017).

65 L. Kurtynova-D'Herlugnan, *The Tsar's Abolitionists: The Slave Trade in the Caucasus and its Suppression* (Leiden, 2010), pp. 42–43; Toledano, *Slavery and Abolition in the Ottoman Middle East*, pp. 59–67.

she might become the veritable ruler of the empire. From the mid-fifteenth century, sultans even ceased to contract lawful marriages. The dynasty thereby dissociated itself from the masses of the believers and the powerful Turkic clans, controlling access to the throne as well as guaranteeing succession.

The harem system of the Ottoman court was extreme in comparison with other elite households. By having sexual relations with a handful of chosen women, a master denied a family life to many surplus concubines and in effect condemned them to a system of imprisonment, together with their female slaves.[66] Recent studies have revealed that concubinage was far from the ideal of good treatment in the intimacy of home, family or household depicted in late Ottoman defences of slavery and much of Western literature; these newer studies tend to privilege the view from within and bottom-up perspectives of the enslaved, yielding rather harsh pictures of realities in slavery.[67] The inclination to stay, especially among female slaves, has questionable value as an argument for the 'good treatment' hypothesis, as decisions were influenced by the 'horrors of the return journey', which were worse for non-military captives and those who could pay less.[68] Moreover, females in many societies were socialized to obey men unquestioningly and their reproductive capacity yielded new personal bonds in the receiving society – factors that tended to make them stay but are not connected to treatment. Finally, focusing on reproduction underestimates the productive work left to female slaves mainly by free women enjoying more leisure; gender segregation in Muslim society meant that they needed female slaves, and free women may have lost more than men during abolition.[69]

Yet this was not the lot of the vast majority assigned to menial tasks or who ended up as 'cannon fodder'. The lives of ordinary soldiers were cruel, brutish and short.[70] Slavery was also common on small and medium-sized landholdings, in Central Asian irrigation, in mining, transport, public works, proto-industry and large-scale construction.[71] Turkmen raiders made their slaves 'watch the flock, prepare the food, make felts and weave carpets'.[72] Singing-girls were prostitutes and courtesans. Sexual continence was imposed on abandoned sexual partners in harems, while their female attendants

66 A.E. Elbashir, *The United States, Slavery and the Slave Trade in the Nile Valley* (Lanham MD, 1983), p. 127; N. Gervaise, *An Historical Description of the Kingdom of Macasar in the East Indies* (Farnborough, 1971), pp. 83–85; C.-L. de Montesquieu and P. Vernière, *Lettres persanes* (Paris, 1960), p. 241.

67 J. Spaulding, 'Slavery, Land Tenure, and Social Class in the Northern Turkish Sudan', *International Journal of African Historical Studies*, 15, 1 (1982), pp. 1–20; Toledano, *Slavery and Abolition in the Ottoman Middle East*, pp. 14–19; Kurtynova-D'Herlugnan, *The Tsar's Abolitionists*, pp. 39–40.

68 Toledano, *As if Silent and Absent*, p. 43.

69 C.C. Robertson and M.A. Klein, eds., *Women and Slavery in Africa* (Madison, 1983), pp. 6, 8–9.

70 D. Pipes, *Slave Soldiers and Islam* (New Haven CT, 1981); Crone, *Slaves on Horses*.

71 Cf. Clarence-Smith, *Islam and the Abolition of Slavery*, p. 4.

72 D. Cumming, ed., *The Country of the Turkomans: An Anthology of Exploration from the Royal Geographical Society* (London, 1977), p. 68.

suffered celibacy and drudgery; bad treatment might become more severe if it issued from a jealous mistress.[73] Prostitution of slaves was plainly forbidden in 24:33 of the Qur'an, commenting on pre-Islamic Middle Eastern custom.[74] However, the legal fiction of short-term sales covered its practice in Ottoman lands and probably elsewhere.[75]

Generalizations about treatment are risky since reports by slaves have commonly been removed from the historical record. Islamic law banned the molestation of wards, but control of such rules was restricted because the household fell under the private sphere. Less formal sources convey both vigorous exhortations for good treatment and alternative modes of operation: One Hadith – from the body of tradition linked to the prophet Muhammad – approved of corporal punishment, and a widely quoted Arab saying stated that 'slaves are beaten with a stick'. The twelfth-century Baghdad theologian Abu al-Faraj ibn al-Jawzi suggested that 'it is incumbent upon a wife to suffer her husband's ill-treatment as a slave should'.[76]

While there are several reports about mild-mannered masters, and some slaves enjoyed contractual independence in specific areas of activity, these are offset by less agreeable treatment that included social marginalization through frequent resale. An observer in nineteenth-century Istanbul noted that 'slaves pass through the hands of ten or twenty masters, who make them lead the life of cab-horses, beat them at intervals, and at last sell them'.[77] Two centuries earlier, dry-worded petitions to the Moscow chancelleries recorded that some returnees had been frequently resold, sometimes decades after their initial capture, doing menial work.[78] According to Christian and therefore potentially biased witnesses, the Crimean Tatar khanate was hardly better in the treatment of its captives.[79] The *ulama* prohibited mutilating slaves or filing their teeth, threatening severe consequences for the owners and manumission for the slaves.[80] However, sixteenth-century Crimean Tatars reportedly branded slaves on the forehead and Barbary corsairs marked

73 Kurtynova-D'Herlugnan, *The Tsar's Abolitionists*, p. 39; L.P. Peirce, *The Imperial Harem: Women and Sovereignty in the Ottoman Empire* (New York, 1993), pp. 138, 141–142.

74 Brunschvig, ''Abd', p. 25.

75 Y.H. Erdem, *Slavery in the Ottoman Empire and its Demise, 1800–1909* (Basingstoke, 1996), pp. 34–35; J. Forsyth, *A History of the Peoples of Siberia: Russia's North Asian Colony 1581–1990* (Cambridge, 1992), pp. 67–68, 73.

76 Cited in Clarence-Smith, *Islam and the Abolition of Slavery*, p. 4. For a more detailed discussion of female slaves' treatment and rights, see Witzenrath, 'Introduction: Slavery in Medieval and Early Modern Eurasia'.

77 J. Hunwick and E.T. Powell, *The African Diaspora in the Mediterranean Lands of Islam* (Princeton NJ, 2002), p. 124.

78 For example, RGADA f. 210 (Razriad) d. 617, p. 5; ibid., d. 773, pp. 183, 185; ibid., d. 1194, p. 52; ibid., d. 1355, pp. 33, 34. Cf. Toledano. 'Enslavement in the Ottoman Empire in the Early Modern Period', pp. 37–38.

79 Broniewski, 'Opisanie Kryma (Tartariae Descriptio)', pp. 355–366, here p. 357.

80 Brunschvig, ''Abd', pp. 27, 31.

them on the soles of their feet; this may sometimes also have been done to recaptured runaways.[81] While these observations rely on single sources, the recent scholar of the Crimean Tatars, E.V. Vozgrin of St Petersburg, insists that the sources that might contain material on slaves held by the Crimean Tatars have not been studied. However, it is unlikely that they kept many slaves, since the structures of their economy did not allow it.[82]

Enslavement depended on vicious raids, harrowing forced marches, dismal sales of the disenfranchised and perilous maritime voyages. It may be all too appealing to define away the issue by hinting at the interested nature of nineteenth- or even seventeenth-century European denunciations. However, some generally open-minded Islamic sources and the few first-hand accounts of slaves essentially describe the same horrors encountered elsewhere. Always a good read, the seventeenth-century traveller and *homme des lettres* Evliya Çelebi shows emotional attachment to his slaves with whom he usually travelled, but he also captured some on an expedition. While in Crimea, he quotes an Arab proverb, 'Whosoever sells a man, cuts down a tree, or breaks a dam, is cursed by God in this world and in the next'.[83] From the Prophet's own slave taken from the defeated Jewish Qurayza tribe, Rahaina, who may have tried to poison her – according to the Qur'an – divinely inspired master, to the recently studied Ottoman slaves who sought their own ways out in multiple everyday acts of petty assertion and resistance, there is every indication that Islamic slavery, despite the apparently broader spectrum of occupations and roles, was recognizably related to parallel phenomena in other cultures.[84]

The ways in which Islam promoted, but also decelerated, the agency of slaves can be briefly outlined as follows. The foundations of slavery in the original texts were weak, leading to a permanent tension between religious belief and social reality. Based on this tension, any interpretation that stipulates a single Islamic point of view on slavery must be rejected. Slavery was the clearest negation of the socially egalitarian vision of the faith. As it was embarrassing to many of the faithful, bondage promoted debates and differing interpretations.[85]

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81 A. Fisher, 'Chattel Slavery in the Ottoman Empire', *Slavery and Abolition*, 1, 1 (1980), pp. 25–45.

82 Vozgrin, *Istoriia krymskikh tatar*, pp. 440–454. See also M. Ivanics, 'Enslavement, Slave Labour and Treatment of Captives in the Crimean Khanate', in G. Dávid and P. Fodor, eds., *Ransom Slavery Along the Ottoman Borders: Early Fifteenth – Early Eighteenth Centuries* (Leiden, 2007), pp. 193–220; L. Podhorodecki, *Chanat Krymski i jego stosunki z Polska w XV-XVIII w* (Warszawa, 1987), pp. 62–64; P.R. Magocsi, *A History of Ukraine: The Land and its Peoples* (Toronto, 2010), pp. 186–187.

83 See Z. Abrahamowicz, ed., *Ksiega podróży Ewliji Czelebiego* (Warszawa, 1969), p. 308, referring to Turkish slave traders in the Crimean town of Karasu. My thanks go to Thomas M. Prymak for making his unpublished article available to me. R. Dankoff, ed., *An Ottoman Traveller: Selections from the Book of Travels of Evliya Çelebi* (London, 2011), pp. 338–340.

84 Toledano, *As if Silent and Absent*.

85 Clarence-Smith, *Islam and the Abolition of Slavery*, p. 19.

Sultan's law initially exacerbated slavery but began to rein in the institution from the sixteenth century. Once confronted by the strong and popular Western challenge to slavery in the nineteenth century, responses were still ambivalent. Mystics and millenarians, for example, explosively increased rates of enslavement when they chose the way of the sword. However, subversive millenarians, who claimed the right to abolish the law and reshape society, might oppose slavery. Peaceful mystics also did much to integrate former slaves into Islam.

Overall, a perplexing paradox remains: Islam was precocious in regulating slavery and encouraging the faithful to engage in manumission, and yet Muslim conservatives generally lagged behind those of other faiths in approving complete emancipation.[86]

A Sunni Consensus

The Qur'an neither approved of nor clearly banned slavery. Muhammad banned anybody but himself from taking slaves in battle and sanctioned no other method of acquiring them. Together with admonishments to manumit slaves, this could have led to the death of the institution. However, one Hadith, a tradition attributed to the Prophet, called for slaves to resign themselves to their faith. Moreover, appeals for good treatment of slaves in the Qur'an and Hadith were double-edged swords, for they presupposed the existence of slavery.

The details of a compromise were worked out by Sunni *ulama* around 800,[87] and disseminated in the *umma*, the community of Muslim believers. They upheld human freedom as the norm, without exceptions for orphans, debtors or criminals. One mode of enslavement was by capture of unyielding infidels in holy war, while others could be born to a slave mother and inherit the status, unless she was the concubine of a master who acknowledged paternity. Owners who wanted to marry one of their own slaves had to free her. Converting to Islam did not automatically confer liberty; but manumitting slaves, especially Muslim ones, was a pious act, even a binding one to propitiate for certain sins. Finally, religious law prescribed humane treatment in fine detail.[88] Rulings on slavery then came to be interwoven with the fabric of the holy law, making up about a third of the text of the *Hidayah* code, an important late twelfth-century Hanafi legal commentary.[89]

86 Ibid., pp. 19–21.

87 I. Schneider, *Kinderverkauf und Schuldknechtschaft. Untersuchungen zur frühen Phase des islamischen Rechts*. Habilitation (Universität Köln, 1996), pp. 349–351.

88 Brunschvig, ''Abd'.

89 T.P. Hughes, *A Dictionary of Islam* (London, 1885), pp. 597–8; Hamilton, Charles and Standish G. Grady, *The Hedayah, or guide: a commentary on the Mussulman Laws* (London, 1870), p. xxxi.

Taking Infidels in Holy War

The Qur'an is silent on the ordinary believer taking slaves; nevertheless, seizing hard-bitten infidels in holy war came to be considered the most acceptable form of enslavement. While, according to many clerics, declaring holy war was the preserve of the caliph and justifications for taking slaves depended on it, there were many ways round these restrictions. The next stage in intensifying enslavement was to expand the category of the enslavable to the entire population of a conquered area. This allowed access to female slaves, which in turn opened the way to hereditary slavery and concubinage.[90]

From the ninth century on, jurists developed the concept of *Dar al-Harb*, the abode of war, which lay beyond the lands of the believers and whose inhabitants 'were all potential slaves'.[91] Moreover, as 'Abd al-'Aziz b. Ahmad al-Bukhari declared, slavery was a form of divine retribution for unbelief: 'Freedom is the attribute par excellence of a living being in a secular jurisdiction whereas slaves are in the category of the dead, for servitude is a vestige of obstinacy in refusing to believe in God, and this in the eyes of the law is death itself'.[92]

However, such religious sanctions did not prevail everywhere, as local custom might retain the upper hand: Chechen and Circassian clans in the Caucasus raided for slaves without religious sanction or leadership.[93] Mediterranean privateering, although it retained aspects of a contest between faiths, was also a business. It was rooted in economic relationships on, and sometimes even between, both sides of the Mediterranean. Joint slave raiding with infidels may have been the ultimate negation of the ideal of holy war, but it was common.[94] It was one of the mechanisms by which Russian tsars from Ivan IV onwards co-opted Muslim elites.[95]

There was a sophisticated body of Islamic jurisprudence regarding the treatment of slaves and well-established habits of persecuting religious outsiders, but the dissonance between theory and practice was plainly considerable. The extent of this disagreement increased directly proportionate to the distance from established religious centres such as Bukhara. Thus Khiva, without an established, politically powerful community of *ulama*, emerged as the hub of the Central Asian slave trade. The khanate's Uzbek ruling elite, who in the main owned and profited from oasis-irrigated cultivation, were the chief consumers of Persian and Indian slave labour.

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90 Clarence-Smith, *Islam and the Abolition of Slavery*, p. 27.

91 J. Hunwick, 'Black Africans in the Mediterranean World: Introduction to a Neglected Aspect of the African Diaspora', in E. Savage, ed., *The Human Commodity: Perspectives of the Trans-Saharan Slave Trade* (London, 1992), pp. 5–38, here p. 11.

92 Clarence-Smith, *Islam and the Abolition of Slavery*, p. 28.

93 R. Majerczak, 'Le mouridisme au Caucase', *Revue du Monde Musulman,* 20 (1912), pp. 162–241, here p. 197; Erdem, *Slavery in the Ottoman Empire and its Demise, 1800–1909*, p. 46.

94 Clarence-Smith, *Islam and the Abolition of Slavery*, pp. 29–31.

95 Witzenrath, *Cossacks and the Russian Empire, 1598–1725*, pp. 24–26; Ivanics, 'Enslavement, Slave Labour and Treatment of Captives in the Crimean Khanate', p. 198.

Yet the nomadic Turkmen tribes inhabiting the trans-Caspian steppe were, as raiders, the main suppliers of that labour.[96]

Although ransom is specifically recommended in 47:4 of the Qur'an, the founder of the Hanafi School forbade this practice; later jurists even prohibited exchanges of captives.[97] Nevertheless, capturing people for the main purpose of offering them for exchange or ransom was frequently practiced – for example, by the Crimean Tatars. Establishing the price that could maximally be paid by a given captive under conditions of scarcity of information about their social whereabouts often entailed a liberal degree of torture, so these captives may have gone through worse ordeals than many slaves in Muslim lands.[98] Summarizing the prospect of travelling the steppe to escape Ottoman slavery approximated – notwithstanding the far better conditions many experienced – a journey out of the frying pan into the fire.

To ease ransoming, some people offered special services. Well-developed informal connections existed well into the nineteenth century on the North Caucasus frontier between cossacks and the indigenous population, who developed close relationships by fostering each other's children. These connections helped trade and forays into the mountains, but they could also help raiders seeking human and other booty. Moreover, these intermediaries, who knew where to find an open door in a generally hostile environment, acted as negotiators in ransoming disputes. While cossacks usually handed over their own captives to their superiors, if they felt browbeaten and exploited by ransom demands they resorted to a widespread customary right, called *barimta* or *baranta*, which allowed the taking of booty to compensate for losses and faults. So even on this unruly frontier there were certain mechanisms that allowed crossing from one side to the other, whether as captive, as intermediary or as trader. Such institutions provided rules for the game of raiding, rather than stamping it out.[99]

Tribute, Acquisition and Adoption

Infidels not directly ruled by Muslims offered tribute in slaves when they had little else of value. The Ottomans and the Crimean Tatars imposed levies of children on vassal states, including Christian Georgia and the Circassians.[100] Infidels might

96 B.D. Hopkins, 'Race, Sex and Slavery: "Forced Labour" in Central Asia and Afghanistan in the Early Nineteenth Century', *Modern Asian Studies*, 42, 4 (2008), pp. 629–671, here pp. 645–646.

97 A.A. Elwahed, *Contribution à une théorie sociologique de l'esclavage: Étude des situations génératrices de l'esclavage avec app. sur l'esclavage de la femme et bibliographie crit* (Paris, 1931), p. 131; Hughes, *A Dictionary of Islam*, pp. 597–598.

98 Boeck, 'Identity as Commodity', pp. 259–266.

99 T.M. Barrett, *At the Edge of Empire: The Terek Cossacks and the North Caucasus Frontier, 1700–1860* (Boulder CO, 1999), pp. 158–162, 174–179.

100 B.D. Papoulia, *Ursprung und Wesen der "Knabenlese" im Osmanischen Reich* (München, 1963), pp. 10, 14, 17, 57–59; D.M. Lang, *The Last Years of the Georgian Monarchy, 1658–1832* (New York, 1957), p. 22.

enter servitude with Muslims under a private contract. Deserters such as those fleeing harsh conditions in Russia's army or volunteers aiming to rid themselves of their serf status through legal loopholes were among them. However, Muslim slaves also fled in the opposite direction, joining the autonomous and, later, privileged cossacks.[101]

Disapproving attitudes towards Muslim slave traders who suffered from a generally poor reputation reveal some uncertainty as to whether purchasing slaves was acceptable. However, there is some evidence to the contrary, which points to the ties between the steppe, the Caucasus and the Mediterranean world maintained by the slave trade. Such was, for example, the lofty reputation of vendors supplying soldiers in Mamluk Egypt:[102] 'Strong ties of affection and veneration' bound successful Turkic soldiers to the men who had sold them.[103]

Purchasing child slaves in order to adopt them was rare in Islam compared to other civilizations.[104] Any kind of adoption was prohibited by the Qur'an. Furthermore, it contained a clear prohibition on enslaving 'people of the book' or scriptuaries, which initially meant Jewish and Christian monotheists living peacefully under Muslim rule, who were required to pay special taxes.[105] However, one of the four prevalent sources of recruitment for the households of the Ottoman Empire was slavery. Since enslavement cut the social ties of the enslaved person, they could be reattached to a new social unit which would command their loyalties and thereby extend its social, political and economic capabilities and reach. This vertical flow of loyalty, patronage (*intisap*), was one of the basic resources of socio-politically complex urban elite families, which connected the empire's provinces among each other and with the court – for example, by sending out their trusted slaves. The first among these units was the Istanbul court, where *kul* – elite slaves – regularly ran government business.[106]

Conversion, Manumission and Slavery

In 47:4, the Qur'an commands manumission after war. Jurists found reasons to nullify God's seemingly clear instructions to free prisoners in times of peace. The catch-all concept of 'public interest', drawn from repeated commands in the Qur'an to promote good and forbid evil, meant that men should not be released to fight

101 Erdem, *Slavery in the Ottoman Empire and its Demise, 1800–1909*, p. 52; Brower and Layton. 'Liberation through Captivity', pp. 259–279.

102 D. Ayalon, *L'esclavage du Mamelouk*, vol. 1 (Jerusalem, 1951), pp. 1–4.

103 A. Wink, *Al-Hind: The Making of the Indo-Islamic World*, vol. 2 (Leiden, 2003), pp. 197–198.

104 O. Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge MA, 1982), p. 232.

105 For discussion of the *devşirme* as deviation from Islam, see Clarence-Smith, *Islam and the Abolition of Slavery*, pp. 36–39.

106 Toledano, 'Enslavement in the Ottoman Empire in the Early Modern Period', pp. 34–38.

again – an exegetical exercise that appears to mock the Qur'an.[107] From a practical perspective, the jurists feared that slaves would pretend to accept Islam to secure their release.[108] Piecemeal trans-imperial development led the Ottomans during the eighteenth century to treat their captives more and more as prisoners of war for exchange, alongside evolving European notions.[109]

A note on translations and transliteration

I have translated some terms situationally. Khan is the title of a legitimate supreme leader and Chinggisid dynast in Tatar. However, most of my sources are in Russian and they usually use the honorific title *tsar'* for khan. Until Ivan IV, the grand prince of Muscovy and the Mongol and Tatar tsars were easily told apart, but from his accession as tsar in 1547 onwards, there is some ambiguity. The full title used in the sources might help but would hold up the text flow. In many cases, translation as 'khan' is warranted, but in some, context is lost especially when characteristics of khan and tsar are contrasted. Moreover, the king of Israel and the Byzantine *basilios* translate as *tsar'*.

I have used the Library of Congress transliteration system throughout with some slight variations. Titles are spelled with lower-case initials, except where a specific person is indicated. Volitional (cossacks) and functional groups (musketeers, clerks, etc.) are also in lower case. For ease of reading, I have retained the more familiar English spellings for some common words (e.g. boyar, Kazan). Places of publication in footnotes are rendered in original spelling and transliteration.

107 Clarence-Smith, *Islam and the Abolition of Slavery*, pp. 25–26; Hughes, *A Dictionary of Islam*, pp. 597–598.

108 J.O. Hunwick, *Sharī'a in Songhay: The Replies of al-Maghīlī to the Questions of Askia al-Ḥājj Muḥammad* (Oxford, 1985), p. 123.

109 W. Smiley, *From Slaves to Prisoners of War: The Ottoman Empire, Russia and International Law* (Oxford, 2018).

2. Slaveries and Similar Dependencies

2.2. Regions and Epochs

Carolingian Empire

Matthias Becher. "Charlemagne and the *oppressio pauperum*," in *Norms of Dependency in Late Antique and Early Medieval Societies: Contextualising Roman Legal Terminology*, ed. Martin Schermaier, Julia Winnebeck and Matthias Becher (Berlin: De Gruyter, 2025): 213–230.

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Matthias Becher

Charlemagne and the *oppressio pauperum*

On Christmas Day in the year 800 in Rome, Charlemagne, king of the Franks and the Lombards, was declared emperor by the Romans and crowned by the Pope.[1] For contemporary annalists from the immediate vicinity of Charlemagne it was very important that he had adopted the *nomen* (name, title) of the emperor.[2] For them and probably for Charlemagne himself the new dignity posed new challenges. From their point of view a ruler had to fulfil the duties associated with his title, if he wished to hold this title (the *nomen*) properly. Otherwise he could be justifiably replaced by a new king or emperor. Modern scholars refer to this notion as nominalism or name-theory.[3] In this context the annals stressed the fact that Charlemagne ruled large sections of the erstwhile Roman Empire and therefore was the true successor of the ancient Caesars.[4] So, it was not enough to attain an office: It had to be filled with substance. Charlemagne had not merely to hold the title of emperor, he also had to rule like an emperor. In contemporary thinking, the emperor surpassed all Christian kings in prestige. As successor to the ancient Roman *imperatores*, he could even claim a position of ultimate

1 For Charlemagne in general see Rosamond McKitterick, *Charlemagne: The Formation of a European Identity* (Cambridge: Cambridge University Press, 2008); Johannes Fried, *Karl der Große: Gewalt und Glaube* (Munich: C.H. Beck, 2013); Stefan Weinfurter, *Karl der Große: Der heilige Barbar* (Munich: Piper, 2013); Matthias Becher, *Karl der Große*, 6th ed. (Munich: C.H. Beck, 2021), english Translation: *Charlemagne* (New Haven: Yale University Press, 2003); Janet L. Nelson, *King and Emperor: A New Life of Charlemagne* (London: Allen Lane, 2019).

2 Georg-Heinrich Pertz and Friedrich Kurze, eds., Annales regni Francorum et Annales qui dicuntur Einhardi, in *MGH SS rer. Germ.* 6 (Hannover: Hahn, 1895): s.a. 801, 112: *ablato patricii nomine imperator et augustus est appellatus*; Georg-Heinrich Pertz, ed., Annales Laureshamenses, in *MGH SS* 1 (Hannover: Hahn, 1826): s.a. 800, 38: *ideo iustum eis esse videbatur, ut ipse [Carolus rex] cum Dei adiutorio et universo christiano populo petente ipsum nomen [imperatoris] aberet*.

3 Cf. Heinrich Fichtenau, "Karl der Große und das Kaisertum," *Mitteilungen des Instituts für Österreichische Geschichtsforschung* 61 (1953): 259–61; Helmut Beumann, "Nomen imperatoris: Studien zur Kaiseridee Karls des Großen," in *Ideengeschichtliche Studien zu Einhard und anderen Geschichtsschreibern des früheren Mittelalters*, ed. Helmut Beumann (Darmstadt: Wissenschaftliche Buchgesellschaft, 1962): 80–114; Arno Borst, "Kaisertum und Nomentheorie im Jahre 800," in *Zum Kaisertum Karls des Großen*, ed. Gunther Wolf, Wege der Forschung 38 (Darmstadt: Wissenschaftliche Buchgesellschaft, 1972): 216–40; Thomas Ertl, "Byzantinischer Bilderstreit und fränkische Nomentheorie: Imperiales Handeln und dialektisches Denken im Vorfeld der Kaiserkrönung Karls des Großen," *Frühmittelalterliche Studien* 40 (2006): 13–42; Stefan Esders, "Übereinstimmung von Name und Sache: Der Kaisertitel Karls des Großen, die Lorscher Annalen und die römischen Grundlagen der fränkischen 'Nomen-Theorie'," in *Der Erste. Augustus und der Beginn einer neuen Epoche*, ed. Ernst Baltrusch and Christian Wendt (Darmstadt: Verlag Philipp von Zabern, 2016): 122–29.

4 Especially the Annales Laureshamenses (n. 2): s.a. 800: [. . .] *qui ipsam Romam tenebat, ubi semper Caesares sedere soliti erant, seu reliquas sedes quas ipse per Italiam seu Galliam nec non et Germaniam tenebat*.

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supremacy. He was regarded as the legislator par excellence; the emperors had also played a crucial role, especially within the church, from late antiquity onwards.[5] Since the time of Constantine the Great, ecumenical councils had taken place in the presence and with the decisive participation of the emperors, who saw themselves as rulers of the Christian world.

However, the conditions in Charlemagne's empire were very different from those faced by the ancient or even the Byzantine emperors. They had ruled their empires with the help of a comparatively intact and efficient administration; there had been trade and an advanced monetary system, and urban centres had been very important for the economy. The Frankish empire was quite different: north-western Europe had experienced an economic decline after the end of the Western Roman Empire. The ancient infrastructure had gradually disintegrated, the importance of urban centres declined, and the economy was dominated by agriculture and livestock farming.[6] The social structure reflected this.[7] However, the details are debated.

In the nineteenth century, scholars assumed that the majority of the population in the early Middle Ages was made up of free peasants, *liberi homines*.[8] They were regarded as the backbone of the Germanic peoples and thought to have played a central political role in the context of general assemblies. According to this view, the *liberi homines* were obliged to pay certain taxes and render certain services to the ruler alone – not to anyone else. Only over time, it was thought, did a dominant noble class emerge which gradually appropriated the land and the rights of free peasants and turned them into serfs. However, more recently researchers have suggested that early medieval societies were already dominated by noble landholders, while the free peasants only played a marginal role.[9] Now it is certainly correct to assume that the free

5 Cf. Hartmut Leppin et al., eds., *Kaisertum im ersten Jahrtausend: Wissenschaftlicher Begleitband zur Landesausstellung "Otto der Große und das Römische Reich: Kaisertum von der Antike zum Mittelalter"* (Regensburg: Schnell & Steiner, 2012).

6 Cf. Chris Wickham, "Rural Society in Carolingian Europe," in *The New Cambridge Medieval History: c. 700–c. 900*, vol. 2, ed. Rosamond McKitterick (Cambridge: Cambridge University Press, 1995): 510–37.

7 Cf. Régine Le Jan, *Famille et pouvoir dans le monde franc (VIIe–Xe siècle): Essai d'anthropologie sociale*, Histoire ancienne et médiévale 33 (Paris: Publications de la Sorbonne, 1995); Dominique Iogna-Prat et. al., eds., *Hiérarchie et stratification sociale dans l'Occident médiéval 400–1100*, Collection Haut Moyen Âge 6 (Turnhout: Brepols, 2008).

8 This view was best summarized by Heinrich Brunner, *Deutsche Rechtsgeschichte*, vol. 2, 2nd ed., ed. Claudius von Schwerin (Berlin: Duncker & Humblot, 1928): 269–328. For a fundamental critique of Brunner see Ernst-Wolfgang Böckenförde, *Die deutsche verfassungsgeschichtliche Forschung im 19. Jahrhundert: Zeitgebundene Fragestellungen und Leitbilder*, Schriften zur Verfassungsgeschichte 1 (Berlin: Duncker & Humblot, 1961): 198–202.

9 See for example the arguments exchanged between Heike Grahn-Hoek, *Die fränkische Oberschicht im 6. Jahrhundert: Studien zu ihrer rechtlichen und politischen Stellung*, Vorträge und Forschungen Sonderband 21 (Sigmaringen: Thorbecke, 1976) and Franz Irsigler, *Untersuchungen zur Geschichte des frühfränkischen Adels*, Rheinisches Archiv 70 (Bonn: Röhrscheid, 1969); see also Thomas Zotz, "Adel, Oberschicht, Freie: Zur Terminologie der frühmittelalterlichen Sozialgeschichte," *Zeitschrift für die Ge-*

peasants did not play as important a role politically as scholars used to think. But they were quite numerous and should therefore not be neglected. Charles West, for example, uses the term *liberi homines* and points out that this expression was a collective term for all those who were neither *servi* (roughly 'slaves') nor *coloni* (roughly 'serfs') nor *villani* (roughly 'villeins'), and whom the king regarded as direct subjects of his rule. He required them to pay taxes and render services, even when they had no special personal ties to him.[10] In any case, free peasants are mentioned again and again up to the Carolingian era and, significantly, at times when their freedom was in jeopardy and they were at risk of becoming dependent on a landholder.[11]

This was also due to the natural conditions with which agriculture had to cope at the time. The size of the harvest, and therefore the economic situation of each individual, depended heavily on the weather. Severe heat in summer, extreme cold in winter, storms or flooding could all lead to crop failure and famine.[12] During the reign of Charlemagne (768–814), rarely a year went by without a catastrophe of such magnitude that it was mentioned in the historiography of the time.[13] Their better overall situation meant that nobles were generally better able to cope with these crises. In addition, their estates were often spread throughout the empire,[14] so that they were less badly affected, as they seem to have been able to compensate for local crop failures with good harvests in other regions. They then sold the surplus to those in need at maximum prices. The *liberi homines*, by contrast, had to pay their regular dues to

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schichte des Oberrheins 125 (1977): 3–20; Matthias Becher, "'Herrschaft' im Übergang von der Spätantike zum Frühmittelalter: Von Rom zu den Franken," in *Von der Spätantike zum frühen Mittelalter: Kontinuitäten und Brüche, Konzeptionen und Befunde*, Vorträge und Forschungen 70, ed. Theo Kölzer and Rudolf Schieffer (Ostfildern: Thorbecke, 2009): 175–87.

10 Charles West, "Lordship in Ninth-Century Francia: The Case of Bishop Hincmar of Laon and His Followers," *Past and Present* 226 (2015): 24–26.

11 Cf. Eckhard Müller-Mertens, *Karl der Große, Ludwig der Fromme und die Freien: Wer waren die liberi homines der karolingischen Kapitularien (742/43–832)? Ein Beitrag zur Sozialgeschichte der Karolinger und Sozialpolitik des Frankenreiches*, Forschungen zur mittelalterlichen Geschichte 10 (Berlin: Akademie-Verlag, 1963); Johannes Schmitt, *Untersuchungen zu den Liberi Homines der Karolingerzeit*, Europäische Hochschulschriften 3, 83 (Frankfurt am Main: Peter Lang, 1977).

12 Fritz Curschmann, *Hungersnöte im Mittelalter: Ein Beitrag zur deutschen Wirtschaftsgeschichte des 8. bis 13. Jahrhunderts*, Leipziger Studien aus dem Gebiet der Geschichte 6, 1 (Leipzig: B.G. Teubner, 1900); Gerhard Schmitz, "Hunger und Wucher: Zur konziliaren Wahrnehmung gesellschaftlicher Wirklichkeit im 9. Jahrhundert," *Deutsches Archiv für Erforschung des Mittelalters* 70, no. 1 (2014): 121–42; Thomas Wozniak, *Naturereignisse im frühen Mittelalter. Das Zeugnis der Geschichtsschreibung vom 6. bis 11. Jahrhundert*, Europa im Mittelalter. Abhandlungen und Beiträge zur historischen Komparatistik 31 (Berlin: De Gruyter, 2020).

13 For an overview see Curschmann, *Hungersnöte* (n. 12): 89–93.

14 This is true for many monasteries and lay nobles. A well-known example was Eberhard of Friuli, the son-in-law of Louis the Pious, cf. Luigi Provero and Cristina La Rocca, "The Dead and Their Gifts: The Will of Eberhard, Count of Friuli, and His Wife Gisela, Daughter of Louis the Pious (863–864)," in *Rituals of Power: From Late Antiquity to the Early Middle Ages*, ed. Frans Theuws and Janet L. Nelson, Transformation of the Roman World 8 (Leiden: Brill, 2000): 225–80.

the king and other lords even in the event of bad harvests, and their livelihoods were then threatened. The greatest danger was the loss of their property to a creditor to whom they were indebted due to a bad harvest. In 792/93, i.e. even before Charlemagne's coronation as emperor, he banned this practice during a great famine which killed many and allegedly even led to cannibalism,[15] by setting maximum prices for grain.[16] To give another example: In 802, he offered his help to all those who sought his protection because of a famine.[17]

This provision was often repeated in the period that followed, and this has something to do with the new emperor's self-conception, which lead to what François Louis Ganshof called the 'imperial government programme'.[18] Its successful implementation was only possible with the support of the economic, political and social elite of the empire. We must therefore also examine their position. To conclude, this paper will ask how the members of the elite exploited their position, for example in the context of compulsory military service.

1 The New Emperor's Self-Conception

Of course, Charlemagne's coronation as emperor had no direct impact on these problems. But the title of emperor, with all its echoes of the old Roman Empire and its Christian connotations, changed the way he governed his empire. Charlemagne had to and wanted to live up to this ideal if his imperial dignity office was not to be merely an empty title. To put it very simply, until then his rule over Franks and Lombards had been based on personal ties. Now he had to adapt his concept of rule to his newly acquired emperorship.

This new conception was difficult to create. *Charlemagne* remained in Rome another four months after his coronation, without any activities that we know of. He probably wanted to find a solution to this problem. It is striking that almost no diplomas have survived from this period or the months that followed, which can only be interpreted as an indication of the emperor's uncertainty about his new role.[19] After his departure from Rome he travelled to Ravenna, another ancient capital of the

15 Annales Laureshamenses (n. 2): s.a. 793, 35; Annales Mosellani, ed. Johann M. Lappenberg, in *MGH SS* 16 (Hannover: Hahn, 1859): s.a. 793, 498.

16 Concilia aevi Karolini I, ed. Albert Werminghoff, in *MGH Conc.* 2, 1 (Hannover: Hahn, 1906): no. 19, c. 4, 166.

17 Capitularia regum Francorum I, ed. Alfred Boretius, in *MGH Capit*. 1 (Hannover: Hahn, 1883): no. 33, c. 30, 96–97.

18 See below n. 37.

19 Peter Classen, *Karl der Große, das Papsttum und Byzanz: Die Begründung des karolingischen Kaisertums*, Beiträge zur Geschichte und Quellenkunde des Mittelalters 9 (Sigmaringen: Thorbecke, 1985): 71–74.

Roman emperors. There he found documents he could use as models:[20] A diploma issued in Bologna at the end of May 801 is the first to show the new ruler's title: *Karolus serenissimus augustus a Deo coronatus magnus, pacificus imperator, Romanum gubernans Imperium, qui et per misericordiam Dei rex Francorum atque Langobardorum* ('Charles, most serene Augustus crowned by God, the great, peaceful emperor ruling the Roman empire').[21] Charlemagne had found a title that showed respect to the most important peoples of his empire without neglecting the Roman and thus universal character of his new office. Significantly, Charlemagne had imperial coins minted from the year 801 onwards.[22] Probably starting from October 803, his diplomas were issued bearing the ancient imperial signature legimus, and sealed with gold bulls after the Byzantine model.[23] Unfortunately, there is only one extant specimen made of lead, the reverse of which shows a city gate of Rome with the significant inscription Renovatio Rom(ani) Imperii.[24]

Einhard, the emperor's biographer and confidant in his last years, therefore begins his remarks on *Charlemagne*'s internal politics with the words: *post susceptum imperiale nomen* ('after he had taken the imperial title').[25] This referred to Charlemagne's legislative activity, which he intensified considerably after his coronation as emperor, without disregarding his decrees from before 800. But now a new, imperial, self-conception appeared in the justification of the legislation. It had probably been Alcuin, the Anglo-Saxon scholar at the emperor's court, who introduced these ideas. In a letter of dedication of 802 he claims, 'His imperial dignity, ordained by God, can be seen to have been exalted for nothing else but to direct and benefit the people; therefore power and wisdom are given to those chosen by God: Power to subdue the proud and protect the humble from the wicked; wisdom to teach and govern his subjects in pious devotion.'[26]

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20 Cf. Classen, *Karl* (n. 19): 73.

21 Die Urkunden Pippins, Karlmanns und Karls des Großen, ed. Engelbert Mühlbacher, in *MGH DD Karol.* 1 (Hannover: Hahn, 1906): no. 197 (29. Mai 801), 265–66.

22 Cf. Bernd Kluge, "Nomen imperatoris und Christiana Religio: Das Kaisertum Karls des Großen und Ludwigs des Frommen im Licht der numismatischen Quellen," in *799 – Kunst und Kultur der Karolingerzeit: Karl der Große und Papst Leo III. in Paderborn*, vol. 3, *Beiträge zum Katalog der Ausstellung Paderborn 1999*, ed. Christoph Stiegemann and Matthias Wemhoff (Mainz: Philipp von Zabern, 1999): 82–90.

23 Cf. Classen, *Karl* (n. 19): 81.

24 Percy E. Schramm, *Die deutschen Kaiser und Könige in Bildern ihrer Zeit 751–1152*, ed. Florentine Mütherich (Munich: Prestel, 1983): 38–39.

25 Einhard, Vita Karoli Magni, ed. Oswald Holder-Egger, in *MGH SS rer. Germ.* 25 (Hannover: Hahn, 1911): c. 29, 33; for Einhard see Steffen Patzold, *Ich und Karl der Große: Das Leben des Höflings Einhard* (Munich: Klett-Cotta, 2013).

26 Alkuin, Epistolae, ed. Ernst Dümmler, in *MGH Epp. sel.* 4 (Berlin: Weidmann, 1895): no. 257, 414: *Dum dignitas imperialis a Deo ordinata, ad nil aliud exaltata esse videtur, nisi populo praesse et prodesse: proinde datur a Deo electis potestas et sapientia: potestas, ut superbos opprimat, et defendat ab inprobis humiles; sapientia, ut regat et doceat pia sollicitudine subiectos*; cf. Monika Suchan, *Mahnen*

Charlemagne issued the so-called *Capitulare Italicum* ('Italian Decree') already in May 801, on his way back from Rome, in the old Lombard capital of Pavia. Two provisions in particular are noteworthy: First, he threatened all those who refused to perform military service with the full *heribannus*, i.e. a fine of sixty shillings (*solidi*), while all those who 'break the peace of the churches of God, of widows and orphans, and of the less powerful' had to pay the fine of the royal ban, also sixty shillings.[27] The emperor performed a balancing act here: on the one hand, his decree also penalized poorer people who presumably refused military service due to economic hardship, while on the other he created a provision to protect *pauperes* (the poor) and prosecute those who harassed them. By protecting churches and the poor, he sought to promote Christian moral concepts which had already been formulated in the Christian Late Roman Empire. But military order was just as important to Charlemagne: he subsequently threatened deserters with the death penalty, because he regarded the offence as lèse-majesté, again following the Late Roman conception of law.[28] Both provisions thus referred back to the Roman model, but at the same time also addressed the structural problems of the Carolingian Empire: the refusal of large sections of the population to perform military service, and efforts by the secular nobility in particular to increase their possessions at the expense of others. Both problems were interrelated, as will be discussed in what follows.

Next to historiography, such imperial decrees – or 'capitularies'– are probably our most important sources for the social history of the Carolingian period.[29] Large numbers have been transmitted from the Carolingian era. These decrees gained new

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und Regieren: Die Metapher des Hirten im früheren Mittelalter, Millennium-Studien 56 (Berlin: De Gruyter, 2015): 187–88.

27 Capitularia regum Francorum I (n. 17): no 98, c. 2, 205: *De haribanno. Si quis liber, contemta iussione nostra, caeteris in exercitum pergentibus, domi residere praesumpserit, plenum haribannum secundum legem Francorum, id est solidos sexaginta, sciat se debere componere. Similiter et pro contemtu singulorum capitulorum quae per nostrae regiae auctoritatis bannum promulgavimus, id est qui pacem ecclesiarum Dei, viduarum, orfanorum et pupillorum ac minus potentium inruperit, sexaginta solidorum multam exsolvat*; for the origins of the *haribanus cf.* Matthew Innes, *State and Society in the Early Middle Ages: The Middle Rhine Valley, 400–1000* (Cambridge: Cambridge University Press, 2000): 155–56.

28 Capitularia regum Francorum I (n. 17): no 98, c. 3, 205: *De desertoribus. Si quis adeo contumax aut superbus extiterit, ut, dimisso exercitu absque iussione vel licentia regis domum revertatur, et quod nos teudisca lingua dicimus herisliz fecerit, ipse ut reus maiestatis vitae periculum incurrat et res eius in fisco nostro societur.*

29 Cf. François L. Ganshof, *Was waren die Kapitularien?* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1961); Arnold Bühler, "'Capitularia Relecta': Studien zur Überlieferung der Kapitularien Karls des Großen und Ludwigs des Frommen," *Archiv für Diplomatik* 32, no. 1 (1986): 305–501; Hubert Mordek, *Studien zur fränkischen Herrschergesetzgebung: Aufsätze über Kapitularien und Kapitulariensammlungen ausgewählt zum 60. Geburtstag* (Frankfurt am Main: Peter Lang, 2000); Steffen Patzold, *Wie regierte Karl der Große? Listen und Politik in der frühen Karolingerzeit* (Cologne: Greven, 2020).

attention only recently, and a new edition is currently in preparation.[30] For a long time researchers focused mainly on narrative sources to gain a better understanding of the importance of political rituals in the Middle Ages.[31] Meanwhile research into what we would now call 'governance' was neglected.[32] The capitularies, however, provide insights into the plans and intentions of rulers at that time. But they should not be taken literally. We do not know to what extent they were actually put into practice. We must also bear in mind that the decrees of the Carolingians can only be fully understood in the context of the Christian values that were expected of a good ruler. These were recorded in contemporary mirrors of princes.[33]

2 The So-Called 'Imperial Government Programme'

After his return to the Frankish Kingdom, Charlemagne followed up on the provisions of Pavia. In 802, he attempted to translate his newfound imperial status into practical 'politics'. The Annals of Lorsch describe his activities as follows:

> In this year the lord Caesar Charles stayed quietly at the palace of Aachen with the Franks; there was no campaign. But mindful in his mercy of the poor people who lived in his realm and who could not enjoy their rights to the full he was unwilling to send out his poorer vassals from within the palace to do justice, on account of bribery, and rather chose from within his realm archbishops and other bishops and abbots, together with dukes and counts, who no longer had need to receive gifts to the prejudice of the innocent. These he sent throughout his whole realm, that they might do justice to the churches, the widows and orphans, the poor and the whole people.[34]

30 Cf. Gerhard Schmitz, "Kapitularien," in *Handbuch zur deutschen Rechtsgeschichte*, vol. 2, 2nd ed. (Berlin: Erich Schmidt Verlag, 2011): col. 1604–12; Michael Glatthaar, "Subjektiver und indirekter Stil in den Kapitularien Karls des Großen: Ein Beitrag zur Frage ihrer Entstehung," *Deutsches Archiv für Erforschung des Mittelalters* 70, no. 1 (2014): 1–42; for the new edition in general see https://capitularia.uni-koeln.de [accessed 15.03.2022].

31 See for example Gerd Althoff, *Inszenierte Herrschaft: Geschichtsschreibung und politisches Handeln im Mittelalter* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2003); Gerd Althoff, *Die Macht der Rituale: Symbolik und Herrschaft im Mittelalter*, 2nd ed. (Darmstadt: Wissenschaftliche Buchgesellschaft, 2013).

32 But see now Stefan Esders and Gunnar Folke Schuppert, *Mittelalterliches Regieren in der Moderne oder Modernes Regieren im Mittelalter?*, Schriften zur Governance-Forschung 27 (Baden-Baden: Nomos, 2015).

33 Cf. Britta Mischke, "Kapitularienrecht und Urkundenpraxis unter Kaiser Ludwig dem Frommen (814–840)" (PhD diss., University of Bonn, 2012, https://bonndoc.ulb.uni-bonn.de/xmlui/bitstream/handle/20.500.11811/5579/3157.pdf?sequence=1 [accessed 19.12.2023]: 181–83.

34 Annales Laureshamenses (n. 2): s.a. 802, 38–39: *Eo anno demoravit domnus Caesar Carolus apud Aquis palatium quietus cum Francis sine hoste; sed recordatus misericordiae suae de pauperibus, qui in regno suo erant et iustitias suas pleniter abere non poterant, noluit de infra palatio pauperiores vassos suos transmittere ad iustitias faciendum propter munera, sed elegit in regno suo archiepiscopos et reli-*

These royal envoys – called *missi dominici* – usually appeared in pairs of a cleric and a layman, and travelled once a year through a district made up of several counties and bishoprics, 'in order to act everywhere in a controlling and arbitrating manner in favour of the king'.[35] But their authority depended heavily on their rank and prestige, and so even before 802 they, just like the counts they were to control, belonged to the highest nobility. They could therefore not be bribed because of material need. But friendships and kinship naturally led to conflicts of interest between the official mandate of a king's messenger and his very personal objectives. Moreover, even close confidants of Charlemagne, such as Bishop Theodulf of Orléans, frequently found themselves confronted with gifts in this function, and by no means all *missi dominici* declined them.[36]

Charlemagne turned his attention resolutely to the internal conditions of his empire. At that time, he developed a kind of 'programme of imperial government', according to the eminent Belgian historian François Louis Ganshof.[37] One should perhaps be careful in using such anachronistic expressions, which is why Rosamond McKitterick called it more modestly an 'administrative capitulary for 802'.[38] Moreover, the emperor's plans and intentions can only be deduced from the capitularies he is-

quos episcopos et abbates cum ducibus et comitibus, qui iam opus non abebant super innocentes munera accipere, et ipsos misit per universum regnum suum, ut ecclesiis, viduis et orfanis et pauperibus et cuncto populo iustitiam facerent; translation: Nelson, *King and Emperor* (n. 1): 397.

35 Rudolf Schieffer, *Die Karolinger*, 5th ed., Urban-Taschenbücher 411 (Stuttgart: Kohlhammer, 2014): 95: 'um überall kontrollierend und schlichtend zugunsten des Königs zu wirken'; for the missi in general cf. Victor Krause, "Geschichte des Instituts der missi dominici," *Mitteilungen des Instituts für österreichische Geschichtsforschung* 11, no. 1 (1890): 193–300; Karl F. Werner, "Missus – Marchio – Comes: Entre l'administration centrale et l'administration locale de l'Empire carolingien," in *Histoire comparée de l'administration (IVe–XVIIIe siècles)*, ed. Werner Paravicini and Karl F. Werner, Beihefte der Francia 9 (Zürich: Artemis, 1980): 191–239; Jürgen Hannig, "Pauperiores vassi de infra palatio? Zur Entstehung der karolingischen Königsbotenorganisation," *Mitteilungen des Instituts für österreichische Geschichtsforschung* 91 (1983): 309–74; Shigeto Kikuchi, *Herrschaft, Delegation und Kommunikation in der Karolingerzeit: Untersuchungen zu den Missi dominici (751–888)*, in *MGH Hilfsmittel* 31, 1–2 (Wiesbaden: Harrassowitz, 2021).

36 Cf. Małgorzata Chudzikowska-Woloszyn, "The Anti-Corruption Manifesto of Theodulf of Orleans: A Contribution to a Discission about Literature of the Carolingian Era," *Echa Przeszłości* 12, no. 1 (2011): 15–31; Enimie Rouquette, "'Ius' et 'Iustitia': fondements et pratiques de la justice dans les poèmes de Théodulf d'Orléans," in *L'amour de la justice: de la Septante à Thomas d'Aquin*, ed. Anne-Isabelle Bouton-Touboulic, Scripta antiqua 103 (Pessac: Ausonius, 2017): 261–76.

37 François L. Ganshof, "Le programme de gouvernment impérial de Charlemagne," in *"Renovatio imperii": Atti della giornata internazionale di studi per il millenario, Ravenna 4–5 novembre 1961*, ed. Società di studi romagnoli (Faenza: Fratelli Lega, 1963): 63–96 (repr. François L. Ganshof, *The Carolingians and the Frankish Monarchy: Studies in Carolingian History*, trans. Janet Sondheimer [Ithaca: Cornell University Press, 1971]: 55–85); Thomas M. Buck, "'Capitularia imperatoria': Zur Kaisergesetzgebung Karls des Großen von 802," *Historisches Jahrbuch* 122, no. 1 (2002): 3–26.

38 McKitterick, *Charlemagne* (n. 1): 258.

sued at that time.[39] But one thing is certainly true: the newly acquired title was not just a mere formality in his eyes: it also changed the quality of his position in the empire. This is best illustrated by the fact that in 802, Charlemagne decreed that the entire population of the empire was to swear a general oath of fidelity. Until then, and presumably since 789, the people had sworn an oath of allegiance to the king.[40] Now every man, *omnis homo*, was to swear by the *nomen Cesaris*, by the title of emperor.[41]

To this end, Charlemagne completely redefined the meaning of loyalty to the emperor by extending it to almost all areas of everyday life.[42] This included ideas which, to our understanding, are not necessarily associated with it, but which were central to Charlemagne's reform efforts. For him, obeying God's commandments as well as protecting churches, widows, orphans and pilgrims was also part of loyalty, because the emperor, after God and his saints, was to be the protector and defender of the vulnerable.[43] This was a reference to the idea, developed in late antiquity, that a ruler was responsible for protecting the weak.[44] The oath of allegiance also for the first time made concrete demands on people: Respect for imperial property,[45] the duty to perform military service,[46] the proper administration of justice,[47] or simply compli-

39 Especially from the so-called "Capitulare missorum generale," in *Capitularia regum Francorum I* (n. 17): no. 33, 91–99; for the manuscripts cf. Steffen Patzold, "Normen im Buch: Überlegungen zu Geltungsansprüchen so genannter 'Kapitularien'," *Frühmittelalterliche Studien* 41, no. 1 (2007): 331–50.

40 Cf. André Holenstein, *Die Huldigung der Untertanen. Rechtskultur und Herrschaftsordnung (800–1800)*, Quellen und Forschungen zur Agrargeschichte 36 (Stuttgart: Fischer, 1991): 110–12; Matthias Becher, *Eid und Herrschaft: Untersuchungen zum Herrscherethos Karls des Großen*, Vorträge und Forschungen Sonderband 39 (Sigmaringen: Thorbecke, 1993): 79–85; and see more generally: Matthias Becher, "Omnes iurent! Karl der Große und der allgemeine Treueid," in *Charlemagne: Les temps, les espaces, les hommes: Construction et déconstruction d'un règne*, ed. Rolf Grosse and Michel Sot, Collection Haut Moyen Âge 34 (Turnhout: Brepols, 2018): 183–92; Stefan Esders, "Rechtliche Grundlagen frühmittelalterlicher Staatlichkeit: Der allgemeine Treueid," in *Der frühmittelalterliche Staat – Europäische Perspektiven*, Forschungen zur Geschichte des Mittelalters 16, ed. Walter Pohl and Veronika Wieser (Vienna: Österreichische Akademie der Wissenschaften, 2009): 423–32.

41 "Capitulare generale," in *Capitularia regum Francorum I* (n. 17): no. 33, c. 2, 92: *De fidelitate promittenda domno imperatori. Precepitque, ut omni homo in toto regno suo, sive ecclesiasticus sive laicus, unusquisque secundum votum et propositum suum, qui antea fidelitate sibi regis nomine promisissent, nunc ipsum promissum nominis cesaris faciat; et hii qui adhuc ipsum promissum non perficerunt omnes usque ad duodecimo aetatis annum similiter facerent.*

42 Cf. especially Becher, *Eid* (n. 40): 201–12; Fried, *Karl der Große* (n. 1): 522–23.

43 Capitularia regum Francorum I (n. 17): no. 33, c. 3 and 5, 92–93.

44 See in general Hans H. Anton, *Fürstenspiegel und Herrscherethos in der Karolingerzeit*, Bonner Historische Forschungen 32 (Bonn: Röhrscheid, 1968); Karl Ubl, "Carolingian Mirrors for Princes: Texts, Contents, Impact," in *A Critical Companion to the "Mirrors of Princes" Literature*, ed. Noëlle-Laetitia Perret and Stéphane Péquignot, Reading Medieval Sources 7 (Leiden: Brill, 2022): 74–107.

45 Capitularia regum Francorum I (n. 17): no. 33, c. 4, 92.

46 Capitularia regum Francorum I (n. 17): no. 33, c. 7, 93.

47 Capitularia regum Francorum I (n. 17): no. 33, c. 9, 93:

ance with imperial orders or payment of dues owed.[48] Some of these demands were related to Charlemagne's self-conception as a Christian ruler; others show how weak his authority was in enforcing his will in everyday life against persistent, foot-dragging resistance from his own officials. The latter belonged to the group of large landholders against whom Charlemagne's appeals and measures were directed. They were usually addressed as *potentes* (roughly 'the powerful').

3 The Role of the *potentes*

In their capacity as royal officials, these *potentes* were entitled to demand taxes and services from the *liberi homines* on behalf of the ruler.[49] Abuse of these powers was apparently very common. The emperor therefore demanded that his counts and their *centenarii* (subordinate officials with quasi-police and judicial powers) should see to it that their subjects respected justice and the law and under no circumstances oppressed the poor – *pauperes nequaquam oppriment*.[50] From then on, this phrase, or its variant *ut liberi homines pauperes a nullo iniuste opprimantur*, occurred again and again in the capitularies of Charlemagne and his successors.[51] As the emperor evidently regarded the *oppressio pauperum* as a fundamental problem of his empire, we must ask from whom the oppression specifically originated, and what forms it took.

The room for manoeuvre just mentioned was apparently of central importance here, as a provision from 802 clearly demonstrates: It states that everyone must obey the army's summons and that no count may dare to exempt those liable for service from joining the army due to kinship or flattering gifts.[52] Anyone with the power to exempt certain persons from compulsory service and thereby gain advantages for himself also had the power to force others *into* military service in order to achieve certain goals. This is evidenced above all by the responses to a survey conducted by the emperor in 811 after participation in military service had declined: Poor people reported that they had been evicted from their properties by bishops, abbots and

48 Capitularia regum Francorum I (n. 17): no. 33, c. 8, 93.

49 Cf. Hans K. Schulze, *Die Grafschaftsverfassung der Karolingerzeit in den Gebieten östlich des Rheins*, Schriften zur Verfassungsgeschichte 19 (Berlin: Duncker & Humblot, 1973); Michael Borgolte, *Geschichte der Grafschaften Alemanniens in fränkischer Zeit*, Vorträge und Forschungen Sonderband 31 (Sigmaringen: Thorbecke, 1984); Stuart R. Airlie, "The Aristocracy in the Service of the State in the Carolingian Period," in *Staat im Frühen Mittelalter*, ed. Walter Pohl et. al., Forschungen zur Geschichte des Mittelalters 11 (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 2006): 93–111.

50 Capitularia regum Francorum I (n. 17): no. 33, c. 25, 96.

51 Capitularia regum Francorum I (n. 17): no. 34, c. 12, 100; no. 35, c. 51, 104; no. 59, c. 9, 146; cf. Müller-Mertens, *Karl* (n. 11): 88.

52 Capitularia regum Francorum I (n. 17): no. 33, c. 7, 93: *Ut ostile bannum domni imperatori nemo pretermittere presumat, nullusque comis tam presumtiosum sit, ut nullum de his qui hostem facere debiti sunt exinde vel aliqua propinquitatis defensionem vel cuius muneris adolationem dimittere audeant.*

their *advocati* (roughly 'bailiffs'), and by counts and their *centenarii*.[53] Threats of repression were also reported if someone refused to give their property to a bishop, an abbot, an earl or a judge. These *potentes* would then look for opportunities to sentence such a recalcitrant person and repeatedly conscript him for military service until he was impoverished and had no choice but to hand over or sell his property. Others, who had already given up their properties, remained at home without suffering oppression by the powerful.[54] On the other hand, counts, but also bishops, abbots and abbesses, would make their *liberi homines* indispensable by giving them duties such as falconer or hunter, so that they had to stay at home.[55] According to other information, counts would take poorer men to war but send home those who had something to give.[56] So the emperor clearly saw the responsibility for the failure of military recruitment with his powerful officials: They used both their economic strength and their official power to appropriate the property of others and make them more dependent.

But the other side also had its say in this investigation. At the very beginning of the document, mention is made of people who disagreed with the assessment just outlined and who argued that the officials had no authority over their clerics or their *pagenses* (roughly 'dwellers in the countryside'), and that they were therefore not responsible for the abuses.[57] They put forward various arguments to this effect: Some seemed to think that not counts but only the *missi dominici* had the authority to demand troop recruitment. They also argued that there was a general lack of willingness to comply with the *bannus*.[58] Others claimed that they were in the service of Charle-

53 Capitularia regum Francorum I (n. 17): no. 73, c. 2, 165: *Quod pauperes se reclamant expoliatos esse de eorum proprietate; et hoc aequaliter clamant super episcopos et abbates et eorum advocatos et super comites et eorum centenarios.*

54 Capitularia regum Francorum I (n. 17): no. 73, c. 3, 165: *Dicunt etiam, quod quicumque proprium suum episcopo, abbati vel comiti aut iudici vel centenario dare noluerit, occasiones quaerunt super illum pauperem, quomodo eum condempnare possint et illum semper in hostem faciant ire, usque dum pauper factus volens nolens suum proprium tradat aut vendat; alii vero qui traditum habent absque ullius inquietudine domi resideant.*

55 Capitularia regum Francorum I (n. 17): no. 73, c. 4, 165: *Quod episcopi et abbates sive comites dimittunt eorum liberos homines ad casam in nomine ministerialium, similiter et abbatissae: hi sunt falconarii, venatores, telonearii, praepositi, decani et alii qui missos recipiunt et eorum sequentes*; cf. Stefan Esders, "Die *Capitula de expeditione Corsicana* Lothars I. vom Februar 825: Überlieferung, historischer Kontext, Textrekonstruktion und Rechtsinhalt," *Quellen und Forschungen aus italienischen Archiven und Bibliotheken* 98 (2018): 130.

56 Capitularia regum Francorum I (n. 17): no. 73, c. 5, 165: *Dicunt etiam alii, quod illos pauperiores constringant et in hostem ire faciant, et illos qui habent quod dare possint ad propria dimittunt.*

57 Capitularia regum Francorum I (n. 17): no. 73, c. 1, 164: *In primis discordantes sunt et dicunt, quod episcopi, abbates, et eorum advocati potestatem non habeant de eorum tonsis clericis et reliquis hominibus; similiter et comites de eorum pagensis non habeant potestatem.*

58 Capitularia regum Francorum I (n. 17): no. 73, c. 6, 165: *Dicunt ipsi comites, quod alii eorum pagenses non illis oboediant nec bannum domni imperatoris adimplere volunt, dicentes quod contra mis-*

magne's younger sons or other lords, and that they would go to war with them but not with the emperor's military contingent.[59] Or they claimed that they were under the command of another lord, one who they knew had stayed at home.[60]

These responses demonstrate above all the many overlaps of authority in the Carolingian realm, which the *liberi homines* could use to evade their obligations to a certain degree. Their scope for action, however, lay precisely in the fact that they were spared military service thanks to closer ties to a lord. In other words, both the *oppressio pauperum* and the ways in which the *pauperes liberi homines* evaded this *oppressio* resulted in an increasing dependency on a *senior*. At the same time, the emperor could no longer claim the privileges to which he was entitled, or simply no longer received them.

4 The Case of Compulsory Military Service

In this context, it is not surprising that in the capitularies he issued after 802, Charlemagne addressed himself in great detail to the problem of compulsory military service. In 807, he failed to raise an army in the area between the Seine and the Loire due to famine.[61] He therefore issued the so-called *Memoratorium de exercitu in Gallia occidentale praeparando* ('Memorandum on preparing an army in Western Gaul').[62] For the freemen, he stipulated that those who owned three to five *mansi* (a unit of land measurement) were to go to war like all *beneficiarii* (holders of a *beneficium*, land or favour conferred as remuneration). Owners of two *mansi* were to form pairs, with the more capable partner to join the army while the other was to equip him to do so. A similar rule applied to freemen who owned two and one *mansi* respectively. Owners of only one *mansus* were allowed to form groups of three, of whom the most dispensable man was to be equipped by the other two and join the army. Five owners

sos domni imperatoris pro heribanno debeant rationem reddere nam non contra comitem; etiam etsi comes suam domum illi in bannum miserit, nullam exinde habeat reverentiam, nisi intret in domum suam et faciat quaecumque ei libitum fuerit.

59 Capitularia regum Francorum I (n. 17): no. 73, c. 7, 165: *Sunt etiam alii qui dicunt se esse homines Pippini et Chluduici et tunc profitentur se ire ad servitium dominorum suorum, quando alii pagenses in exercitum pergere debent.*

60 Capitularia regum Francorum I (n. 17): no. 73, c. 8, 165: *Sunt iterum et alii qui remanent et dicunt, quod seniores eorum domi resideant et debeant cum eorum senioribus pergere, ubicumque iussio domni imperatoris fuerit. Alii vero sunt qui ideo se commendant ad aliquos seniores, quos sciunt in hostem non profecturos.*

61 Cf. Fried, *Karl der Große* (n. 1): 553–55.

62 Capitularia regum Francorum I (n. 17): no. 48, Praef., 134: *Memoratorium qualiter ordinavimus propter famis inopiam, ut de ultra Sequane omnes exercitare debeant*; Adriaan Verhulst, "Karolingische Agrarpolitik: Das Capitulare de villis und die Hungersnöte von 792/93 und 805/06," *Zeitschrift für Agrargeschichte und Agrarsoziologie* 13 (1965): 182–183, dates it to 805.

of half a *mansu*s were instructed to fit out the sixth to take part in a campaign. Finally, the same was decreed for freemen who owned neither slaves nor land but had a certain amount of money.[63] According to Ganshof the provisions on military service were based on an existing practice.[64] However, this does not reflect the spirit and, above all, the comprehensiveness of these regulations. In addition, these rules reveal the emperor's self-conception: He decided to conscript freemen, since he alone determined their obligation to serve.

But it seems that these regulations did not serve their primary purpose, because he returned to them in the following year, 808. Apparently, many of those obliged to serve had simply stayed at home or failed to provide for the 'partner' who had gone to war. He decreed that those people were to be sought out by the *missi* and sentenced to pay the *heribannus*.[65] But the emperor also apparently learnt a lesson from this failure and responded to the hardships and concerns of those affected. In any case he further reduced the burden on the individuals by increasing the minimum amount of land that required owners to serve in the army from three to four *mansi*: Anyone whose property (whether owned outright or held as a *beneficium* comprised at least four *mansi* had to enlist in the army and pay for his equipment. Owners of three *mansi* were to be supplied by those with only one; while men with two *mansi* had to pair together and owners of a single *mansus* were to form groups of four, to enable

63 Capitularia regum Francorum I (n. 17): no. 48, c. 1, 134: *In primis quicumque beneficia habere videntur, omnes in hostem veniant*. c. 2, 134–35: *Quicumque liber mansos quinque de proprietate habere videtur, similiter in hostem veniat; et qui quattuor mansos habet, similiter faciat; qui tres habere videtur, similiter agat. Ubicumque autem inventi fuerint duo, quorum unusquisque duos mansos habere videtur, unus alium praeparare faciat; et qui melius ex ipsis potuerit, in hostem veniat. Et ubi inventi fuerint duo, quorum unus habeat duos mansos, et alter habeat unum mansum, similiter se sociare faciant et unus alterum praeparet; et qui melius potuerit, in hostem veniat. Ubicumque autem tres fuerint inventi, quorum unusquisque mansum unum habeat, duo tercium praeparare faciant; ex quibus qui melius potest, in hostem veniat. Illi vero qui dimidum mansum habent, quinque sextum praeparare faciant. Et qui sic pauper inventus fuerit qui nec mancipia nec propriam possessionem terrarum habeat, tamen in praecio valente* [. . .] *solidos, quinque sextum praeparent; [et ubi duo, tercium de illis qui parvulas possessiones de terra habere videntur]. Et unicuique ex ipsis qui in hoste pergunt fiant coniectati solidi quinque a suprascriptis pauperioribus qui nullam possessionem habere videntur in terra. Et pro hac consideratione nullus suum seniorem dimittat*.

64 François L. Ganshof, *The Frankish Institutions under Charlemagne*, trans. Bryce and Mary Lyon (Providence: Brown University Press, 1968): 61.

65 Capitularia regum Francorum I (n. 17): no. 50, c. 2, 137: *Volumus atque iubemus, ut idem missi nostri diligenter inquirant, qui anno praeterito de hoste bannito remansissent super illam ordinationem: quam modo superius comprehenso de liberis et pauperioribus hominibus fieri iussimus; et quicumque fuerit inventus, qui nec parem suum ad hostem suum faciendum secundum nostrum iussionem adiuvit neque perrexit, haribannum nostrum pleniter rewadiet et de solvendo illo secundum legem fidem faciat*. In objecting to the connection of this decree with the *Memoratorium de exercitu in Gallia occidentale praeparando*, Christoph Haack, "Mobilisierung als Bedrohungskommunikation: Das 'Capitulare missorum de exercitu promovendo' (MGH Capit. no. 50) und die Funktion karolingischer Aufgebotslisten," *Frühmittelalterliche Studien* 54 (2020): 155–59, overlooks the second part of this provision.

one of them to go on campaign.[66] The reason for increasing the minimum amount of land was probably that three *mansi* had not been sufficient to support military service. Even so the *missi* were instructed to identify those who had refused to go to war in the previous year.[67]

Looking at the provisions that seem to reduce the service obligation of free men, Eckhard Müller-Mertens identified an increasing threat to the freedom and social status of the *liberi homines*.[68] For Timothy Reuter, on the other hand, these provisions indicate an intensification of the obligation to serve that was necessary to ensure *defensio patriae* (the defence of the homeland) – an intensification that became urgent at the beginning of the ninth century. While the nobility and their warrior followers had enthusiastically participated in the wars of conquest, that same nobility had no interest in defending the empire, as this offered little prospect of glory, honour and, above all, booty.[69] This was why the emperor now resorted to the *liberi homines*.[70] In this context, it is also interesting to ask whether the standard size of at least three to four *mansi* referred to simple warriors fighting on foot[71] or to light-armed horsemen.[72] There is no indication in either the *Memoratorium* of 805 or the *Capitulare de*

66 Capitularia regum Francorum I (n. 17): no. 50, c. 1, 137: *Ut omnis liber homo, qui quatuor mansos vestitos de proprio suo sive de alicuius beneficio habet, ipse se praeparet et per se in hostem pergat, sive cum seniore suo si senior eius perrexerit sive cum comito suo. Qui vero tres mansos de proprio habuerit, huic adiungatur qui unum mansum habeat et det illi adiutorium, ut ille pro ambobus possit. Qui autem duos habet de proprio tantum, iungatur illi alter qui similiter duos mansos habeat, et unus ex eis, altero illum adiuvante, pergat in hostem. Qui etiam tantum unum mansum de proprio habet, adiungantur ei tres qui similiter habeant et dent ei adiutorium, et ille pergat tantum; tres vero qui illi adiutorium dederunt domi remaneant.*

67 Capitularia regum Francorum I (n. 17): no. 50, c. 2, 137: *Volumus atque iubemus, ut idem missi nostri diligenter inquirant, qui anno praeterito de hoste bannito remansissent super illam ordinationem quam modo superius comprehenso de liberis et pauperioribus hominibus fieri iussimus*. The mentioning of the previous year could be a reference to the *Memoratorium*, which is why its dating to 805 by Verhulst, "Agrarpolitik" (n. 62): 182–83, is not correct.

68 Müller-Mertens, *Karl* (n. 11): 122–33.

69 Timothy Reuter, "Plunder and Tribute in the Carolingian Empire," *Transactions of the Royal Historical Society* 35 (1985): 75–94; for a different view on the *defensio patriae* cf. Walter Goffart, "'Defensio patriae' as a Carolingian Military Obligation," *Francia* 43 (2016): 21–40.

70 Cf. John France, "The Composition and Raising of the Armies of Charlemagne," *Journal of Medieval Military History* 1 (2002): 61–82; Innes, *State*: 143–56; Étienne Renard, "Une elite paysanne en crise? Le poids des charges militaires pour les petits alleutiers entre Loire et Rhin au IXe siècle," in *Les élites au haut Moyen Age: Crises et renouvellements*, ed. François Bougard, Laurent Feller and Régine Le Jan, Collection Haut Moyen Age 1 (Turnhout: Brepols, 2006): 315–36; Étienne Renard, "La politique militaire de Charlemagne et la paysannerie franque," *Francia* 36 (2009): 1–34.

71 Schmitt, *Untersuchungen* (n. 11): 187, uses this argument to dispute the relevance of the *liberi* for the Carolingians in comparison to the cavalry that was made up of royal vasalls.

72 Josef Fleckenstein, "Adel und Kriegertum und ihre Wandlung im Karolingerreich," in *Nascita dell'Europa ed Europa carolingia: Un ' equazien da verificare*, vol. 1, SSCI 27 (Spoleto: Presso la sede del Centro, 1981): 85–86.

exercitu promovendo. Johannes Schmitt pointed to the low relevance of infantry fighters in comparison to the heavy cavalry made up of royal vassals, and interpreted the Emperor's interest in the *liberi homines* as a consequence of Charlemagne's new, Christian-influenced self-conception as a ruler.[73] This certainly played a central role in his decisions, but Schmitt's explanation with regard to warfare is probably not correct, as recent scholarship takes a much more nuanced view.[74] For example, the importance of vassalage and thus of the vassals fighting on horseback was probably not as great as had once been assumed.

The interpretations of Müller-Mertens and Schmitt have their merits. However, both overestimate the 'charitable aspect' of Charlemagne's provisions. In 805, during an assembly at Thionville, he set the *heribannus* fine at half of a miscreant's property.[75] Müller-Mertens interpreted this as a reduction that had become necessary after an unsuccessful campaign against Bohemia.[76] But even the lower penalty threatened the livelihood of poorer freemen. The emperor's main concern was therefore not to reduce the burden on these classes, but to enforce his own claim to obedience. In 811, he added to this provision that anyone who failed to pay the fine was to lose his freedom.[77] Such drastic threats suggest royal measures against individual or collective disobedience, rather than the waiving of benefits to which he was entitled, regardless of whether one regards them as politically or ethically motivated. The provisions on the formation of military groups discussed above should also be interpreted in this sense. It is likely that Charlemagne did in fact provide relief for less wealthy free Franks, but he did so only to make it easier for them to meet his demands.

Nor did Müller-Mertens take into account the complicated situation of most *liberi homines*, who were tied not only to the king, but often to other lords as well. As men-

73 Schmitt, *Untersuchungen* (n. 11): 187–88.

74 Christoph Haack, *Die Krieger der Karolinger: Kriegsdienste als Prozesse gemeinschaftlicher Organisation um 800*, Ergänzungsbände zum Reallexikon der Germanischen Altertumskunde 115 (Berlin: De Gruyter, 2020).

75 Capitularia regum Francorum I (n. 17): no. 44, c. 19, 125: *De heribanno volumus, ut missi nostri hoc anno fideliter exactare debeant absque ullius personae gratia, blanditia seu terrore secundum iussionum nostram; id est ut de homine habente libras sex in auro, in argento, bruneis, aeramento, pannis integris, caballis, boves, vaccis vel alio peculio, et uxores vel infantes non fiant dispoliati pro hac re de eorum vestimentis, accipiant legittimum heribannum, id est libras tres. Qui vero non habuerint amplius in suprascripto praecio valente nisi libras tres, solidi triginta ab eo exigantur; qui autem non habuerit amplius nisi duas libras, solidi decem; si vero una habuerit, solidi quinque, ita ut iterum se valeat praeparare ad Dei servitium et nostram utilitatem*; for the Thionville capitularies cf. Michael Glatthaar, "Die drei Fassungen des Doppelkapitulars von Diedenhofen/Thionville (805/806): Entwurf – Erlass – Revision," *Deutsches Archiv für Erforschung des Mittelalters* 69 (2013): 443–78.

76 Müller-Mertens, *Karl* (n. 11): 126; cf. Annales regni Francorum: s.a. 805, 120.

77 Capitularia regum Francorum I (n. 17): no. 74, c. 1, p. 166: *Quicumque liber homo in hostem bannitus fuerit et venire contempserit, plenum heribannum, id est solidos sexaginta, persolvat, aut si non habuerit unde illam summam persolvat semetipsum pro wadio in servitium principis tradat, donec per tempora ipse bannus ab eo fiat persolutus; et tunc iterum ad statum libertatis suae revertatur*.

tioned above, these multiple obligations gave them certain chances to avoid military service, which was generally not in their interest anyway because of the economic burdens involved. But in most cases, the following mechanism may have been at work. Military service, like natural disasters, was a heavy economic burden on the individual *liber homo*, who usually had to bear most of the costs himself. This problem was exacerbated if a man was recruited by his count more often than was actually permissible. So, in the long run it may have been easier for the *liberi homines* to bow to pressure and join the count or another powerful person. In doing so, they also accepted the risk of becoming increasingly legally dependent, i.e. of sinking into bondage. The powerful, in turn, strove to consolidate their possessions, for these were not contiguous, but rather a patchwork of properties, rights and claims scattered across the realm. In order to close these gaps, it must have been very tempting to bring many *liberi homines* and their property into dependency by using varying degrees of pressure, open violence, and both legal or illegal means, but also by promising them greater economic security.

5 Conclusion

In view of this, it should come as no surprise that Charlemagne's reforms were not immediately implemented and had little success. The most important reason for this was certainly the fact that the emperor was dependent on the powerful, the *potentes*. Like all early medieval rulers, he had to buy their loyalty – with donations and other favours, and above all by assigning important tasks to them. With the general oath of allegiance, Charlemagne sought to transform this loyalty into a morally imperative, objective duty, but the nobility probably resisted by delaying actions. His ability to assert himself against his elites therefore stood on shaky ground. Thus, as early as 802, Alcuin judged his master's reform efforts as follows: 'I am certain of the good will of our lord and emperor, that in the kingdom entrusted to him by God he seeks to order all things according to the norm of rightness, but that he has more such collaborators as undermine justice than support it, more *praedatores* (robbers) of justice than *praedicatores* (preachers), more such who seek their own benefit than God's'.[78] Even after Charlemagne had been crowned emperor the internal order of the Frankish Empire remained largely characterized by a considerable discrepancy between aspiration and reality.

78 Alkuin, Epistolae (n. 26): no. 254, p. 411: *De bona siquidem voluntate domni imperatoris valde certus sum, quod omnia ad rectitudinis normam in regno sibi a Deo dato disponi desiderat, sed tantos non habet iustitiae adiutores, quantos etiam subversores, nec tantos praedicatores, quantos praedatores. Quia puriores sunt qui sua desiderant quam Dei.*

Even Einhard was very reserved about the emperor's endeavours for law and justice, which he discusses only very briefly.[79] To his credit, Charlemagne was not satisfied with the traditional state of his realm. According to his self-conception, he wanted to be a ruler like the emperors of antiquity or the Byzantine emperors of his time. Their word was law, at least in theory, and they did not have to put up with unruly magnates. It is therefore testimony to Charlemagne's great perseverance that he doggedly pursued this goal despite considerable difficulty and opposition.[80] In the years after 802, he repeatedly put forward his ideas in the form of capitularies. The constant repetitions do not so much prove his failure, as especially Ganshof has suggested.[81] Instead, they demonstrate above all the resilience of social circumstances to the emperor's interventions. In other words, an early medieval ruler could issue orders, but whether his elites actually followed them was purely a matter of negotiation.

79 Einhard, Vita Karoli (n. 25): c. 29, p. 33.

80 Cf. Detlev Zimpel, "Unliebsame Herrscher-Erlasse im Frankenreich," in *Scientia veritatis: Festschrift für Hubert Mordek zum 65. Geburtstag*, ed. Oliver Münsch (Ostfildern: Thorbecke, 2004): 127–36.

81 François L. Ganshof, "La fin du règne de Charlemagne: Une décomposition," *Zeitschrift für Schweizerische Geschichte* 28 (1948): 433–52; for a different opinion see for example Johannes Fried, "Elite und Ideologie oder die Nachfolgeordnung Karls des Großen vom Jahre 813," in *La Royauté et les Élites dans l'Europe Carolingienne (du début du IXe aux environs de 920)*, ed. Régine Le Jan, Collection Histoire et littérature regionales 17 (Centre d'Histoire de l'Europe du Nord-Ouest: Université Charles-de-Gaulle, 1998): 75–77; Janet L. Nelson, "The Voice of Charlemagne," in *Belief and Culture in the Middle Ages: Studies Presented to Henry Mayr-Harting*, ed. Richard Gameson and Henrietta Leyser (Oxford: Oxford University Press, 2001): 76–88.

2. Slaveries and Similar Dependencies

2.2. Regions and Epochs

Germany

Rebekka von Mallinckrodt, Josef Köstlbauer and Sarah Lentz. "Beyond Exceptionalism. Traces of Slavery and the Slave Trade in Early Modern Germany," in *Beyond Exceptionalism. Traces of Slavery and the Slave Trade in Early Modern Germany, 1650–1850*, ed. Rebekka von Mallinckrodt, Josef Köstlbauer and Sarah Lentz (Berlin: De Gruyter, 2021): 1–25.

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Rebekka von Mallinckrodt, Sarah Lentz, and Josef Köstlbauer

Beyond Exceptionalism – Traces of Slavery and the Slave Trade in Early Modern Germany, 1650–1850

It is too early to speak of a shared history – this was the conclusion offered by Kenyan writer Yvonne Adhiambo Owuor on October 9, 2020 at a conference on research into the history of German colonialism. The various experiences were so different, the wounds so deep, and the colonizers' behavior so brutal, she said, that one could not yet speak of "our" shared past. Instead, Owuor urged both sides to investigate their own "shadows" in order to lay a foundation for better mutual understanding.[1] This collaborative volume is intended as a step in that direction. It investigates not the colonial period of the nineteenth and twentieth centuries, but rather the long eighteenth century; not the colonial possessions themselves, but the Holy Roman Empire of the German Nation and its successor states.

For a long time, it has been assumed that German-speaking inhabitants of the Empire played only a marginal role in the history of slavery in the Atlantic world. The Prussian colonies were short-lived, and the importance of the Brandenburg African Company (1682–1717) was relatively minor compared to the other slave-trading companies. Consequently, slavery played almost no role in the national histories of the German-speaking peoples. Indeed, the Holy Roman Empire has seemed like the one European power that had no "slave problem" – the one major realm in Europe where Africans could live as free people.[2]

1 Yvonne Adhiambo Owuor, "Derelict Shards: The Roamings of Colonial Phantoms," keynote lecture at the conference on "Colonialism as Shared History: Past, Present, Future," organized by Bettina Brockmeyer, Rebekka Habermas, and Ulrike Lindner, October 9–11, 2020, https://lisa.gerda-henkel-stiftung.de/sharedhistory_keynote_owuor, accessed October 13, 2020. Owuor intermittingly also spoke in more conciliatory terms: "Come, let us search our shadows together" (minute 59 of her filmed speech), but the tenor of her talk emphasized fundamentally divergent experiences.

2 Jürgen Osterhammel, "Aufstieg und Fall der neuzeitlichen Sklaverei. Oder: Was ist ein weltgeschichtliches Problem?" in *Geschichtswissenschaft jenseits des Nationalstaats: Studien zu Beziehungsgeschichte und Zivilisationsvergleich*, ed. Jürgen Osterhammel, 2nd ed. (Göttingen: Vandenhoeck & Ruprecht, 2003), 342–369, at 363.

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Over the last few years, however, this self-image has increasingly been called into question, not least as a result of debates on the persistence of systemic racism. For a long time, Peter Martin's pioneering study *Schwarze Teufel, edle Mohren: Afrikaner in Geschichte und Bewußtsein der Deutschen* (*Black Devils, Noble Moors: Africans in German History and Consciousness*), originally published in 1993, stood alone among a scattered handful of articles with a primarily local and regional focus. In recent years, however, research in this field has become more and more dynamic. One important stimulus has come from Black[3] communities within Germany,[4] with another stemming from economic history. Since the early 2000s in particular, Klaus Weber has been investigating the ways in which Germans continuously – though indirectly – participated in slavery and the slave trade: Not only did they consume products produced by slaves in the colonies, they were heavily invested in the production of trade goods to be exchanged for slaves as well. They provided ships, capital, clothing, and plantation supplies, along with manufactories that used the raw products from the colonies.[5] The many new publications in recent years make it clear

3 We have decided to spell 'Black' with capital letters since it has recently developed into a widely accepted spelling underlining that Blackness "is not a natural category but a social one – a collective identity – with a particular history" (see Kwame Antony Appiah, "The Case for Capitalizing the *B* in Black," *The Atlantic*, June 18, 2020, https://www.theatlantic.com/ideas/archive/2020/06/time-to-capitalize-blackand-white/613159/). Excepted from this spelling are citations from historical sources whose wording – and consequently meaning – we did not want to change. Although we agree on the constructed nature of whiteness as well, we refrained from capitalizing 'white' in order to avoid any confusion with white supremacist usage. Moreover, to enable the authors of this volume to adequately describe highly complex historical situations – especially since many terms had a very specific and sometimes different meaning in the early modern period – we have refrained from imposing guidelines with regard to terminology and spelling in the individual papers.

4 See, for example, the controversies surrounding the names of specific streets, such as *Mohrenstraße* (Moor Street) in Berlin, which was renamed *Anton Wilhelm Amo-Straße* in August 2020 after many years of protests (Amo was a famous Afro-German professor of philosophy at Halle, Wittenberg, and Jena, d. after 1753); or the *Gröbenufer* in Berlin (Gröben River Bank, named for Otto Friedrich von der Gröben, a slave trader in the Brandenburg African Company, d. 1728), which was renamed *May-Ayim-Ufer* in 2010 (in honor of Afro-German poet, activist, and teacher May Ayim, d. 1996). There have also been protests surrounding the erection of monuments, such as the bust of Heinrich Carl von Schimmelmann (a Danish-German slave trader, d. 1782) in Hamburg-Wandsbek, unveiled as late as 2006 and subsequently removed in 2008.

5 Klaus Weber, *Deutsche Kaufleute im Atlantikhandel 1680–1830: Unternehmen und Familien in Hamburg, Cadiz und Bordeaux* (Munich: Beck, 2004); Klaus Weber, "Deutschland, der atlantische Sklavenhandel und die Plantagenwirtschaft der Neuen Welt," *Journal of Modern European History* 7 (2009): 37–67; Klaus Weber, "Mitteleuropa und der transatlantische Sklavenhandel: Eine lange Geschichte," *Werkstatt Geschichte* nos. 66–67 (2014): 7–30; Klaus Weber and Anka Steffen, "Spinning and Weaving for the Slave Trade: Proto-Industry in Eighteenth-Century Silesia," in *Slavery Hinterland: Transatlantic Slavery and Continental Europe, 1680–1850*, ed. Felix Brahm and Eve Rosenhaft (Woodbridge: Boydell & Brewer, 2016), 87–107; Anne Sophie Overkamp, "A Hinterland to the Slave Trade? Atlantic Connections of the Wupper Valley in the Early Nineteenth Century," in *Slavery Hinterland*, ed. Brahm and Rosenhaft, 161–185; Margrit Schulte Beerbühl, *Deutsche Kaufleute in*

that German scholars are catching up with a development that other countries, especially in Western Europe, have been working on for much longer.[6]

Among the earliest and most prolific authors on the African diaspora in Württemberg and the Habsburg territories of the Holy Roman Empire were Monika Firla and Walter Sauer.[7] The extent and impact of the Holy Roman Empire's involvement in the Atlantic slave trade were more recently discussed in Anne Kuhlmann-Smirnov's doctoral thesis *Schwarze Europäer im Alten Reich* (*Black Europeans in the Holy Roman Empire*) (2013) as well as in collaborative volumes such as *Germany and the Black Diaspora* (2013), *Europas Sklaven* (2014), *Slavery Hinterland* (2016), and *German Entanglements in Transatlantic Slavery* (2017).[8] The journal of Johann Peter Oettinger, newly discovered by Craig Koslofsky and Roberto Zaugg (2020), even provided fresh insights regarding the relatively well-researched direct involvement of Brandenburg ships in the Atlantic slave trade.[9] However, an overwhelmingly extra-European and modern emphasis is recognizable in the geographic and temporal range covered by these publications: Among the many essays on activities of Germans

London: Welthandel und Einbürgerung, 1660–1818 (Munich: Oldenburg, 2007); Magnus Ressel, "Hamburg und die Niederelbe im atlantischen Sklavenhandel der Frühen Neuzeit," *Werkstatt Geschichte* nos. 66–67 (2014): 75–96; Jutta Wimmler and Klaus Weber, eds., *Globalized Peripheries: Central Europe and the Atlantic World, 1680–1860* (Woodbridge: Boydell & Brewer, 2020).

6 For a European and comparative perspective, see Annika Bärwald, Josef Köstlbauer, and Rebekka von Mallinckrodt, "People of African Descent in Early Modern Europe," in *Oxford Bibliographies Online: Atlantic History*, ed. Trevor Burnard, DOI: 10.1093/OBO/9780199730414-0326, last modified January 15, 2020.

7 See for instance Monika Firla and Herrmann Forkl, "Afrikaner und Africana am württembergischen Herzogshof im 17. Jahrhundert," *Tribus* 44 (1995): 149–193; Monika Firla, *Exotisch – höfisch – bürgerlich: Afrikaner in Württemberg vom 15. bis 19. Jahrhundert: Katalog zur Ausstellung des Hauptstaatsarchivs Stuttgart* (Stuttgart: Hauptstaatsarchiv Stuttgart, 2001); Monika Firla, "AfrikanerInnen und ihre Nachkommen im deutschsprachigen Raum," in *AfrikanerInnen in Deutschland und schwarze Deutsche: Geschichte und Gegenwart*, ed. Marianne Bechhaus-Gerst and Reinhard Klein-Arendt (Münster: Lit, 2004), 9–24; Walter Sauer, ed., *Von Soliman bis Omofuma: Afrikanische Diaspora in Österreich 17. bis 20. Jahrhundert* (Innsbruck: Studienverlag, 2007) with contributions by Sauer on "Angelo Soliman: Mythos und Wirklichkeit," 59–96 as well as "Sklaven, Freie, Fremde: Wiener 'Mohren' des 17. und 18. Jahrhunderts" (together with Andrea Wiesböck), 23–56.

8 Anne Kuhlmann-Smirnov, *Schwarze Europäer im Alten Reich: Handel, Migration, Hof* (Göttingen: Vandenhoeck & Ruprecht, 2013); Mischa Honeck, Martin Klimke, and Anne Kuhlmann, eds., *Germany and the Black Diaspora: Points of Contact 1250–1914* (New York: Berghahn, 2013); Doris Bulach and Juliane Schiel, eds., *Europas Sklaven,* Special Issue *Werkstatt Geschichte* nos. 66–67 (2014); Felix Brahm and Eve Rosenhaft, eds., *Slavery Hinterland: Transatlantic Slavery and Continental Europe, 1680–1850* (Woodbridge: Boydell & Brewer, 2016); Heike Raphael-Hernandez and Pia Wiegmink, eds., *German Entanglements in Transatlantic Slavery, Atlantic Studies* 14, no. 4 (2017).

9 Johann Peter Oettinger, *A German Barber-Surgeon in the Atlantic Slave Trade: The Seventeenth-Century Journal of Johann Peter Oettinger,* ed. and translated by Craig Koslofsky and Roberto Zaugg (Chapel Hill, NC: University of Virginia Press, 2020).

outside of Europe, as well as on later epochs and other European countries, treatments of slavery and the slave trade *within* the Holy Roman Empire are few and far between. Earlier studies mostly doubted that slave status existed in the Old Empire, and even Anne Kuhlmann-Smirnov's dissertation is limited to the better-documented and therefore more frequently studied world of the courts. Her focus on the prestigious role of so-called "Court Moors" mainly reconstructs the perspective of the men and women who profited from the transport of human beings into Europe. Therefore, as Heike Raphael-Hernandez and Pia Wiegmink concluded as late as 2017, "an encompassing and systematic study of the multiple forms of German entanglements with slavery remains to be published."[10]

In this context, what can a collaborative volume on *Traces of Slavery and the Slave Trade in Early Modern Germany* aim to achieve? For one thing, the essays collected here focus on the hitherto largely neglected early modern German towns and territories (rather than the non-European world or the activities of Germans in neighboring lands or colonies). Secondly, they concentrate on the entanglement of these towns and territories in slavery and the slave trade. This calls attention in particular to questions regarding the legal and social status of persons abducted into the Holy Roman Empire, their room for maneuver, and the origins and significance of racist ideas, all of which have become controversial in recent years.[11] Thirdly, we have attempted to reconstruct the perspectives of *all* the participants by considering the experiences and viewpoints of people who were trafficked into the German Empire or

10 Heike Raphael-Hernandez and Pia Wiegmink, "German Entanglements in Transatlantic Slavery: An Introduction," *Atlantic Studies* 14, no. 4 (2017): 419–435, at 421. Even in studies dealing with the European side of the story, the Holy Roman Empire is usually missing, indicating that international research has not yet integrated Germany into the Atlantic world.

11 Monika Firla and Andreas Becker thus assumed that slave status was nullified in the Empire (Firla, "AfrikanerInnen und ihre Nachkommen im deutschsprachigen Raum," 15; Andreas Becker, "Preußens schwarze Untertanen: Afrikanerinnen und Afrikaner zwischen Kleve und Königsberg vom 17. Jahrhundert bis ins frühe 19. Jahrhundert," *Forschungen zur Brandenburgischen und Preußischen Geschichte* 22 (2012): 1–32, at 15–16, 28). Similarly, Vera Lind and Anne Kuhlmann-Smirnov tend to stress possibilities within the estate-based early modern German society, while Rebekka von Mallinckrodt, Arne Spohr, and Renate Dürr have taken more skeptical stances; see Kuhlmann-Smirnov, *Schwarze Europäer im Alten Reich*; Vera Lind, "Privileged Dependency on the Edge of the Atlantic World: Africans and Germans in the Eighteenth Century," in *Interpreting Colonialism*, ed. Byron R. Wells and Philip Stewart (Oxford: Voltaire Foundation, 2004), 369–391; Rebekka von Mallinckrodt, "There Are No Slaves in Prussia?" in *Slavery Hinterland*, ed. Brahm and Rosenhaft, 109–131; Rebekka von Mallinckrodt, "Verhandelte (Un-)Freiheit: Sklaverei, Leibeigenschaft und innereuropäischer Wissenstransfer am Ausgang des 18. Jahrhunderts," *Geschichte und Gesellschaft* 43, no. 3 (2017): 347–380; Arne Spohr, "Zunftmitgliedschaft als Weg zur Freiheit? Zur rechtlichen und sozialen Position schwarzer Hoftrompeter und -pauker im Alten Reich," in *Wege: Festschrift für Susanne Rode-Breymann*, ed. Annette Kreutziger-Herr et al. (Hildesheim: Georg Olms, 2018), 357–366; Renate Dürr, "Inventing a Lutheran Ritual: Baptisms of Muslims and Africans in Early Modern Germany," in *Protestant Empires: Globalizing the Reformations*, ed. Ulinka Rublack (Cambridge: Cambridge University Press, 2020), 196–227, at 206–208.

who immigrated, even if the sources often provide only fragmentary and scattered evidence for their views.[12] Finally, in this introduction in particular, we intend to interweave and consolidate the growing number of individual studies so as to go beyond the level of case studies and consider – to the extent current research allows – macrohistorical perspectives as well as the similarities and differences between the Holy Roman Empire and its European neighbors.

We are well aware that with regard to the analysis of global life trajectories, the exchange of goods, and the circulation of ideas, confining ourselves to the territories of the Empire does not adequately mirror this aspect of mobility. At the same time, however, the geographic limitation permits us to promote research on the comparatively less well-understood German territories. Historians have to search hard for clues in this context, since there is no defined body of sources like the registers of trafficked persons existing in some other European countries. Instead, seeking out the fragmentary and scattered sources relating to persons transported to Europe is made even more difficult because they were highly mobile and mostly of low social standing. The microhistorical approaches used in many of the contributions in this volume therefore represent not just a conscious methodological decision allowing us to illuminate the life circumstances of such individuals in their full complexity; they are often a forced choice owing to the nature of our sources.

From the German "Sonderweg" to Slavery Hinterland

The fragmentary and scattered character of our sources is probably one of the reasons why the hitherto accumulated knowledge about German connections to and integration in the Atlantic system of slavery has not yet received adequate recognition even by professional historians.[13] As late as 2020, Renate Dürr wrote that "the idea that the Holy Roman Empire languished in the backwaters of history and scarcely participated in European expansion, global trade, and slavery is hard to eradicate."[14] As a matter of fact,

12 The following are positive examples of recent consideration of the agency of Black and subordinate persons: Ottmar Ette, *Anton Wilhelm Amo: Philosophieren ohne festen Wohnsitz. Eine Philosophie der Aufklärung zwischen Europa und Afrika* (Berlin: Kadmos, 2014); Heather Morrison, "Dressing Angelo Soliman," *Eighteenth-Century Studies* 44, no. 3 (2011): 361–382; Honeck, Klimke, Kuhlmann, *Germany and the Black Diaspora*.

13 See e.g. Ulrike Schmieder, Katja Füllberg-Stolberg, and Michael Zeuske, "Introduction," in *The End of Slavery in Africa and the Americas: A Comparative Approach*, ed. Ulrike Schmieder, Katja Füllberg-Stolberg, and Michael Zeuske (Berlin: Lit, 2011), 7–14, at 9–10.

14 Dürr, "Inventing a Lutheran Ritual," 196. Together with Ronnie Hsia, Carina Johnson, Ulrike Strasser, and Merry Wiesner-Hanks, Dürr advocates the notion of "Globalizing Early Modern German History," Forum *German History* 31, no. 3 (2013): 366–382.

the only truly comprehensive and macrohistorical treatment of the importance of Atlantic slavery for the development of German history was published more than twenty years ago by Jürgen Osterhammel. He began his essay on *Slavery and the Civilization of the West* with these pointed sentences: "Slavery existed elsewhere; not in Germany. The Germans observed it from afar."[15] In the second revised edition of his book in 2009 he repeated this idea and stated even more generally:

> Nowhere else in the sphere of Latin Christendom did slavery and servile forms of unfreedom as a historical experience play a lesser role than in Germany, the one large country in Europe without an early modern colonial past.[16]

In this context, Osterhammel described people transported into the Holy Roman Empire as "exotic guests" and stray "aberrations,"[17] thus emphasizing the putatively unusual and completely "irregular" character of the phenomenon.

Just one year later, Osterhammel proposed an even more far-ranging thesis in his essay entitled *Aufstieg und Fall der neuzeitlichen Sklaverei* (*The Rise and Fall of Modern Slavery*), which considered the consequences of this previously postulated German exceptionalism. Now the supposed abstention of inhabitants of the Holy Roman Empire, and later of the German Confederation, from the Atlantic slave economy and the fight against it became an explanation for the so-called German *Sonderweg*, the special path that led to the Holocaust.[18] While the abolition of slavery in the Western European countries was embedded in "great public convulsions and battles, protests, and intellectual debates,"[19] the antislavery movement supposedly attracted little attention in the German territories – where the question of slavery allegedly prompted nothing more than "academic frivolities" – during the first half of the nineteenth century: "It did not move people's hearts or minds." As a result, the Germans never lived through the "formative and cathartic collective process found in the Western democracies – the experience of self-liberation from a slave-holding past." It was for this reason that the Germans supposedly lacked this "moral immunization" as they entered the twentieth century, a deficit Osterhammel propounded as an explanation for Germany's course to National Socialism.

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15 Jürgen Osterhammel, *Sklaverei und die Zivilisation des Westens* (original edition: 2000; 2nd rev. ed. Munich: Carl Friedrich von Siemens Stiftung, 2009), 7.

16 Osterhammel, *Sklaverei und die Zivilisation des Westens*, 12.

17 Osterhammel, *Sklaverei und die Zivilisation des Westens*, 9–10.

18 Osterhammel, "Aufstieg und Fall der neuzeitlichen Sklaverei," 342–369. Even though it has been widely critized, the German *Sonderweg* paradigm is still debated. It no longer forms the central rationale of current research, however. See James Sheehan, "Paradigm Lost? The 'Sonderweg' Revisited," in *Transnationale Geschichte: Themen, Tendenzen und Theorien*, ed. Oliver Janz, Sebastian Conrad, and Gunilla Budde (Göttingen: Vandenhoeck & Ruprecht, 2010), 150–160; Jürgen Kocka, "Looking Back on the Sonderweg," *Central European History* 51, no. 1 (2018): 137–142.

19 For this and the following quotation, see Osterhammel, "Aufstieg und Fall der neuzeitlichen Sklaverei," 367–368.

These theses by Osterhammel have been refuted not only by the research of the past two decades on the integration of the German territories into the system of slavery and the slave trade. It has also been shown that the antislavery movement did indeed resonate in the Holy Roman Empire and its successor states.[20] And although the abolition movement in Germany was undoubtedly small compared to its counterpart in Great Britain, comparisons with various neighboring countries in central Europe such as the Netherlands and Denmark reveal significant similarities in both the dimension and the course of its activities.[21] Consequently, comparing the German anti-slavery movement to the formation of abolitionism in these two neighboring countries is sufficient to refute Osterhammel's *Sonderweg* thesis, or at least to cast serious doubt on it.[22]

Osterhammel's "hypothetical considerations"[23] nevertheless prompt the question why the image of German abstention from slavery and the slave trade has persisted so long among scholars, and why the last twenty years have seen no reaction to his interpretation of the supposed special status for the German lands, i.e. the German *Sonderweg*. The fact that Osterhammel's work has prompted no scholarly discussion could suggest tacit acceptance – and may also have been a consequence of the relatively minor importance attributed to the connections between the Atlantic slave system and the German context in international and German-language research.

The historical foundation of Osterhammel's theory (few colonial possessions and the short life of the Brandenburg African Company) is but one reason why it has hitherto remained unchallenged. Much more significant – and still influential in current scholarship – is the fact that early modern German authors were already compensatively reinventing the Germans "in their imaginations" as morally superior colonizers.[24] Sarah Lentz shows in her chapter how the legend of German eschewal of

20 On this, see Sarah Lentz, *"Wer helfen kann, der helfe!" Deutsche SklavereigegnerInnen und die atlantische Abolitionsbewegung, 1780–1860* (Göttingen: Vandenhoeck & Ruprecht, 2020); Katharina Stornig, "Catholic Missionary Associations and the Saving of African Child Slaves in Nineteenth-Century Germany," *Atlantic Studies* 14, no. 4 (2017): 519–549; Karin Schüller, "Deutsche Abolitionisten in Göttingen und Halle: Die ersten Darstellungen des Sklavenhandels und der Antisklavereibewegung in der deutschen Historiographie des ausgehenden 18. und beginnenden 19. Jahrhunderts," in *Pasajes – Passages – Passagen: Festschrift für Christian Wentzlaff-Eggebert*, ed. Susanne Grunwald et al. (Sevilla: Secretariado de Publ., 2004), 611–622.

21 On the Dutch and Danish movements, see e.g. Maartje Janse, "'Holland as a Little England'? British Anti-Slavery Missionaries and Continental Abolitionist Movements in the Mid-Nineteenth Century," *Past and Present* 229 (November 2015): 123–160; Erik Gøbel, *The Danish Slave Trade and Its Abolition* (Leiden: Brill, 2016), 65–69.

22 In view of the vehement public debates and street fights concerning colonialism, racism, and the lingering effects of slavery in Great Britain, the Netherlands, and the USA during the years 2019 and 2020, one might also ask to what extent the British, Dutch, Americans, Brazilians, and Spanish have actually freed themselves from their history as slave owners.

23 Osterhammel, "Aufstieg und Fall der neuzeitlichen Sklaverei," 366.

24 Susanne M. Zantop, *Colonial Fantasies: Conquest, Family, and Nation in Precolonial Germany, 1770–1870* (Durham: Duke University Press, 1997).

the slave trade was utilized more widely in the nineteenth century to play an important role as a "source of moral capital" in the development of a German national consciousness during the *Vormärz*, the period in German history and culture between 1815 and 1848.[25] In fact, we can observe an uncritical acceptance of this narrative all the way into the twentieth century: For example, Sander L. Gilman tellingly entitled his 1982 essay collection *On Blackness without Blacks: Essays on the Image of the Black in Germany*.[26] The assumption that there had been no German involvement in slavery and the slave trade – and therefore no Black presence in the German-speaking lands – has long shaped the majority of research on the German discourse on slavery. As a result, this discussion has been interpreted as a surrogate discourse in which the topic of slavery was instrumentalized, for example in polemics against feudal and absolutist conditions.[27] In this vein, Rainer Koch explained in 1976 that the German debates about slavery were merely a "forerunner to criticisms of social, economic, and political conditions in Germany."[28] Somewhat later, Uta Sadji proposed that the historical actors writing about slavery in the late eighteenth century were "in fact, either consciously or unconsciously, only arguing about German conditions."[29] One specific issue in this context was the institution of serfdom, which generated lively controversy; but another concerned the political rights of burgher citizens – the very group from which most contemporary writers originated. It is only since the 2000s, and especially since the 2010s, that the number of scholarly works in which criticism of slavery is not primarily treated in a figurative sense but instead connected to contemporary practices of enslavement has been increasing.[30]

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25 See also Lentz, *"Wer helfen kann, der helfe!"* and Magnus Ressel, "Hamburg und die Niederelbe im atlantischen Sklavenhandel der Frühen Neuzeit," *Werkstatt Geschichte* nos. 66–67 (2014): 75–96, at 94.

26 Sander L. Gilman, *On Blackness without Blacks: Essays on the Image of the Black in Germany* (Boston, MA: G. K. Hall, 1982).

27 Uta Sadji, *Der Negermythos am Ende des 18. Jahrhunderts in Deutschland: Eine Analyse der Rezeption von Reiseliteratur über Schwarzafrika* (Frankfurt: Peter Lang, 1979), 283. Cf. also Anna-Christie Cronholm, "Die Nordamerikanische Sklavenfrage im deutschen Schrifttum des 19. Jahrhunderts" (PhD diss., Freie Universität Berlin, 1959).

28 Rainer Koch, "Liberalismus, Konservatismus und das Problem der Negersklaverei: Ein Beitrag zur Geschichte des politischen Denkens in Deutschland in der ersten Hälfte des 19. Jahrhunderts," *Historische Zeitschrift* 222, no. 3 (June 1976): 529–577, at 533.

29 Sadji, *Der Negermythos am Ende des 18. Jahrhunderts*, 107.

30 See e.g. Schüller, "Deutsche Abolitionisten in Göttingen und Halle"; Andreas Gestrich, "The Abolition Act and the Development of Abolitionist Movements in 19th-Century Europe," in *Humanitarian Intervention and Changing Labor Relations: The Long-Term Consequences of the Abolition of the Slave Trade*, ed. Marcel van der Linden (Leiden: Brill, 2011), 245–261; Jeanette Eileen Jones, "'On the Brain of the Negro': Race, Abolitionism, and Friedrich Tiedemann's Scientific Discourse on the African Diaspora," in *Germany and the Black Diaspora*, ed. Honeck, Klimke, and Kuhlmann, 134–152; Barbara Riesche, *Schöne Mohrinnen, edle Sklaven, schwarze Rächer: Schwarzendarstellung und Sklavereithematik im deutschen Unterhaltungstheater, 1770–1814* (Hannover: Wehrhahn, 2010). To be certain, considerable research interest continues to be focused on the specific appropriation and reinterpretation of the

Even in these studies, however, scholars still show little interest in the actual *German* involvement in the slave trade and slavery. It is thus not surprising that the supposed German abstention from the slave trade has continued to have such a lasting impact that Monika Firla, for example, assumed in 2004 that the Germans – in contrast to all other Europeans – had not purchased Africans on the West Coast of Africa as slaves but rather *paid to redeem* (i.e., liberate) them.[31]

If we examine the lives of these Germans and the African people who accompanied them (usually involuntarily) within the larger global context in which they operated, however, it becomes clear that the difference between the colonial powers and the countries that did not have colonies was much smaller than has long been assumed. For example, Pomeranian slave trader Joachim Nettelbeck wrote in his memoirs that the Dutch colony Suriname might be called "a German colony rather than a Dutch one, because on plantations such as Paramaribo, one discovers out of one hundred whites perhaps as many as ninety-nine who had assembled here from all the regions of Germany."[32] Even if we assume Nettelbeck to have been exaggerating, historian Carl Haarnack has estimated that around 1800, roughly one third of the European inhabitants of Suriname (men and women) – about one thousand in all – came from the German lands.[33] The German presence in the largest Dutch colony was no exception; rather, it was a structural characteristic caused by the chronic shortage of manpower in the Netherlands. Similarly, Germans could be found as owners of slaves in the Danish islands of the Caribbean[34] or the British

discourse on slavery as applied to internal German affairs. Excellent research on this topic has been done, for example, by Heike Paul, "The German Reception of Harriet Beecher Stowe's 'Uncle Tom's Cabin'," in *Amerikanische Populärkultur in Deutschland. Case Studies in Cultural Transfer Past and Present*, ed. Katja Kanzler and Heike Paul (Leipzig: Leipziger Universitätsverlag, 2002), 21–40.

31 Firla, "AfrikanerInnen und ihre Nachkommen im deutschsprachigen Raum," 15.

32 Joachim Nettelbeck, *Eine Lebensbeschreibung von ihm selbst aufgezeichnet*, vol. 1 (Leipzig: Brockhaus, 1821), 36. On Germans in Suriname, see 25–37 and 102–109. For more details, see Sarah Lentz, "Deutsche Profiteure des atlantischen Sklavereisystems und der deutschsprachige Sklavereidiskurs der Spätaufklärung," in *Das Meer: Maritime Welten in der Frühen Neuzeit*, ed. Peter Burschel and Sünne Juterczenka (Cologne: Böhlau, forthcoming).

33 See Carl Haarnack, "'Nachrichten von Surinam': Representations of a Former Dutch Colony in German Travel Literature, 1790–1900," in *Travel Writing in Dutch and German, 1790–1930*, ed. Alison E. Martin, Lut Missinne, and Beatrix van Dam (New York: Routledge, Taylor & Francis, 2017), 114–138, at 114–116.

34 Registers from the Danish West Indies provide a ready source for identifying German (and other) land- and slaveholders on the Danish islands. See e.g. Danish National Archives 446, The West India and Guinea Company, Bookkeeper's Accounts for St. Thomas and St. John, Land Lists for St. Thomas (1688–1754); or Danish National Archives 571, Audited Accounts, West Indian Accounts, Land Register of St. Thomas and St. John (1755–1915).

colonies in America.[35] And from these colonies, they brought people of African origin into the Holy Roman Empire and its successor states.[36]

Considering the South Asian region as a source of slaves, Roelof van Gelder has estimated that between 1602 and 1795, approximately half the employees of the *Vereenigte Oostindische Compagie* (VOC) were foreigners, i.e. non-Netherlanders.[37] Most of them came from German territories, and not only from regions that bordered on the Netherlands; they also came from the electorates of Saxony and Prussia, the Duchies of Württemberg, Saxony-Weimar, Saxony-Anhalt, Saxony-Gotha, and Silesia, as well as from imperial cities such as Nuremberg, Frankfurt, and Ulm.[38] Of the estimated 973,000 persons who journeyed to Asia in the service of the VOC, only around 360,000, or roughly one third, returned home.[39] If we accept these numbers, then approximately 180,000 "foreign" – that is, mostly German – VOC employees came back with experiences of slavery and the slave trade, and some of them also brought their "servants," both male and female, with them.[40] Others started families with enslaved women in India, which also influenced their lives back in the Old Empire.[41]

35 On German slaveholders in British colonies, see e.g. James Van Horn Melton, *Religion, Community, and Slavery on the Colonial Southern Frontier* (Cambridge: Cambridge University Press, 2015); Aaron Fogleman, *Hopeful Journeys: German Immigration, Settlement, and Political Culture in Colonial America*, 1717–1775 (Philadelphia: University of Pennsylvania Press, 2014).

36 See e.g. Mark Häberlein, "'Mohren', ständische Gesellschaft und atlantische Welt: Minderheiten und Kulturkontakte in der Frühen Neuzeit," in *Atlantic Understandings: Essays on European and American History in Honor of Hermann Wellenreuther*, ed. Claudia Schnurmann and Hartmut Lehmann (Hamburg: Lit, 2006), 77–102, at 89, 96–97. On German Moravian missionaries and their role in bringing enslaved persons from the West Indies to Germany, see Josef Köstlbauer, "Ambiguous Passages: Non-Europeans Brought to Europe by the Moravian Brethren During the Eighteenth Century," in *Globalized Peripheries*, ed. Wimmler and Weber, 169–186.

37 Roelof van Gelder, *Das ostindische Abenteuer: Deutsche in Diensten der Vereinigten Ostindischen Kompanie der Niederlande (VOC), 1600–1800* (Hamburg: Convent, 2004), 14. The personal data of employees, sailors, and soldiers employed by the VOC can now be retrieved from the publicly accessible database of the Dutch National Archive: http://hdl.handle.net/10648/9b54fab1-6340-474a-93d8-04bf78294de8 (accessed October 16, 2020).

38 Van Gelder, *Das ostindische Abenteuer*, 51.

39 Van Gelder, *Das ostindische Abenteuer*, 33, 50.

40 Rebekka von Mallinckrodt, "Verschleppte Kinder im Heiligen Römischen Reich Deutscher Nation und die Grenzen transkultureller Mehrfachzugehörigkeit," in *Transkulturelle Mehrfachzugehörigkeit als kulturhistorisches Phänomen: Räume – Materialitäten – Erinnerungen*, ed. Dagmar Freist, Sabine Kyora, and Melanie Unseld (Bielefeld: Transcript, 2019), 15–37. See also the essay by Josef Köstlbauer in this volume.

41 Francisca Hoyer, *Relations of Absence: Germans in the East Indies and Their Families c. 1750–1820* (Uppsala: Acta Universitatis Upsaliensis, 2020).

The same applies to German soldiers in North America.[42] Roughly 30,000 German soldiers were recruited by the British to serve in the American War of Independence, some of them sold into service by their own territorial rulers. The largest group (between 17,000 and 19,000) came from Hesse-Kassel. Of these men, around half returned home to Hesse-Kassel seven years later, bringing with them over one hundred free, liberated, or escaped Afro-American men, women, and children – as well as persons they had bought as slaves.[43] These examples clearly challenge the categorical distinction drawn between the colonial powers and countries without colonies. Indeed, the very composition of the various colonial societies, trading companies, and international armies requires us to reconsider such supposed contrasts.[44]

Economic history has provided important insights into the structural nature of German integration in the Atlantic world. The abovementioned research into the broad and continuous indirect involvement of Germans in slavery and the slave trade has demonstrated that the production of exchange goods, the provision of ships, capital, plantation equipment, and clothing, as well as the further processing and consumption of colonial wares were carried out not at the state level but by individual actors and groups.[45] These connections were partially invisible even to contemporaries, since such commerce was conducted under the flag of the respective host country. But they were nevertheless important and consequential. In his essay for this volume, Klaus Weber concludes that

> German involvement in the slave trade and the plantation economies built on slave labor was neither occasional nor limited to a few well-connected investors and maritime traders. Producing barter commodities for the slave trade was a key element contributing to the growth of

42 On this and the following, see Inge Auerbach, *Die Hessen in Amerika 1776–1783* (Darmstadt: Hessische Historische Kommission, 1996); Rolf Böttcher, *Auf dem Weg nach Amerika: Auswanderung im 17. und 18. Jahrhundert* (Bremerhaven: Wirtschaftsverlag NW, 1997), 17, 22.

43 Maria I. Diedrich, "From American Slaves to Hessian Subjects: Silenced Black Narratives of the American Revolution," in *Germany and the Black Diaspora*, ed. Honeck, Klimke, and Kuhlmann, 92–111.

44 In a similar vein, Felicia Gottmann questions the notion of "national" trading companies: "Prussia all at Sea? The Emden-based East India Companies and the Challenges of Transnational Enterprise in the Eighteenth Century," *Journal of World History* 31, no. 3 (2020): 539–566; together with Philip Stern, "Introduction: Crossing Companies," ibid., 477–488; Felicia Gottmann, "Mixed Company in the Contact Zone: The 'Glocal' Diplomatic Efforts of a Prussian East Indiaman in 1750s Cape Verde," *Journal of Early Modern History* 23, no. 5 (2019): 423–441. For military history, see also Chen Tzoref-Ashkenazi, "German Auxiliary Troops in the British and Dutch East India Companies," in *Transnational Soldiers: Foreign Military Enlistment in the Modern Era*, ed. Nir Arielli and Bruce Collins (Basingstoke: Palgrave Macmillan, 2013), 32–49; Chen Tzoref-Ashkenazi, *German Soldiers in Colonial India* (London: Pickering & Chatto, 2014).

45 See footnote 5.

> economies of proto-industrial regions throughout the Holy Roman Empire, and the additional income generated by hundreds of thousands of rural workers allowed the population in these specific regions to grow.[46]

In some regions, this growth led to a doubling of the population over the course of just fifty years.

Felix Brahm and Eve Rosenhaft's definition of continental Europe as a *Slavery Hinterland* in their collaborative volume published in 2016 therefore seems justifiable. The essays collected in their book established Central Europe as an economic periphery of the Atlantic core, a region that simply cannot be explained without its links to Atlantic markets, including slavery. The unfolding material connections between Atlantic and Central European zones also extended to the level of discourse – especially regarding the question of slavery as a challenge to moral consciousness, a challenge that resulted from both direct and indirect confrontation with slavery systems.[47] One can thus no longer speak of a "surrogate" discourse, for it was also a debate rooted in concrete historical experience. Similarly, it is high time to stop thinking of the persons kidnapped and transported to the German lands as "exceptions." Even if current research mostly treats individual cases, the transportation of human beings into the Holy Roman Empire was a *collective* experience connected to global systems of slavery. And while slavery in the German lands did not resemble the massive subjection of people in the plantation economies but rather the Mediterranean or Atlantic form of household slavery, it was no "irregular" or "special" occurrence. Defining it as such means to fall prey to a conceptual exoticism that confines slavery to the colonial periphery as though it was not part of life in Europe as well. As the contributions in this volume show, the opposite was true.

The Individual Articles

Since the persistent notion of a German *Sonderweg* shows the impact of historiography on perceptions of the topic, our collection of essays begins with a contribution by Klaus Weber, who demonstrates the close connection between modern political developments and historiography. Historians of the nineteenth and early twentieth century had already begun to examine the long-term engagement of German cities and territories with the Atlantic world, an engagement that dated back to the

46 This and the following Klaus Weber, "Germany and the Early Modern Atlantic World: Economic Involvement and Historiography," in this volume, 46–47 (quotation) and 38.

47 See Sarah Lentz, "Abolitionists in the German Hinterland? Therese Huber and the Spread of Anti-Slavery Sentiment in the German Territories in the Early Nineteenth Century," in *Slavery Hinterland*, ed. Brahm and Rosenhaft, 187–211; Sarah Lentz, "Deutsche Profiteure des atlantischen Sklavereisystems."

beginning of the European expansion in the sixteenth century and encompassed direct as well as indirect involvement in the slave trade. But the proximity of earlier historians to the colonialist politics of Imperial Germany and the ideology of National Socialism "contaminated" the entire field of study, causing it to be avoided by younger historians or treated in a decidedly positivist manner after 1945. It was thus only after a new generation of historians emerged and global history approaches gained momentum that research integrating these findings into the bigger picture resumed. However, the effects of the Cold War and the consequent divisions between East and West in historiography are still being felt today.

The following essays concentrate mainly on direct involvement in the slave trade and slavery, with a focus on the territories of the Holy Roman Empire. The contribution by Arne Spohr subjects the life of Christian Real, one of the first documented Black trumpeters at a German court, to an insightful close reading. While Real was largely treated by earlier scholars as an example of how Blacks could successfully integrate into early modern society, Spohr shows that when Real fell victim to a serious violent crime in Stuttgart in the year 1669, the reasons for the attack included aspects of honor, social status, and Blackness. The assault was thus a consequence of the tension between Real's initial status as a slave and his later privileged position as a member of the court. Accordingly, Spohr reveals that associations between Blackness and servitude or slavery appeared not only in countries that were directly involved in the transatlantic slave trade; they were also significant for the lives of Black individuals in the "slavery hinterland" of the Empire.

Using the example of two Native Americans appearing at the court in Dresden in the 1720s, Craig Koslofsky shows in his article that it was not only people of African origin who were abducted to the Holy Roman Empire; other population groups could serve the demand for exotic personnel as well. In the case of the two men in question, their darker skin was less important than their extensive tattoos, which attracted the curiosity of contemporaries. After being displayed by their owner for several years throughout Europe, the two Native Americans were purchased by August the Strong in 1723. Instead of seeing their tattoos as signs of honor and status as was the case in their native communities, however, European observers dismissed them as ornamental signs without meaning, thereby devaluing them along with their wearers. Similarly, the invasive and inappropriate examinations of the men's bodies are reminiscent of the manner in which "human merchandise" was scrutinized at slave markets. In this way, the tattoos of these honorable warriors were treated not as individual signs but as ethnic markers, and the two men were robbed of their individuality and degraded to mere objects – as was generally the case with African slaves.

Enslaved persons brought from colonial mission fields to Europe also "served" in the symbolic communication of the Moravian Church. In his study, Josef Köstlbauer shows just how important the gaps and omissions in the preserved records are. Typically, Moravian archives remain silent on the status of Africans or West Indian Creoles living as slaves in Germany. These converts and captives provided edifying images of

he Brethren's missionary achievements and their eschatological visions, and the rhetoric of spirituality and communal equality pervading Moravian discourse served to obscure slavery. The result was an ambiguous position: On the one hand, such individuals were accorded a highly visible role of considerable symbolic value; on the other hand, close reading of the sources and semantic analysis of the terminology employed shows that although slavery may have been concealed by church discipline or servitude, it was by no means revoked. Indeed, scattered evidence shows that depending on circumstance, Moravians were ready to claim authority over individuals based on their slave status.

The status of trafficked persons in the Holy Roman Empire did not necessarily remain ambiguous, as Rebekka von Mallinckrodt demonstrates. Examining the reception of Roman Law, which remained an authoritative (though subsidiary) source for German lawyers until the end of the eighteenth century whenever positive German law did not provide an explicit or contrary regulation, she reconstructs an entire legal tradition applied to persons of African or Ottoman origin who had been abducted, purchased, or captured in war. According to this legal tradition, their status as slaves was explicitly affirmed. Court cases confirm that Roman law was not merely a theoretical affair but was in fact applied in practice as well. Parties to these judicial cases took other legal sources such as legislation in and for the colonies or the older tradition of natural law into account as well; furthermore, they referred to property rights in general and to the institution of serfdom that survived in many German territories in particular. The argumentation in favor of recognizing personal servitude could thus still rely on a multitude of sources even as opposition against such practices and discourses was increasingly taking shape.

By contrast, Walter Sauer's contribution demonstrates the limited value of normative legal texts as well as the limitations of their application in practice. In a compact comparison, he describes how the function and recruitment of "exotic" servants in the lands of the Habsburg Monarchy changed over the course of the seventeenth, eighteenth, and nineteenth centuries. While the practices of display among the baroque aristocracy and among the wealthy bourgeoisie differed only in minor aspects, the abolition of the transatlantic and Mediterranean slave trade along with explicit prohibitions like those found in the Austrian Civil Code of 1811 brought significant changes. Human trafficking did not cease, but its practices changed – as did the legal status of the abducted individuals. The locations of the actual trading shifted to places outside of Europe, and the trafficked men, women, and children were no longer officially slaves in Europe, but they nevertheless lived in conditions of unequivocal dependence.

Annika Bärwald's essay complements these examples of how the (former) status of slaves could survive covertly, explicitly, or ambiguously by focusing on the agency of legally free people of African or Asian descent in Germany. Her analysis of help-wanted ads in Hamburg newspapers between the end of the eighteenth and the

beginning of the nineteenth century also disproves the still common assumption that the *Black presence* in the German territories was confined to princely courts. While Bärwald's evaluation of these ads clearly proves the precarious status of non-Europeans as house servants, her study also delivers impressive evidence of the opportunities available to such subaltern actors (both male and female), who skillfully navigated the Hamburg job market mostly as free persons. Bärwald persuasively argues that the strategies employed by these people of Asian and African descent should be perceived as cosmopolitan practices and evidence of intercultural competence.

The following articles turn the reader's attention to the contemporary *discussion* of slavery, which appears in a different light as the German involvement in both slavery and the slave trade increasingly becomes clear. Jutta Wimmler's essay pursues the question why many of the products provided by enslaved labor – she uses the example of American dyestuffs and medicinals – remained "invisible" in the German context while other products like sugar became key symbols of slavery. According to Wimmler, this difference in reception is owed to two interwoven factors. Firstly, certain products were marginalized within the "narrative of modernity." Secondly and perhaps even more importantly, the materiality and further processing of certain products led to them being less visible. In the context of this long-term history of reception, Wimmler examines the extent to which the slave labor involved in the processing of various products was perceived or under stood by German contemporaries. Using two popular encyclopedias, she demonstrates that the discourse on the connection between slavery and various products at the time was much more multi-layered and nuanced than current research based on the "narrative of modernity" would lead us to expect.

Mark Häberlein approaches the perception of the slave trade and slavery in Germany through the work of Protestant pastor Gottlieb Tobias Wilhelm, who presented the anthropological knowledge and intellectual debates of his time in the three volumes of his *Unterhaltungen über den Menschen* (*Conversations Concerning Mankind*) (1804–1806). Thanks to its encyclopedic character and the pastor's method of compiling his materials, this extremely popular work manifestly displays the intensive reception and discussion of both the transatlantic slave trade and the efforts to abolish it. An analysis of the sources used by Wilhelm also reveals the media channels through which information about colonies, slavery, and the slave trade circulated. Häberlein highlights the ambivalence of Wilhelm's clearly critical attitude toward slavery: While he emphatically condemned the cruelties of the slave trade and repudiated the supposed inferiority of Africans, his work was nevertheless permeated by the notion that humanity was divided into races with certain characteristics, a view partially influenced by theories of climatic determinism. As a result, Wilhelm assumed that Africans could reach their full potential only by living in Europe or America.

A fascinating body of sources forms the center of Jessica Cronshagen's chapter. She bases her study on a collection of letters sent by children in Moravian communities to enslaved children in Suriname, and her analysis merges questions about the German discourse on slaves and slavery with issues pertaining to literacy, communicative practices, and childhood. The youthful authors of these letters did not know their correspondents by name; their letters were essentially directed at stereotypical "poor slave children," and their content and diction is steeped in missionary rhetoric. The Moravians' conviction that they were part of a worldwide religious community did not alter these differences in perception. West Indian slavery was simply a *fait accompli* that prompted no deeper questions. The analyzed letters represent a unique source for the perception of slavery in Central European societies that were distant from colonial slaving zones.[48] The unreflected acceptance of slavery expressed and implied in them is valuable in helping to explain why the institution could survive unopposed for so long among the Moravian communities in Suriname as well as in Europe.

Proceeding from the legal investigation carried out against three Hanseatic ships seized on suspicion of slave trading, Sarah Lentz discusses contemporary responses to traces of the slave trade in the German Confederation. Although awareness of German entanglement in slavery and the slave trade increased in Britain as a result of these legal cases, the German press rejected any suggestion of participation. With its coverage mainly presenting the arguments laid out by the defense, German readers were offered an account of the situation that was much clearer and simpler than what the totality of relevant facts implied. When some of the initial British accusations turned out to be baseless, German public opinion became even more firmly convinced that foreign opposition to slave trading was a pretext for eliminating unwanted German competition. The arguments of German moral superiority based on Germany's supposed abstention from the slave trade were thus perpetuated from the eighteenth to the nineteenth century – for example in works published for a broader audience – despite evidence to the contrary. With few exceptions, even German abolitionists accepted this myth.

Beyond Exceptionalism

This final section completes the arc of our general narrative, bringing it back around to historiography where we began. In contrast to the basically apologetic discourse that was first formulated in the early modern period but has continued to influence modern historiography, almost all of the essays collected here make it clear that the Holy Roman Empire (respectively its successor states) was much more similar to the

48 Jeff Fynn-Paul, Damian Alan Pargas, eds., *Slaving Zones: Cultural Identities, Ideologies, and Institutions in the Evolution of Global Slavery* (Leiden: Brill, 2018).

other Western European colonial powers than has long been assumed. Leaving behind national or imperial histories, we can find numerous commonalities and connections at the level of individual actors and transnationally active groups. These shared aspects include the experience of slavery, which had repercussions back in the homelands; the abduction of people as well as the mobility of freedmen and freedwomen between colonies and the European mainland; the fight against slavery in the form of an abolitionist movement; but also the financial and economic entanglements with plantation economies, the tacit acceptance or even explicit defense of buying and selling human beings, and the rise of racist stereotypes. Furthermore, the slave trade and ownership of slaves within the Holy Roman Empire were not confined to royal or noble courts: We find simple artisans, burghers, and lesser nobles involved as traders, go-betweens, and slave-owners as well.[49] Enslaved persons also explored their options, orienting themselves in a world that was initially completely foreign but led some of them to resist their fate. In addition, we find free and emancipated persons of Asian and African origin who navigated between continents and did not always aim to become integrated in the local (German) society.

Along with the similarities to the Western European colonial powers, which call into question the long-assumed special status of the Holy Roman Empire, Central European experiences like the Ottoman Wars shaped the situation in the German lands as well. Focusing exclusively on the Atlantic realm may therefore also lead to distorted images of reality.[50] Even during the late eighteenth century, when captives from the Ottoman Wars had *de facto* long since ceased to play a role, these conflicts were still being used as a reference point for the legal treatment of enslaved persons (see the chapter by Rebekka von Mallinckrodt). This referentiality can also be found in the clothing of so-called "Court Moors," which adopted elements of Ottoman uniforms along with fictive elements of costume, thereby recalling the look of Ottoman prisoners of war even though the persons now wearing such garb mostly came from entirely different regions of the world.[51] Finally, not all persons with dark skin arrived in the Holy Roman Empire by way of the transatlantic slave trade. Some came from the Mediterranean, the Ottoman Empire, India, or other Asiatic lands; and while some were abducted, others had traveled to Europe voluntarily.

49 See the articles by Josef Köstlbauer, Craig Koslofsky, and Rebekka von Mallinckrodt in this volume.

50 See e.g. Manja Quakatz, "' . . . denen Sclaven gleich gehalten werden.' Muslimisch-osmanische Kriegsgefangene im Heiligen Römischen Reich Deutscher Nation (1683–1699)," *Werkstatt Geschichte* nos. 66–67 (2014): 97–118; Stephan Theilig, *Türken, Mohren und Tataren: Muslimische (Lebens-)Welten in Brandenburg-Preußen im 18. Jahrhundert* (Berlin: Frank & Timme, 2013).

51 Mallinckrodt, "Verschleppte Kinder."

Early modern German society did not remain untouched by all of this – rather, it was itself changed by these "entangled histories."[52] Aside from the surge of proto-industries that led to significant population growth in certain regions, racist ideas developed along with religious and civilizing notions of redemption, and these would come to play an important role in the colonization of Africa during the nineteenth century. Ancient ideas of slavery were revived and transformed. At the same time, we already find in the eighteenth century a multicultural society with highly mobile persons from extremely diverse backgrounds who moved freely between the colonies and various European lands. It was thus not only major trading and port cities such as Hamburg, but also relatively remote regions such as Lusatia that had links to these worldwide trade and communication networks, to the movement of goods, people, and services, and hence to a world in which the possession and trading of slaves, both male and female, was simply taken for granted and sometimes imposed upon Germans themselves.[53]

Consequently, the juxtaposition of "completely slave-free metropolitan centers and the completely slave-saturated [colonial] peripheral regions"[54] is neither an adequate notion for the Empire nor for other European countries. The Holy Roman Empire (as well as its successor states) was not a slave society, but it was definitively a society *with slaves* – and as recent research on Mediterranean slavery has shown, this does not necessarily imply a small number of slaves. Scholars have gathered extensive evidence for enslavement practices in the late medieval and early modern states bordering on the Mediterranean Sea, even though they cannot be called slave societies in the strict sense.[55] If we shift our attention to enslavement practices and

52 On entangled histories and the concept's significance for postcolonial perspectives, see Sebastian Conrad, Shalini Randeria, and Regina Römhild, eds., *Jenseits des Eurozentrismus: Postkoloniale Perspektiven in den Geschichts- und Kulturwissenschaften* (2nd ed., Frankfurt: Campus, 2013); Angelika Epple, Olaf Kaltmeier, and Ulrike Lindner, eds., *Entangled Histories: Reflecting on Concepts of Coloniality and Postcoloniality*, Special Issue *Comparativ – Zeitschrift für Globalgeschichte und vergleichende Gesellschaftsforschung* 21, no. 1 (2011). The concept has also gained popularity in fields like Atlantic history, see Eliga H. Gould, "Entangled Histories, Entangled Worlds: The English-Speaking Atlantic as a Spanish Periphery," *American Historical Review* 112, no. 3 (2007): 764–786.

53 See e.g. Mario Klarer, ed., *Verschleppt, verkauft, versklavt: Deutschsprachige Sklavenberichte aus Nordafrika, 1550–1800* (Vienna: Böhlau, 2019).

54 Osterhammel, "Aufstieg und Fall der neuzeitlichen Sklaverei," 354.

55 Giulia Bonazza, *Abolitionism and the Persistence of Slavery in Italian States, 1750–1850* (Cham: Palgrave Macmillan, 2019); Arturo Morgado García, "El ciclo vital de los esclavos en el Cádiz de la modernidad," *Revista de Historia Moderna: Anales de la Universidad de Alicante* 34 (2016): 297–315; Stefan Hanss and Juliane Schiel, eds., *Mediterranean Slavery Revisited, 500–1800 / Neue Perspektiven auf mediterrane Sklaverei, 500–1800* (Zurich: Chronos, 2014); Aurelia Martín Casares and Rocío Períañez Gómez, eds., *Mujeres esclavas y abolicionistas en la España de los siglos XVI al XIX* (Madrid: Iberomaricana, 2014); William D. Phillips, *Slavery in Medieval and Early Modern Iberia* (Philadelphia: University of Pennsylvania Press, 2013); Rocío Periáñez Gómez, *Negros, mulatos y blancos: Los esclavos en Extremadura durante la edad moderna* (Badajoz: Diputación de Badajoz,

focus on agents (slaves, owners, traders, and intermediaries) rather than on the institution of slavery itself – and on individual slaving activities rather than on slaveholding societies or systems of slavery, as Michael Zeuske and Joseph C. Miller have urged for a long time[56] – we can hope to escape such artificially antithetical contrasts and overly simplified opposites. And in doing so, we can gain the ability to see just how deeply and variedly Europe was affected by slavery despite the fact that it imagined and idealized itself as a slave-free society.

With the publication of these essays in the form of a collaborative volume, we hope that international research into slavery will be as much enriched by the integration of the German territories as research in Germany may benefit from inclusion in this larger context. The former might learn how far-reaching and widely ramified early modern trading currents in goods and people were: They certainly did not involve only the countries bordering on the Atlantic and Pacific Oceans. The latter might cease to perceive persons trafficked into the Holy Roman Empire and its successor states as exotic, isolated, and exceptional phenomena, but rather as a part of the global systems of slavery. Last but not least, we hope to contribute to a comprehensive and differentiated picture of the interwovenness of German history with global slavery systems; a picture that appropriately portrays the heterogeneous realities of life of all the historical actors, male and female – from those who were abducted and enslaved to those who benefited from the slave economy, as well as the German opponents of slavery. Only in this way can a heightened and critical awareness of the relevance of slavery and the slave trade to German history be achieved – both within the world of German historical scholarship and among the broader public – and perhaps the foundation for a truly "shared history" be laid.

2010); Debra Blumenthal, *Enemies and Familiars: Slavery and Mastery in Fifteenth-Century Valencia* (Ithaca, NY: Cornell University Press, 2009); Sally McKee, "Domestic Slavery in Renaissance Italy," *Slavery & Abolition* 29, no. 3 (September 2008): 305–326; Aurelia Martín Casares, *La esclavitud en Granada en el siglo XVI: Género, raza y religión* (Granada: Editorial Universidad de Granada, 2000); Salvatore Bono, *Schiavi musulmani nell'Italia moderna: Galeotti, vu' cumpra,' domestici* (Naples: Edizioni Scientifiche Italiane, 1999).

56 Michael Zeuske, "Historiography and Research Problems of Slavery and the Slave Trade in a Global-Historical Perspective," *International Review of Social History* 57 (2012): 87–111, at 87, 105, 110; see also Michael Zeuske, *Handbuch Geschichte der Sklaverei: Eine Globalgeschichte von den Anfängen bis zur Gegenwart* (Berlin: De Gruyter, 2013); Joseph C. Miller, "Slaving as Historical Process: Examples from the Ancient Mediterranean and the Modern Atlantic," in *Slave Systems: Ancient and Modern*, ed. Enrico Dal Lago and Constantina Katsari (Cambridge: Cambridge University Press, 2008), 70–102; Joseph C. Miller, *The Problem of Slavery as History: A Global Approach* (New Haven: Yale University Press, 2012).

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Klaus Weber

1 Germany and the Early Modern Atlantic World: Economic Involvement and Historiography

Two world wars, a slump in international trade lasting from 1914 until well into the 1950s, and Germany's cultural and political alienation from its western neighbors contributed to the idea that the integration of Germany into a global economy only began in the 1950s. Not only the lay audience needs to be reminded that the nineteenth century already saw a spectacular growth in maritime trade and that from around the middle of the century, German industrial products (in particular in the electrical and chemical sectors) were in fierce competition with British manufactures on markets around the world. Even more overlooked is the early modern involvement of German cities and territories with the Atlantic World, which date back to the very beginnings of European expansion. The following contribution will remind us of these connections: participation in the Iberian expansion across the Atlantic, participation in the slave trade operated under the Spanish, Portuguese, Danish, French, and British flags, massive investments in plantations established in those countries' colonies, and the production of barter commodities for the purchase of enslaved Africans on a very large scale.

The second part of this text will offer a brief overview of the historiography on the topic, as the mentioned German entanglements are inseparable from the writing of their history for several reasons. Some of the early historians writing and publishing on these issues in the late nineteenth century were themselves involved in colonialist politics of the Wilhelmine Empire, aiming anew at the African markets that had been purchasing German-made goods since the sixteenth century. The relevant historians of the subsequent generation were in turn deeply enmeshed in National Socialism. These two expansionist ideologies contaminated the entire field of study to some degree, which explains why it was avoided altogether by younger historians trained during the 1960s. Only since the 2000s has yet another generation of researchers begun to revisit the topic with new questions and methods.

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2. Slaveries and Similar Dependencies

2.2. Regions and Epochs

Germany

Jutta Wimmler. "Re-Thinking German Colonialism," in *Re-Thinking German Colonialism: Dependencies in Trade, Production and Consumption (16th–21st Centuries)*, ed. Anka Steffen, Samuel Eleazar Wendt and Jutta Wimmler (Berlin: De Gruyter, 2025): 1–26.

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Jutta Wimmler

Re-Thinking German Colonialism

After decades of neglect or marginalization, Germany's colonial past has fully arrived in public discourse. While much of the debate still revolves around the newly constructed *Humboldt Forum*,[1] which features the façade of the former Hohenzollern Royal Palace and now houses Berlin's ethnological museum with all its colonial implications, civil society organizations have in fact been working for decades to raise awareness of Germany's colonial history.[2] It has been easy enough to identify what constitutes the "colonial" for the late nineteenth and early twentieth centuries: imperial power in its official colonies that manifested itself in labor and resource extraction, discharging in armed upheavals across the African continent (with the Herero and Nama revolt standing out because it ended in genocide); and cheerful indulgence in the spoils of neighboring European colonial powers, which brought priceless artifacts from places like Egypt or Nigeria into the country. For the centuries preceding the official establishment of a colonial realm, the question of "German colonialism" has been less clear-cut. Whereas the British, French, Dutch, and even the Danish and the Swedes had their plantation and settler colonies in the Americas and prowled the seas off the African and Asian mainland, which were dotted with outposts fortified by their respective trading companies, the German-speaking countries seemed happily detached from the goings-on in the Atlantic and Indian Ocean worlds.

While a number of scholars have shown in the past twenty years that this was not the case—that "Germans" were in fact actively involved in these processes on various levels—their insights have been slow to reach the public, and indeed international scholarship. Of course Germany did not exist as a unified state until 1871 (one reason why I opt in this introduction to use "German" only in quotation marks for the pre-1871 period),

1 The *Humboldt Forum* has been challenged since its inception. The current debate no longer focuses on the religious or colonial dimensions of the building, but on the political background of many of the donors who financed the reconstruction of the historical façade: https://schlossaneignung.de/rechtslastige-spender/ [accessed 10.12.2024].

2 For example, *Berlin Postkolonial e.V.*, whose aim is to study and raise awareness of the colonial history of specific cities or regions; the *Initiative Schwarze Menschen in Deutschland* (Initiative of Black people in Germany, ISD), which sees itself as a grassroots organization by and for Black people, operating on a basis of participatory democracy: https://isdonline.de/ [accessed 10.12. 2024]; or *EachOne-TeachOne (EOTO) e.V.*, a community-based education and empowerment project in Berlin founded in 2012: https://eoto-archiv.de/ [accessed 10.12. 2024]. The following link provides an overview of postcolonial initiatives in Germany: https://kolonialismus.blogs.uni-hamburg.de/2015/09/10/postkoloniale-initiativen-in-deutschland-2/ [accessed 10.12. 2024].

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which certainly complicates things. But the main issue, it seems, is precisely the fact that this "German" involvement differed from the involvement of the sea powers as much as it differed from nineteenth and twentieth-century German colonialism. "German colonialism" before the 1880s, for the most part, did not manifest itself in institutions like trading companies, overseas territorial conquest, or colonial administration. Even exceptions from this rule—such as a short period in the sixteenth century, when the South German banker family of the Welsers governed the province of Venezuela—are better remembered and indeed commemorated overseas than in Germany itself.[3]

Direct colonial administration by "Germans" was certainly the exception, but scholars have amply demonstrated in the past years that the territories of the Holy Roman Empire were essential for the functioning of the early modern Atlantic system.[4] Following the publication of Klaus Weber's *Deutsche Kaufleute im Atlantikhandel 1630–1830* in 2004, scholars have produced a range of case studies that attest to the vital role of merchants and goods from the German-speaking world in the development of the Atlantic (and indeed the global) system during the early modern period, including the transatlantic slave trade.[5] Others have explored the significance of "German" markets as lucrative outlets for products like sugar, indigo, cotton, chocolate, or gum arabic.[6] Yet others have illus-

3 Giovanna Montenegro, *German Conquistadors in Venezuela: The Welsers' Colony, Racialized Capitalism, and Cultural Memory* (Notre Dame: University of Notre Dame University Press, 2022).

4 Susanne Lachenicht, ed., *Europeans Engaging the Atlantic: Knowledge and Trade, 1500–1800* (Frankfurt am Main: Campus, 2014); Felix Brahm and Eve Rosenhaft, eds., *Slavery Hinterland: Transatlantic Slavery and Continental Europe, 1680–1850* (Woodbridge: Boydell & Brewer, 2016); Jutta Wimmler and Klaus Weber, eds., *Globalized Peripheries: Central Europe and the Atlantic World, 1680–1860* (Woodbridge: Boydell & Brewer, 2020); Rebekka von Mallinckrodt, Sarah Lentz and Josef Köstlbauer, eds., *Beyond Exceptionalism: Traces of Slavery and the Slave Trade in Early Modern Germany, 1650–1850* (Berlin: De Gruyter Oldenbourg, 2021); Samuel Eleazar Wendt, Felix Töppel, Lilja-Ruben Vowe and Klaus Weber, eds., *Berlins Weg in die Moderne: Koloniale Warenströme und Sehnsüchte, 1713–1918* (Bielefeld: transcript, 2025); Christina Brauner, Renate Dürr, Philip Hahn, Anne Sophie Overkamp and Simon Siemianowski, eds., *Encountering the Global in Early Modern Germany: Microhistories of Mobility, Materiality, and Belonging* (New York: Berghahn, 2025); Claudia Jarzebowski and Eva Lehner, eds., *Belonging, Materials, Dependency: Perspectives from Early Modern History* (Berlin: De Gruyter, forthcoming).

5 For example, Anka Steffen, "Silesia, Serfdom, and Slavery: A Relationship History from the Seventeenth to the Twentieth Century," *Journal of Global Slavery* 8, no. 2–3 (2023): 237–68; Margrit Schulte Beerbühl and Klaus Weber, "From Westphalia to the Caribbean: Networks of German Textile Merchants in the Eighteenth Century," in *Cosmopolitan Networks in Commerce and Society 1660–1914*, ed. Andreas Gestrich and Margrit Schulte Beerbühl (London: German Historical Institute, 2011): 53–98; Klaus Weber, "'Krauts' and 'true born Osnabrughs': Ländliche Leinenweberei, früher Welthandel und Kaufmannsmigration im atlantischen Raum vom 17. bis 19. Jahrhundert," *IMIS-Beiträge* 29 (2006): 37–69.

6 For example, Michael Zeuske and Jörg Ludwig, "Amerikanische Kolonialwaren und Wirtschaftspolitik in Preußen und Sachsen: Prolegomena (17./18. und frühes 19. Jahrhundert)," *Jahrbuch für Geschichte Lateinamerikas* 32, no. 1 (1995): 257–302; Christian Hochmuth, *Globale Güter—lokale Aneignung: Kaffee, Tee, Schokolade und Tabak im frühneuzeitlichen Dresden* (Konstanz: UVK Verlagsgesellschaft mbH, 2008); Kim Siebenhüner, John Jordon and Gabi Schopf, eds., *Cotton in Context:*

trated the presence of enslaved people in German lands, and revealed how well aware actors from seemingly remote places were about people and events in the wider world.[7] The earlier view that "Germany" was not involved in the slave trade, or in "European expansion" in general, has become utterly unsustainable.

Germany did not become an imperial power in the nineteenth century from scratch. German territorial conquests overseas were able to build on centuries of experience with overseas markets. Seen from this angle, the question that emerges is rather why, at a certain point in time, German colonialism became more similar to the English, French, and Portuguese models. Until around 1800, "German" involvement did not require the establishment of "German" colonies and successful trading companies. Instead, they simply "hijacked" the infrastructure of the sea powers by loading their products onto the latter's ships; they entered into service of these countries' trading companies; they bought plantation products at European ports—all at minimal risk and with little to no direct capital involvement on the part of the German states. As a number of contributions in this volume reveal, businesses in the nineteenth century built on these structures of "informal" or non-state involvement that had been established in the previous centuries.

The eventual transition to conquest and territorial control was not a clear break with the past, but rather an extension. Thus, the study of "Germany's" colonial past has to move beyond the establishment of formal colonial rule in Africa, Asia, and the South Pacific in the 1880s and 1890s, and beyond investigations into state actors.[8] Central Europe's economic and social development from the fifteenth century onwards, like Europe's development more generally, is intimately connected to the interplay between European expansion and the dynamics of trade, production, and consumption.[9]

Manufacturing, Marketing, and Consuming Textiles in the German-Speaking World (1500–1900) (Cologne: Böhlau, 2019); Jutta Wimmler, "From Senegal to Augsburg: Gum Arabic and the Central European Textile Industry in the Eighteenth Century," *Textile History* 50, no. 1 (2019): 4–22.

7 For example, Rebekka von Mallinckrodt, "There Are No Slaves in Prussia?" in *Slavery Hinterland: Transatlantic Slavery and Continental Europe, 1680–1850*, ed. Felix Brahm and Eve Rosenhaft (Woodbridge: Boydell & Brewer, 2016): 109–32; Lukas Wissel, "Encountering Opportunities: Inheritances, Knowledge Gaps, and Invented Global Connections in the German 'Hinterland'," in *Encountering the Global in Early Modern Germany: Microhistories of Mobility, Materiality, and Belonging*, ed. Christina Brauner, Renate Dürr, Philip Hahn, Anne Sophie Overkamp and Simon Siemianowski (New York: Berghahn, 2025): 68–85.

8 Such an approach was suggested in the late 1990s by the US-American Germanist Susanne M. Zantop, *Colonial Fantasies: Conquest, Family and Nation in Precolonial Germany (1770–1870)* (Durham, NC: Duke University Press, 1997).

9 Anka Steffen, "A Cloth that Binds: New Perspectives on the Eighteenth-Century Prussian Economy," *Slavery & Abolition* 42 (2021): 105–29; Michael Schäfer, *Eine andere Industrialisierung: Die Transformation der sächsischen Textilexportgewerbe 1790–1890* (Stuttgart: Steiner, 2016); Michael Schäfer and Veronique Töpel, *Sachsen und die Welt: Eine Exportregion im Vergleich* (Leipzig: Leipziger Universitätsverlag, 2014).

As hinted above, one particular aspect of the "German" experience needs particular attention in this context. Before the nineteenth century, there simply was no "Germany" in the sense of a unified state. German speakers were organized as an amalgamation of different political collectives, from kingdoms to duchies and independent cities, within an entity called the Holy Roman Empire, which also included a sizeable number of non-German speakers (notably of Slavic languages, but also Italian and Dutch, for example). After the end of the "Old Empire" in 1806 (which is connected to events in Napoleonic France), these territories struggled to create a new union, which eventually resulted in the violent formation of the German Reich in 1871. The Habsburg territories had chosen a different path after 1806, but they had of course been core areas of the Holy Roman Empire, not least because the emperors of the "Old Empire" had almost all been members of the house of Habsburg since the fifteenth century.

The turn towards Atlantic and global history has not gone unnoticed in Austrian historiography, which traditionally investigates the German-speaking territories of the Habsburg empire;[10] scholars have also started to note the importance of its Italian territories that provided the empire with access to the sea,[11] or the significance of the Bohemian and Hungarian principalities as suppliers of merchandise for Atlantic commerce and as consumer markets.[12] Swiss history has similarly been subject to a "colonial turn."[13] In moving forward with the idea of "German colonialism," it is important

10 For example, Veronika Hyden-Hanscho, "Invisible Globalization: French Hats in Habsburg Vienna, 1650–1750," *The Journal of European Economic History* 45, no. 3 (2016): 11–54; Jonathan Singerton, "An Austrian Atlantic: The Habsburg Monarchy and the Atlantic World in the Eighteenth Century," *Atlantic Studies* 20, no. 4 (2023): 673–97; Peter Rauscher und Andrea Serles, "Die Wiener Niederleger um 1700: Eine kaufmännische Elite zwischen Handel, Staatsfinanzen und Gewerbe," *Österreichische Zeitschrift für Geschichtswissenschaften* 26, no. 1 (2015): 154–82.

11 For example, Klemens Kaps, "A Gateway to the Spanish Atlantic? The Habsburg Port City of Trieste as Intermediary in Commodity Flows Between the Habsburg Monarchy and Spain in the Eighteenth Century," in *Globalized Peripheries: Central Europe and the Atlantic World, 1680–1860*, ed. Jutta Wimmler and Klaus Weber (Woodbridge: Boydell & Brewer, 2020): 246–64; Daniele Andreozzi, "'Segmented Trade': Merchants, Mercantile Practices and Mercantilism Between Trieste, the Mediterranean Sea and the Atlantic Ocean in the XVIII Century," *Mediterranea—ricerche storiche* 44 (2018): 567–86; Gernot Mayer und Silvia Tammaro, eds., *Travelling Objects: Botschafter des Kulturtransfers zwischen Italien und dem Habsburger Reich*, Schriftenreihe des Österreichischen Historischen Instituts in Rom 3 (Vienna: Böhlau, 2018).

12 Miroslav Lacko, "Global Commodity Chains and Labor Relations in the Distribution of Central European Copper in the Eighteenth Century," in *Global Commodity Chains and Labor Relations*, ed. Andrea Komlosy and Goran Musić (Leiden: Brill, 2021): 150–74; Anka Steffen, "The Linen Export Trade of Silesia During Habsburg Rule," in *Economic Connections and Exchange of the Habsburg Monarchy in the Early Modern Age*, ed. Marion Dotter, Klemens Kaps and Kolja Lichy (Leiden: Brill, forthcoming, 2026–2027).

13 Georg Kreis, *Blicke auf die koloniale Schweiz: Ein Forschungsbericht* (Zürich: Chronos Verlag, 2023); Patricia Purtschert, Francesca Falk and Barbara Lüthi, "Switzerland and 'Colonialism Without Colonies': Reflections on the Status of Colonial Outsiders," *Interventions* 18, no. 2 (2015): 286–302.

not to lose sight of these regions and actors, which were not located in today's Germany, but were part of the larger Holy Roman Empire.

The question of how the peculiar political situation in the Empire impacted the way "Germans" were involved in colonialism has yet to be explored in depth. Recently, Christina Brauner, Renate Dürr, Philip Hahn, Anne Sophie Overkamp, and Simon Siemianowski have suggested that we can fruitfully use a global history lens to explore the emergence of "Germanness" itself.[14] They argue that it is precisely during this period and against the background of "colonial expansion" that "Germanness" appears on the scene as a type of self-identification across the German-speaking lands. This may very well include the persistent notion of "no direct involvement" in colonialism: scholars have noted, for example, that late eighteenth-century German thinkers such as Johann Gottfried Herder explicitly compared Germans to colonized populations in terms of moral superiority.[15] Others have contemplated whether political fragmentation and greater exposure to non-German speakers made "German" intellectuals more appreciative of social and cultural diversity and more skeptical about the universalizing principles of the Enlightenment.[16] Investigations into the interplay between political organization, identity formation, and global spaces are only just beginning.

1 Colonialism Reloaded

It has become clear, then, that we need to modify our common understanding of what constitutes Germany's "colonial past." Not only that—doing so has implications for established narratives of "colonialism," because it points to misconceptions about power and agency that also ring true in other contexts. Scholars working on these issues have come to realize that the research findings on German "involvements" call into question common assumptions about the nature of global history itself that go well beyond the "German" case.[17] For example, Wallerstein's elegant design of the

14 Christina Brauner, Renate Dürr, Philip Hahn, Anne Sophie Overkamp and Simon Siemianowski, "Introduction: Globalizing Early Modern Germany," in *Encountering the Global in Early Modern Germany: Microhistories of Mobility, Materiality, and Belonging*, ed. Christina Brauner, Renate Dürr, Philip Hahn, Anne Sophie Overkamp and Simon Siemianowski (New York: Berghahn, 2025): 3–4.

15 For example, Nicholas A. Germana, "Herder's India: The 'Morgenland' in Mythology and Anthropology," in *The Anthropology of the Enlightenment*, ed. Larry Wolff and Marco Cipolloni (Stanford: Stanford University Press, 2007): 129–30.

16 John Gascoigne, "The German Enlightenment and the Pacific," in *The Anthropology of the Enlightenment*, ed. Larry Wolff and Marco Cipolloni (Stanford: Stanford University Press, 2007): 145.

17 Most recently noted by Brauner et al., "Introduction."

Modern World-System has been instrumental in maintaining the idea of Central Europe's marginality to early modern globalization. Like Latin America and Africa, Wallerstein located much of Central Europe in the periphery, or at best in the semi-periphery, of the modern world system, wholly dependent on the "core" areas that dominated trade, productivity, and finance.[18] The new narrative of "German" involvement in European colonial structures illustrates that it was quite often the other way around: The colonial powers depended on merchandise manufactured in Central and Eastern Europe to be able to conduct their trade in the first place, and on consumers in these regions as the market for their plantation products.

When scholars began to unearth early modern Central Europe's entanglements with the global economy, they faced the challenging task of integrating their findings into existing scholarship—a scholarship that had been dominated by historical narratives such as those offered by Wallerstein and that had already relegated the region and its actors to the sidelines.[19] It is thus not particularly surprising that they latched onto the center/periphery terminology and critically assessed whether the label of "periphery" should be applied to regions within the Holy Roman Empire, or even whether the center/periphery dichotomy is at all analytically sensible.[20] One attempt at breaking away from this dichotomy has been the introduction of the word "hinterland" as a descriptor for such regions. Due in no small part to the international suc-

18 Terence K. Hopkins and Immanuel Wallerstein, *World-Systems Analysis: Theory and Methodology* (Beverly Hills: Sage, 1982). This perspective has been challenged by recent publications: Jutta Wimmler and Klaus Weber, eds., *Globalized Peripheries: Central Europe and the Atlantic World, 1680–1860* (Woodbridge: Boydell & Brewer, 2020); Steffi Marung, Uwe Müller and Stefan Troebst, "Monolith or Experiment? The Bloc as a Spatial Format," in *Spatial Formats under the Global Condition*, ed. Steffi Marung and Matthias Middell (Berlin: De Gruyter Oldenbourg, 2019): 275–309; Andrea Komlosy and Hannes Hofbauer, "Peripherisierung und nachholende Entwicklung in Osteuropa in historischer Perspektive: Osteuropäische Partikularität versus Geschichte der Peripherisierung," *Zeitschrift für Weltgeschichte* 10, no. 2 (2009): 99–117.

19 See Jutta Wimmler and Klaus Weber, "Constructing Atlantic Peripheries: A Critical View of the Historiography," in *Globalized Peripheries: Central Europe and the Atlantic World, 1680–1860*, ed. Jutta Wimmler and Klaus Weber (Woodbridge: Boydell & Brewer, 2020): 4–7.

20 *Globalized Peripheries*, the volume Klaus Weber and I published, was not at all singular in this regard. Most edited volumes and a number of journal articles on Central Europe's entanglements with the Atlantic and global worlds problematize the core/periphery dichotomy in some way. See, for example, Susanne Lachenicht, "Europeans Engaging the Atlantic: Knowledge and Trade, c. 1500–1800. An Introduction," in *Europeans Engaging the Atlantic: Knowledge and Trade, 1500–1800*, ed. Susanne Lachenicht (Frankfurt am Main: Campus, 2014): 7–20; Felix Brahm and Eve Rosenhaft, "Introduction: Towards a Comprehensive European History of Slavery and Abolition," in *Slavery Hinterland: Transatlantic Slavery and Continental Europe, 1680–1850*, ed. Felix Brahm and Eve Rosenhaft (Woodbridge: Boydell & Brewer, 2016): 1–23; Klemes Kaps and Andrea Komlosy, "Centers and Peripheries Revisited: Polycentric Connections or Entangled Hierarchies?" *Review (Fernand Braudel Center)* 36, no. 3–4 (2013): 237–64.

cess of Felix Brahm and Eve Rosenhaft's volume *Slavery Hinterland*, published in 2016, some scholars have indeed come to use this term to describe regions simultaneously remote from and connected to the transatlantic slave trade. The advantage of this terminology, Brahm and Rosenhaft argued, was that it did not preclude these regions' actors from having actively participated in global processes, while the center/periphery dichotomy did just that.[21]

But there have been some reservations. As early as 2014, Susanne Lachenicht had already considered adopting "hinterland" as an analytical category, building on the term's usage as developed in American studies. Here, "hinterland" was employed to refer to "areas beyond the Atlantic Ocean rim" that both impacted the broader Atlantic world and were impacted by it. Yet she ultimately opted against this term as a key category and favored the book title *Europeans Engaging the Atlantic*—explicitly making an effort to center actors' experiences, but also implicitly so as not to "exoticize" Central Europe's experience with this space.[22] The term's negative connotation of "backwardness" as well as its problematic imperialist past—both of which Brahm and Rosenhaft laid out and considered in their introduction—helps to explain a certain reluctance, especially among German speakers, to adopt the term. For example, in her introduction to *Cotton in Context*, Kim Siebenhüner suggested that instead of simply integrating "a supposed 'hinterland' into the existing story, scholars need to tease out the specific character of these regions' involvement."[23] Presumably, Brahm and Rosenhaft would not object to this statement, but it illustrates that their hope for the designation of "hinterland" to be understood on more neutral terms than "periphery" was maybe overly optimistic.

The idea of the "hinterland"—related primarily to slavery and the transatlantic slave trade in Brahm and Rosenhaft's model—can also easily create the impression that the Atlantic world was the center or nodal point, and that hinterlands were oriented primarily towards this space; that this region's history can only be evaluated according to the extent of their connection to this central space. That Brahm and Rosenhaft's aim can be construed in such a manner is evident in the introduction to *Beyond Exceptionalism*, where Rebekka von Mallinckrodt, Sarah Lenz, and Josef Köstlbauer concluded that Brahm and Rosenhaft's volume "established Central Europe as an

21 Brahm and Rosenhaft, "Introduction": 5.

22 Lachenicht, "Europeans Engaging the Atlantic": esp. 12–15.

23 Kim Siebenhüner, "Introduction: Swiss Cotton. A Fabric and its Research Debates," in *Cotton in Context: Manufacturing, Marketing, and Consuming Textiles in the German-Speaking World (1500–1900)*, ed. Kim Siebenhüner, John Jordan and Gabi Schopf (Cologne: Böhlau, 2019): 14. Brauner et al., in their introduction to *Encountering the Global*, also implicitly problematize the term when introducing Mack Walker's 1971 book *German Home Towns*, which they say "cemented the notion of Germany as a hinterland of European expansion, colonialism, and the slave trade." Brauner et al., "Introduction": 6.

economic periphery of the Atlantic core [. . .]."[24] There is a certain danger for concepts like *hinterland* and *periphery* to become analytically empty and remain tethered to ideas about "backward" regions that are "not as" integrated, and with actors less "powerful" than their counterparts in the *centers* or *cores*. We should pause every now and then to reflect about these concepts, how we use them, and to what end.

The same is true for a number of other concepts that have recently gained attention, spearheaded by the notion of "colonialism without colonies."[25] Attempts to find a shorthand descriptor or even a theoretical framework for this phenomenon—that is by no means restricted only to this "German" case—have been made by literary scholars and historians of the nineteenth century, and are influenced by postcolonial approaches. They tend to highlight that collectives not in possession of colonized territories participated or were complicit in the "colonial project." Ulla Vuorela went so far as to say that partaking in Western hegemonic discourse meant adopting a colonial state of mind—countries without colonies (in her case Finland) were thus "seduced" into "colonial complicity."[26] Less extreme is Bert Becker's notion of "participatory colonialism," which he developed to analyze nineteenth-century German activities in British and French imperial spaces in Asia. He describes participatory colonialism as "a specific form of German economic participation in [. . .] formal empire" that included investments in firms, collaborations with imperial administration, and active presence in markets.[27]

As convincing as this may seem, such concepts are only partially helpful for discussions on Central Europe's role in the development of the modern world. All of these frameworks presuppose the existence of a powerful colonial center that these non-colonial regions and actors were initially not a part of. In other words, they imply that regions like Central Europe were not part of the development of the "colo-

24 Rebekka von Mallinckrodt, Sarah Lentz and Josef Köstlbauer, "Beyond Exceptionalism: Traces of Slavery and the Slave Trade in Early Modern Germany, 1650–1850," in *Beyond Exceptionalism: Traces of Slavery and the Slave Trade in Early Modern Germany, 1650–1850*, ed. Rebekka von Mallinckrodt, Josef Köstlbauer and Sarah Lentz (Berlin: De Gruyter Oldenbourg, 2021): 12.

25 Also recently adapted by the editors of *Encountering the Global*, see esp. Brauner et al., "Introduction": 3, 6, 14; Ulrike Strasser, "Conclusion: German Global Microhistory, or: The How and the Why," in *Encountering the Global in Early Modern Germany: Microhistories of Mobility, Materiality, and Belonging*, ed. Christina Brauner, Renate Dürr, Philip Hahn, Anne Sophie Overkamp and Simon Siemianowski (New York: Berghahn, 2025): 328.

26 Ulla Vuorela, "Colonial Complicity: The 'Postcolonial' in a Nordic Context," in *Complying with Colonialism: Gender, Race and Ethnicity in the Nordic Region*, ed. Suvi Keskinen, Salla Tuori, Sari Irni and Diana Mulinari (Farnham: Ashgate, 2009): 19–34; see also Barbara Lüthi, "Colonialism Without Colonies in Europe: Defining Lines," in *Central Europe and the Non-European World in the Long 19th Century*, ed. Markéta Křížová and Jitka Malečková (Berlin: Frank & Timme, 2022): 201–13; Raita Merivirta, Leila Koivunnen and Timo Särkkä, eds., *Finnish Colonial Encounters: From Anti-Imperialism to Cultural Colonialism and Complicity* (Cham: Palgrave Macmillan, 2021).

27 Bert Becker, *France and Germany in the South China Sea, c. 1840–1930: Maritime Competition and Imperial Power* (Cham: Palgrave Macmillan, 2021): 50.

nial project" to begin with, but only drawn into it at a later point, and then only indirectly. But this was decidedly not the case. For some German areas, these entanglements can be traced back to the very beginning of European expansion. Capital investment by the Fuggers and Welsers, for example, financed many of the early Portuguese voyages to West Africa and India.[28]

Even the very commonly found statement that Central Europe was "not directly involved" in the transatlantic slave trade, plantation slavery, or even colonial administration is skewed. What scholars usually mean by this is that Central European *states* did not actively invest in, support, or outfit ships headed to West Africa, fund chartered companies, initiate the settlement of American colonies, or build up administrative control over them. However, Central European *actors* did all of that. As research conducted in the past years has amply shown, German speakers were especially well represented in the Dutch East and West India companies, they helped administer West African forts, and settled in the colonies (according to one historian, one-third of Suriname's settler population in 1800 was German-speaking).[29] The persistence of the idea that there was a "lack of direct involvement" is in many ways a testament to the still-lingering tendency, despite all efforts, to see the state or the "nation" as the primary historical actor.[30]

We would do well to pause here for a moment and reflect on the meaning of "colonialism." It is indeed curious that this term is often little reflected upon in research, and rarely defined. Like other *-isms*, the term "colonialism" initially emerged in the second half of the nineteenth century and denoted colonial practice or the colonial system as such, or more precisely, the way overseas territories were administered. In contrast to "imperialism" in the nineteenth century, which had a negative connotation and was especially used in critiques of European practices overseas, "colonialism" as utilized in the same period served as a neutral, less ideologically loaded descriptor. This is no longer the case. In the course of the twentieth century, the term was also picked up by critics and came to denote the exploitation of "weaker" peoples by a superior, powerful outsider on whom the former had become dependent for their survival.[31]

This understanding of "colonialism," implicitly present whenever the term appears but hardly explicitly discussed, continues to have an impact on how we inter-

28 See e.g. Mark Häberlein, "Connected Histories: South German Merchants and Portuguese Expansion in the Sixteenth Century," *Rivista dell Instituto di Storia dell'Europa Mediterranea* 9, no. 2 (2021): 35–53.

29 For an overview of this scholarship, see Mallinckrodt et al., "Beyond Exceptionalism": 9–10.

30 The prevalence of "nation-state" and "formal colonialism" approaches in global history is also discussed in Brauner et al., "Introduction." For a similar critique, see Christian G. De Vito, "History Without Scale: The Micro-Spatial Perspective," *Past & Present* 242, Issue Supplement 14 (2019): 371.

31 Krishan Kumar, "Colony and Empire, Colonialism and Imperialism: A Meaningful Distinction?" *Comparative Studies in Society and History* 63, no. 2 (2021): 285–86.

pret and research Europe's colonial past, which has made it difficult to place Central European trade, production, and consumption at the heart of its development. Thus, the appearance of terms like "participatory" and "complicity." To be sure, there may be instances where the vocabulary of "participation" makes sense; for example, to describe the dealings of smaller businesses with little bargaining power, whose merchandise nevertheless ended up on slave-trading vessels or who bought raw cotton grown and harvested by African enslaved workers. In some instances, it may even make sense to speak of "complicity," especially where public awareness of these historical realities needs to be raised. Yet if Central Europe, particularly the German-speaking territories, helped birth an economic and cultural space that facilitated the establishment of settler colonies and conquest, or was instrumental in it, then the ideas of participation and complicity appear to mitigate its role rather than highlight it.

In contrast, the contributions in this volume will challenge precisely this conventional understanding of colonialism, which will be achieved by showcasing the economic interdependencies and contributions of regions and actors that did not have administrative control of, or oftentimes even physical presence in, these territories. In order to understand the colonial system, we need to be able to account for these regions and actors who, though seemingly on its margins, were instrumental in making it work and maintaining its dynamics. This is not only true for the early modern period, but also for the nineteenth and twentieth centuries. The establishment of official German colonies did not simply abolish or replace former types of "colonial involvement," but rather supplemented them. By looking beyond the fictional boundary separating "early modern colonialism" from "imperial colonialism," we can gain a better understanding of the mechanisms at play.

2 Dependency, Agency, and the Issue of Scale

In employing the vocabulary of dependency to conceptualize Central Europe's involvement in the colonial project, we are arguably stirring up a hornets' nest. Still most commonly associated with Latin American dependency theory, the term reeks of precisely the kind of center–periphery dichotomy we seek to complicate, narrating the genesis of the modern world purely as a story that pits the exploiter against the exploited. Dependency theory emerged in the 1960s and 1970s in response to the then-prevailing modernization theory, which postulated that all societies had the capacity to and would eventually "develop" in the same way, and would ultimately end up like the countries of the "Western World." Dependency theorists instead argued that the development of the "modern West" was simultaneously the development of capitalism, which contained as an integral part the exploitation and domination of other world regions. To paraphrase André Gunder Frank, one of the most influential depen-

dency theorists, certain parts of the world were "underdeveloped" for the same reason that other parts of the world were "developed": due to the historical genesis and logic of capitalism.[32] This very same logic in turn precluded a world in which all regions and peoples were similarly "developed."

"Dependency," in this model, clearly has spatial and macro-economic connotations: Certain *regions* are economically dependent on others, and certain *regions* are exploited while others are the exploiters. A historical analysis then needs to lay out how this has come to be. Individual *actors* very much tend to disappear from the historical scene in such narratives of macroeconomic development. As Ilan Kapoor has pointed out, dependency theorists tend to essentialize actors and level differences between individuals—spatial dependence takes precedent over such variations.[33] The micro level of individual actions remains beyond their purview, creating the impression that such actions cannot escape these overall processes, let alone contribute to their outcome. At the very same time, micro-historical approaches adopted the opposite stance, asserting that only an analysis on smaller scales—that of a village, a family, an event, or even a person—can provide insights into historical realities and contingencies and can indeed provide a significant corrective to macro narratives in important ways.[34] This is also the primary perspective from which "German" involvement in colonial spaces is currently being analyzed.[35]

The relationship between the micro and the macro, especially where agency is concerned, has occupied many a researcher. While the tendency of newer postcolonial theorists to divide the world into colonizer and colonized is reminiscent of dependency theory, they also allow for the possibility that colonized or subaltern actors appropriate hegemonic discourse, in order to resist master narratives or to enhance their own positions. Both the body of work labelled as "postcolonial studies" and the past decades of historical scholarship tend to emphasize agency, while either postulating the existence of macro dependencies or relegating them to the sidelines.

Recently, Christian de Vito has proposed to deal with the "micro-macro problem" by abandoning scale as a unit of analysis. Objecting to the idea that the micro equals a local and agency-based approach while the macro means focusing on the global and the structural, he calls for a "micro-spatial approach" that understands historical processes as the products of social practices actualized at different times and in different locales. By studying these practices, he argues, we can deconstruct and overcome the agency/structure as well as the short-term/long-term divide. De Vito thus essentially

32 André Gunder Frank, *Latin America: Underdevelopment or Revolution* (New York: Monthly Review Press, 1969): 4, 9 [quoted in Ilan Kapoor, "Capitalism, Culture, Agency: Dependency Versus Postcolonial Theory," *Third World Quarterly* 23, no. 4 (2002): 648].

33 Kapoor, "Capitalism, Culture, Agency": 655.

34 Carlo Ginzburg, *Threads and Traces: True False Fictive* (Berkeley: University of California Press, 2011): 193–214.

35 Most recently Brauner et al., "Introduction": 3, 7. See also Strasser, "Conclusion": 329.

understands historical processes as bottom-up phenomena that can be investigated at the actor level and can ultimately create macro-level structures.[36]

Interestingly, one can arrive at much the same methodological framework without dropping scale as an analytical concept. Building on Manuel DeLanda's version of assemblage theory, archaeologist John Robb argues in favor of what he calls a multiscalar approach.[37] According to DeLanda, the world is made up of assemblages of elements. These can be the cells that make up tissue, plant life that makes up an ecosystem, people that make up a group, cities that make up a regional network. The tissue, ecosystem, group, or regional network is more than just the sum of its parts; an assemblage can do things that its constituting elements cannot, and it is subject to different constraints. The assemblage is a new entity (operating on a different scale) that follows different rules: What applies to an individual does not necessarily apply to the family assemblage or the group assemblage. Individuals, says Robb, exist simultaneously on different scales, namely within different assemblages made up of human and non-human elements—and interactions across scales can have unintended and unforeseeable side effects.

The historiography of Africa can help us to see the benefits of such an approach. Since the 1990s, historians dedicated to this area have increasingly pointed out that African actors had a lot of agency in Afro-European contact in pre-colonial times (that is, the time before the late nineteenth century), oftentimes more so than their European counterparts. Scholars like John Thornton have used a plethora of evidence for such agency, precisely to attack dependency theorists' claim that Africa is and was weak, only a "passive victim" of capitalism. But his counterexamples were taken primarily from the scale of individuals' actions and experiences.[38] Postcolonial theorists might interject that "subaltern" individuals can very well be in a dominant position, but this changes nothing about the broader system. In other words, they would likely maintain that pointing out the agency of individual Africans or even specific African groups at certain points in time would not invalidate the notion that, in the long run and seen from a broader perspective, Africa as a region was ultimately drawn into a capitalist world system that made it dependent. Of course, one is then led to the very troubling conclusion that actors don't actually matter.

Following Robb, we might argue that both can be true, and that these two factors operate on a different scale and thus follow different rules; we can also argue that

36 For the following see de Vito, "History without Scale."

37 John Robb, "Material Culture, Landscapes of Action, and Emergent Causation: A New Model for the Origins of the European Neolithic," *Current Anthropology* 54, no. 6 (2013): 657–83; see also John Robb and Timothy R. Pauketat, "From Moments to Millennia: Theorizing Scale and Change in Human History," in *Big Histories, Human Lives: Tackling Problems of Scale in Archaeology*, ed. John Robb and Timothy R. Pauketat (Santa Fe: School for Advanced Research Press, 2013): 3–33.

38 John Thornton, *Africa and Africans in the Making of the Atlantic World 1400–1800* (Cambridge: Cambridge University Press, 1998): 4–5 and 43–44.

both factors originate in the same constellation of relationships—they are the result of the same practices manifesting themselves on different scales. Seen from this angle, the fact that African merchants and state actors generally had a high degree of bargaining power in Afro-European cultural contact resulted from the very same practices and relations that ultimately facilitated European imperialism. These practices created the strong dependencies of European actors on African actors in the West African contact zone, which the former were constantly annoyed by and sought to break away from. While this was frequently of little consequence on the scale of individual interactions, it released different forces on the scale of larger assemblages, impacting, for example, state actions, institutional developments, ideology, policies, or scientific developments. Ultimately, this changed power constellations in the West African contact zone itself: practices changed and dependencies shifted.

The past years of scholarship on both Central Europe and West Africa's global entanglements invite us to re-assess existing narratives. Instead of the "core" actors of the European sea powers solely dominating the practices of trade, production, and consumption, we repeatedly witness seemingly "peripheral" or "subaltern" actors setting the terms both in Central Europe and in Western Africa (and indeed elsewhere). This happened with such frequency that it is no longer apt to see such cases as exceptions. Since manufactures from Central European territories were primary consumer goods on West African and American markets, their producers could often dictate terms of trade. Such was the case, for example, with Silesian linen merchants or ribbon salesmen in the Wupper valley, whose unsuspecting and yet vital merchandise hardly encountered serious competitors on world markets.[39]

This mirrors insights from Africanist research that highlight how fashion trends on African consumer markets dictated what types of products a London or Lisbon-based slaving vessel had in stock. Outfitted with pattern books, European merchants in West Africa reported back about the colors, designs, and materials currently *en vogue* in different regions.[40] The preferences of West African buyers and consumers, oftentimes for Central European products, thus had a direct bearing on production

39 Anka Steffen, *Am leinenen Faden: Schlesiens Wirtschaft im globalen Kontext der frühen Neuzeit* (Stuttgart: Steiner, 2025); Anne Sophie Overkamp, "A Cartel on the Periphery: Wupper Valley Merchants and Their Strategies in Atlantic Trade (1790s–1820s)," in *Globalized Peripheries: Central Europe and the Atlantic World, 1680–1860,* ed. Jutta Wimmler and Klaus Weber (Woodbridge: Boydell & Brewer, 2020): 133–50.

40 Thornton, *Africa and Africans*; Vibe M. Martens, "Indian Textiles in Seventeenth- and Eighteenth-Century Denmark: Trade and the Rise of a Global Consumer Culture" (PhD diss., European University Institute, 2017); Kazuo Kobayashi, *Indian Cotton Textiles in West Africa: African Agency, Consumer Demand and the Making of the Global Economy, 1750–1850* (Cham: Palgrave Macmillan, 2019); Matthew Mitchell, *The Prince of Slavers: Humphry Morice and the Transformation of Britain's Transatlantic Slave Trade, 1698–1732* (Cham: Palgrave Macmillan, 2020): 3–4, 15–20, 148; Anne Ruderman, *Supplying the Slave Trade: European Enslavers and African Merchants in the Eighteenth-Century Atlantic* (New Haven: Yale University Press, 2025).

and trade in Europe. Similarly, as Central Europe was one of the most important markets for American plantation products, the preferences of its consumers had a bearing on what the sea powers' vessels purchased in the Americas and what was produced there. Saint-Domingue Indigo, South Carolina rice, and many other plantation commodities were funnelled into the Holy Roman Empire through ports like Hamburg, Stettin (Szczecin), or Trieste in enormous quantities.

Viewed from a Central European perspective, one could easily paint the sea powers and their agents as simple intermediaries for their access to African, American, and Asian markets. We might come to the same conclusion from an African perspective. While the intermediaries were certainly vital, they oftentimes did not dictate the terms because they depended on Central European and West African suppliers and consumers. Considering the mentioned similarities between these two very different spaces, the question arises as to how one region ended up being colonized and the other the colonizer. The fact that German speakers ended up creating one of the primary world powers of the nineteenth century, the German Reich, while West Africans were ultimately unable to halt the onslaught of European colonizers is not a foregone conclusion. The standard answers in the African case (effects of the transatlantic slave trade, gradual development in Europe of superior weapons, and immunization technologies for diseases) or the German case (military power, discipline, and industrial capitalism) are not in themselves explanations: They are instead the outcome of processes connected to the character of the early modern colonial system.

I maintain that empirical cases add up to more than the sum of its parts. While micro-historical approaches are certainly vital, we need to be able to account for patterns and developments that they were a part of, especially if these patterns seem to contradict the experiences witnessed on the micro level. Just like it is unhelpful to say that African actors were the ones who set the terms of trade in the West African contact zone while ignoring the fact that Africa was at the same time slowly plunged into an extremely dependent situation in the world economy, it is unhelpful to point out that Central Europe was "also" involved in that same economy. Robb and Pauketat argue that historical change is neither the product of local choices nor the product of systemic factors, but rather comes about through the interaction between the two.[41] The different assemblages that every individual is a part of are constantly in motion, and changes on one scale may lead to changes on another—often quite unintentionally. These abstract processes can be examined by studying relationships, not only between humans, but also between humans and non-humans, between individuals and collectives, etc.

Thus, looking at dependencies is analytically helpful because dependencies are always relational and dynamic. They can shift with time, context, and indeed perspec-

41 Robb and Pauketat, "From Moments to Millennia": 28–29.

tive.[42] By looking for dependencies on different scales (between individuals, individuals and collectives, collectives and raw materials, for example), the contributions in this volume illustrate that the actors and goods involved—such as "German" merchants or companies, African and American consumers and/or producers, colonial as well as manufactured goods, and maritime infrastructure—were not passive, but active entities within the assemblage that we might call the colonial system. They helped shape the economic, political, and social dynamics of the era—an era that cannot be grasped through simple dichotomies. As the contributions in this volume reveal, there were in fact multiple ways of engaging with colonial spaces that, taken together, made the colonial system function the way it did.[43] Instead of positing a standard model (that of the sea powers) and characterizing different types of engagement with terms such as (non)participation or complicity, we suggest allowing for these varieties in space and time and acknowledging that all of them combined to create the economic and cultural practices that we have come to understand as "colonialism." We thus propose to understand dependencies not on purely spatial but also on social terms, by putting interactions and relationships, as they manifested on different scales, at the center of the analysis.

3 De-Centering and Re-Centering the State

The scholars who unearthed the many Central European involvements in global spaces have also pondered why these connections, clearly visible in the source material, have only recently been discovered, which has led to important insights into the history of history-writing, especially in the twentieth century. As Margrit Schulte Beerbühl lays out in her historiographical essay in this volume, the fall of the Iron Curtain and the increasing integration of the world economy, which were further stimulated by the emergence of the digital age from the 1990s onwards, provide an important context for understanding why Central Europe's global connections increasingly came into view around the year 2000. Another core element was the rise of agency-centered approaches, spurred among other things by postcolonial studies and actor–network theory that allowed economic historians to explore trade and commercial relations beyond the state level and their "national economies."

Once again, it is helpful to view this development in light of Africanist historiography. In contrast to Central European history, the history of West Africa was con-

42 Some have proposed to replace the terminology of center/periphery with centrality/de-centrality in order to highlight precisely this relational nature. See, for example, de Vito, "History without Scale": 354.

43 The editors of *Encountering the Global* make that same point, using different words, in their introduction. Brauner et al., "Introduction."

structed primarily in terms of its relation to the Atlantic world from at least the 1960s onwards. The core question was if and how the transatlantic slave trade had impacted West African social and economic structures, and especially the process of state-building. For a long time, these questions were asked and answered on the macro level, leveling differences and connections between West African regions and downplaying the role of actors. In recent years, the trend has somewhat reversed, with scholars now highlighting internal factors in explaining West African historical developments and emphasizing different trajectories within the broader region. Scholars now ask very similar questions to their colleagues working on Central Europe: How did specific communities interact with the wider world? How were local economic and political systems shaped by their integration into the world economy? And how did they in turn shape that same economy?[44] Africanists have also begun to emphasize that regions in the interior had been drawn into these developments in ways different from those that had implicated the coastal regions, citing, for example, "broad transformations in production, consumption, and taste in smaller-scale hinterland communities."[45]

Thus, having started from two completely opposing points of departure—with one region's integration into the wider world overemphasized and the other's ignored—these two historiographies ended up with the same conclusions. For historians of Central Europe, the challenge was to prove that this region did not develop due to purely internal, at most "European," factors; Africanists, on the other hand, faced the exact opposite challenge of having to show that external forces were not the only factors that determined the continent's history in the past centuries. Interestingly, decentering the state by looking at actors, communities, and networks was vital for both undertakings. Nevertheless, having at hand all of these highly informative local studies about regional (dis)connectivity, merchant networks, and travelling objects, we may do well not to lose sight of politics and questions of state formation and state-building. Considering not only the heterogeneous political structure of the Holy Roman Empire but also the changes this entity underwent with the rise of overseas colonialism, it may indeed be time to re-center the state in our research—albeit from a different angle.

As Schulte Beerbühl notes in her contribution, the Empire's political fragmentation, coupled with the devastating effects of the Thirty Years' War, was often seen, before the 1990s, as a major reason why the Holy Roman Empire was "cut off from the global economy" in the seventeenth and eighteenth centuries. Since research from the past twenty-five years has invalidated the latter assumption, we also have to reassess the former. Did this fragmentation foster different types of "colonial engage-

44 J. Cameron Monroe and Akinwumi Ogundiran, "Power and Landscape in Atlantic West Africa," in *Power and Landscape in Atlantic West Africa: Archaeological Perspectives*, ed. J. Cameron Monroe and Akinwumi Ogundiran (Cambridge: Cambridge University Press, 2012): 8.

45 Monroe and Ogundiran, "Power and Landscape": 9.

ment"? Did this engagement then affect political structures? To assess these questions, historians of Central Europe could certainly take inspiration from Africanist scholarship that has long debated them. While introducing the individual contributions on the following pages, I will offer a few preliminary thoughts on this subject here and there, which emerged from my engagement with the fascinating contributions in this volume.

The starting point for this edited volume was the idea of paying tribute to the pioneering role of Klaus Weber, whose work of the past twenty-five years has been an important catalyst for much of the research done on Central European entanglements with a globalizing world. Following up on a concern Klaus Weber himself has often expressed, it was also our aim to create a bridge between studies of early modern colonial spaces and studies of the nineteenth and twentieth centuries. Bridging this divide can, we believe, substantially enrich both fields. While we gave our authors free choice of topic, we also asked them to think about questions of dependency related to trade, production, and consumption, and to do so by focusing on (human and/or non-human) actors and their networks. We are more than pleased with the way they have taken on this challenge, and the oftentimes unexpected synergies between the individual contributions. It is also wonderful to see not only how scholars continue to unearth new empirical case studies, but how they also concretize and further develop the interpretative frameworks.

One such example is Yuta Kikuchi's chapter, which investigates the business dealings of Hamburg merchant Octavio Rudolph Schroeder in the eighteenth century. Kikuchi skillfully lays out how individual commission merchants connected a vast number of regions from Bilbao to Stettin, even from West Africa to Russia. Kikuchi argues that Schroeder's business was clearly focused on the "hinterlands," pointing out that Hamburg was a hub not only for "colonial goods," but also for Central and Eastern European merchandise such as furs, glassware, and Meissen porcelain. In other words, Kikuchi is able to illustrate how growing consumption in the eighteenth century—itself connected to the rise of the global economy—fueled commodity trade in general. Early modern globalization, he argues, is characterized precisely by this "interwoven nature" of production, trade, and consumption in different world regions. Schroeder was not a state agent, but represents the non-state involvement of both actors and regions in larger colonial networks.

While Schroeder was not a state actor, he nevertheless operated within an infrastructure beneficial for this type of intermediate business. The Hanseatic city of Hamburg certainly profited from being this type of trade hub. Yet these profits quickly dissipated once the merchants in question left the city and took their business directly to other continents, as Samuel Eleazar Wendt's case study shows. He identifies immigrants from Hamburg in Brazil who specifically used the connections established by their families' engagement in the sugar trade in the early nineteenth century to establish themselves in the rubber business. Yet profits from these immigrants' Brazilian rubber business did not flow to Hamburg, or to Wilhelmine Germany, but to its rival,

the British empire. This had to do with the German businesses' dependence on British capital. Clearly, we need to take care to differentiate the interests of actors from the interests of states. This raises the interesting question: Did the realization that such merchants were not acting in the best interest of the state contribute to the state's increasing interest in colonization and conquest?

Investigating the activities of merchant companies can serve as an important link between early modern and modern colonialisms. In telling the life story of Teah Tobey, a West African Kru headman active in Liberia in the late nineteenth and early twentieth centuries, Tristan Oestermann highlights the activities of German firms in the colonial system before, during, and after "official" German colonialism in Africa: From the mid-nineteenth century until well into the twentieth century, the Woermann company functioned as one of the most important suppliers of Kru labor—among other things, the company shipped Kru workers to the Americas in 1866 to build the Panama Canal. Oestermann argues that it is important to integrate such research into the larger scholarship: By ignoring German actors and sources, anglophone scholarship has created a skewed picture of Liberian Kru laborers, as well as of the institution of the Kru headman. Teah Tobey's ambivalent position as a vital intermediary for the company invites us to ponder if and how imperial administration later built on mercantile practices that had been established by such companies in the preceding decades.

Continuities of mercantile practices are also addressed in Daniel Bendix's contribution, in which he traces the history of his own family's textile firm, centered in today's North Rhine-Westphalia, from the eighteenth to the twentieth centuries. While Germany was already on its way to becoming an important colonial power and was trying to kick off cotton production in its new Pacific and African colonies, the firm initially continued to operate as it had before, relying on the Americas as both a supplier of raw materials and an outlet for its own merchandise. Only in the twentieth century did they switch to new export markets, notably South Africa. While he concludes that the Bendix firm was not in a position to directly or significantly influence the colonial system, the firm was nevertheless one of many similar enterprises that kept the system running by fulfilling this intermediary function. Moreover, it is quite clear that the family business profited from its access to colonial markets and knew very well what markets they were serving and drawing materials from.

From the earliest days of European maritime "expansion," certain actors had profited from the already-existing demand for goods produced in Central Europe, and had actively exploited natural and human resources to meet the requirements of the growing world economy. Tobias Skowronek's chapter on the Central European heavy metal industry provides an illustrative case study. Centuries before Portuguese ships reached the coasts of Africa, brass produced in the Rhine-Meuse region was already being transported across the Sahara in large quantities. With the sea routes opened, brass became one of the most valued trade goods on ships sailing to Africa, and later also to the Americas. In tracing the role of "German" merchant families with connec-

tions to the production centers of the lower Rhine region in facilitating this process, Skowronek also teases out how technical expertise and financial backing from this region were instrumental in the establishment of brass production in Sweden and England in the seventeenth century. Skowronek begins his chapter with the historical irony that much of this brass, fashioned into the manillas that functioned as currency in parts of Western Africa, returned to Germany as scrap metal after the Second World War, when the country was struggling to rebuild its industry and infrastructure. They had been forcibly collected by the British in Nigeria and subsequently sold to a German copper recycling company. Cases such as these show the fascinating insights that can be gained by investigating the entanglements between Central Europe and Africa beyond "formal" colonialism and from a *longue durée* perspective.

Another center of the early modern heavy metal industry was Sweden. Skowronek's paper already hints at the many connections between the two, primarily with regard to copper and brass. Göran Rydén, on the other hand, focuses on Swedish ironmaking, with its important connection to the history of the British steel industry and Atlantic markets. In his analysis of profit-making in the eighteenth century, Rydén puts to work Klaus Weber and my invitation to move "beyond Wallerstein" when assessing Central Europe's place in the early modern world economy. In trying to make sense of Charles De Greer's account books and business ledgers, Rydén recalls the Swedish state official Samuel Schröder, who in the 1740s described a global system along the lines of today's commodity-chain approach. Yet in contrast to commodity-chain theorists, he did not distinguish between "cores" and "peripheries"—profits, power, and dependencies could move in all directions. Rydén also shows that the way profits were calculated in Sweden at the time actually hides the extent of these profits from the researcher's view: This calculation in fact included the owner's (De Greer's) expenditures, which had been used to finance a rather lavish lifestyle. As this chapter illustrates, researchers on "Wallersteinian" peripheries would do well to engage with each other's work; have differences in bookkeeping practices led researchers astray when thinking about profit generation across European countries?

In her contribution, Renate Pieper asks related questions about the use of metal currencies in sixteenth-century Spain, Styria, and Peru. Her chapter also puts the question of "German" Austria's colonial ties in perspective by placing the Inner Austrian Dutchy of Styria within the context of sixteenth-century Spanish-American trading practices. She reminds us that at that time, the Holy Roman Emperor Charles V was simultaneously the king of Castile and Aragon, and that Styria's ties with Spain were traditionally strong. Styrian steel was not only of international renown; iron in general was a vital material for the production of the tools needed to extract silver from Peruvian mines. In turn, Peruvian silver as a primary currency was in high demand in Styria. Pieper compares the use of metallic and non-metallic forms of payment in the Spanish Americas with those used in Styria to argue that sixteenth-century Spain was a polycentric monarchy, characterized not by hierarchies between regions but by interdependencies. She also highlights that the Spanish crown pro-

vided infrastructure to the merchants engaged in American trade, and points out the increasing bargaining power enjoyed by those operating directly in Peru.

While the Spanish crown eventually introduced a monopoly for trade with their American colonies, Catherine Aristizábal identifies the late eighteenth century as a pivotal period in which both "German" and Spanish-American merchants took advantage of the growing pressures on Spain. Opposing a widely held view in the historiography that dates commercial exchanges between these regions to the period after 1825 (and thus after independence from Spain), Aristizábal shows how the naval conflict between Spain and Britain (1796–1802), and subsequently the Napoleonic wars, opened up a window of opportunity for merchants operating in Hamburg and Buenos Aires: They established direct commercial shipping that circumvented Spain entirely. While the Spanish crown facilitated this development by legalizing the colonies' trade with "neutral" ports during the time of the conflict, Aristizábal shows how merchants strategically exploited the new regulations in order to strengthen their own position in relation to the Spanish "center." This turn of events also led to Buenos Aires-based merchants using Hanseatic vessels to engage in the transatlantic slave trade. Once the direct link between Hamburg and Buenos Aires had been established, it proved difficult to break—even after the Spanish Crown revoked its authorization.

State restrictions on the market were not only common in Europe, but also in Asia, as Anne Sophie Overkamp illustrates in her chapter. Using the example of Dresden horticulturalist Jacob Seidel, Overkamp explores the growing European fascination with Asian ornamental plants. She highlights that European plant hunters and collectors in Asia only had restricted access to Chinese and Japanese ornamental plants because both countries had closed their borders to Europeans. Thus, European collectors could only buy what was offered to them. Since only a limited number of plants were available to them, the European thirst for novelty could not be satiated for long. European horticulturalists thus began to cultivate new varieties from these Asian species themselves. In the process, they ignored the fact that the varieties they had in their hands were already the products of Chinese and Japanese cultivation technologies, and instead championed their own ingenious methods of breeding new sub-species. With the example of Seidel, Overkamp offers a case in which a "German" horticulturalist developed techniques different from those employed by his counterparts in Britain and Belgium—techniques that were less reliant on difficult-to-access seeds and instead worked with grown plants.

This may be indicative of a more general trend: There are several instances where "German" technologies developed as a response to what appear to be structural disadvantages, such as the ominous "lack of direct access." For a variety of reasons—be it the spread of abolitionist ideology, protectionist ideals, or interruptions in maritime trade—eighteenth and nineteenth-century industries developed a number

of local substitutes for products such as sugar, gum arabic, and natural dyestuffs.[46] The example of Seidel may be structurally similar: Because it was more difficult for a Dresden-based horticulturalist to access seeds than it was to access grown plants, he developed (successful) breeding techniques that did not require seeds. More research is necessary to test this hypothesis, but we should certainly consider in which particular historical circumstances actors develop creative ways of overcoming obstacles, and how their solutions contributed to historical trajectories.

That such trajectories should not be read along the lines of simple "progress" towards ever-more integrated spaces is addressed in Ruth Stamm and Sarah Kreiseler's chapter. They argue not only that the Wendland, a region in Eastern Lower Saxony, in what is today the district of Lüchow-Danneberg, became both a producer for the Atlantic economy and a consumer of plantation products from the late eighteenth to the mid-nineteenth century. By tracing the region's trajectory further into the nineteenth century, they also make the important point that this very same involvement was ultimately also responsible for the decline of the linen industry in the second half of the nineteenth century, which eventually returned this rural region to a more "peripheral" position in the global economy.

Ruth Stamm and Sarah Kreiseler have managed to propel colonialism into the twenty-first century. By combining research with museum work, they bring the current findings on "German" entanglements with colonial spaces to the broader public. Their exhibition in the *Rundlingsmuseum Wendland* presents a global history of this region in what is usually regarded as a *Heimatmuseum*—a place that typically depicts "traditional" local identities. In doing so, they seek to challenge static notions of tradition and at the same time invite visitors to re-think the region's cultural heritage as well as contemporary issues of global politics and trade. They illustrate that generating historical content for a broader audience does not automatically amount to a reduction of complexity—a charge often thrown at "grand narratives" that play out on larger scales. Their exhibition project turns the Wendland's "colonial" past into a subject of memorialization, reminding us that Europe as it exists today is very much a product of this colonial legacy.

46 For example, Wimmler, "From Senegal to Augsburg"; Sarah Lentz, "Oh, Wonderful Sugar Beet! You Are the Death of the Bloody Sugar Cane: The German Debate on the Morality of the Consumption of Sugar Produced by Slave Labour Around 1800," in *Global Commerce and Economic Conscience in Europe, 1700–1900*, ed. Felix Brahm and Eve Rosenhaft (Oxford: Oxford University Press, 2022): 171–89; Alexander Engel, *Farben der Globalisierung: Die Entstehung moderner Märkte für Farbstoffe 1500–1900* (Frankfurt am Main: Campus, 2009).

4 Concluding Remarks

One of the reasons why we have opted to place this volume under the heading of "German colonialism" is because we believe that historians need to make more of an effort in bringing research findings about Central Europe's pre-nineteenth century entanglements into the public sphere. In order to communicate that "German" involvement in colonial spaces predates the establishment of official colonies, it is helpful to work with the recognizable and established concept of "colonialism" rather than employing categories such as "Atlantic history," which are little understood by non-specialists, or abstract terms like "globalization."[47] Moreover, working with this concept helps us to link scholarship on the early modern period with that dealing with colonialism in the nineteenth and twentieth centuries. Certainly, questions about the relationship between state and non-state actors, as well as between state formation and global trade more generally, can more fruitfully be answered by breaking the barrier that exists, especially in German historiography, between the time before and after 1800.

And yet the contributions to this volume illustrate that talking of "German colonialism" from the sixteenth to the twenty-first century is not just a rhetorical gambit. By conceptualizing the dependencies in trade, production, and consumption during this long period as manifestations of a colonial system, our contributors are able to recover the dynamics of this system and illustrate in accessible ways how this system permeated the lived experiences of people and communities in different parts of the world. This is not to say that "the colonial" should become the primary lens through which we understand Central European history, or the history of the past five hundred years in general. But we do maintain that research of the past twenty or so years poses a serious challenge to established historical narratives that needs to be addressed. This challenge needs to be taken up both in the international scholarship on Atlantic, global, colonial, or imperial history, and in scholarship on the Holy Roman Empire and its successor states. We hope that this book contributes to this endeavor.

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47 For a critique of globalization as an analytical category, see Frederick Cooper, "What Is the Concept of Globalization Good for? An African Historian's Perspective," *African Affairs* 100, no. 399 (2001): 189–213.

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2. Slaveries and Similar Dependencies

2.2. Regions and Epochs

The Americas

Michael Zeuske. “Slaves in Slavery Regimes of the Americas,” in *Studies on Slavery in Brazilian and African History and Literature*, ed. Stephan Conermann and Roberto Hofmeister-Pich (Berlin: De Gruyter, 2025): 19–60.

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Michael Zeuske

Slaves in Slavery Regimes of the Americas

Arango soñaba con la plantación [Arango dreamed of the plantation].[1]

1 Introduction

Slavery empires in the Americas were made and held by the European colonial powers Spain, Portugal, France, England / Great Britain, the Netherlands (or the "Dutch"), Denmark, and some other Baltic states. They all had their own distinct slavery regimes in their territories. These countries based their slavery regimes on Atlantic slave trade, "frontier slaveries" (that is, slaveries at the territories between colonial expansion and indigenous lands as well between different colonial powers)[2] and on older forms of slavery which had existed in the Americas and the Atlantic hemisphere even long before European expansions.[3] What did these slavery regimes mean for the enslaved? Direct corporal violence or the structural violence of long, hard work? As Catherine Cameron pointed out, of all slavery regimes, the worst form of existence for enslaved individuals – not only in Atlantic slavery, but also globally in small-scale societies and local frontier territories – was the utter "non-status" of a freshly-defeated captive in raids, war, and frontier slavery. This also applies to "other slaveries" and indigenous slaveries, and to intercolonial trade or smuggling of slaves, i.e., between colonial slavery regimes.[4]

These systems were generally mosaics of an almost absolute form of dominance which, for captured warriors, could also end in sacrifice or torture – or as a son-in-law). The same applies to captive status in the slaving zones in general, as well as slaving regimes in Africa – especially for captives and enslaved people who were not accepted into the household of the African or indigenous enslavers but rather transported and sold into Atlantic slavery. Slave status, which took hold in the Americas

1 Manuel Moreno Fraginals, *El Ingenio. Complejo económico social cubano del azúcar*, 3 vols. (La Habana: Ed. de Ciencias Sociales, 1978): vol. 1, 47.

2 Jeremy Adelman, "Capitalism and Slavery on Imperial Hinterlands," in Jeremy Adelman, *Sovereignty and Revolution in the Iberian Atlantic* (Princeton: Princeton University Press, 2006): 56–100; Andrés Reséndez, *The Other Slavery: The Uncovered Story of Indian Enslavement in America* (Boston: Houghton Mifflin Harcourt, 2016).

3 Michael Zeuske, *Afrika – Atlantik – Amerika: Sklaverei und Sklavenhandel in Afrika, auf dem Atlantik und in den Amerikas sowie in Europa*, Dependency and Slavery Studies 2 (Berlin: De Gruyter, 2022).

4 Gregory E. O'Malley and Alex Borucki, "Patterns in the Intercolonial Slave Trade Across the Americas Before the Nineteenth Century," *Revista Tempo* 23, no. 2 (2017): 314–38.

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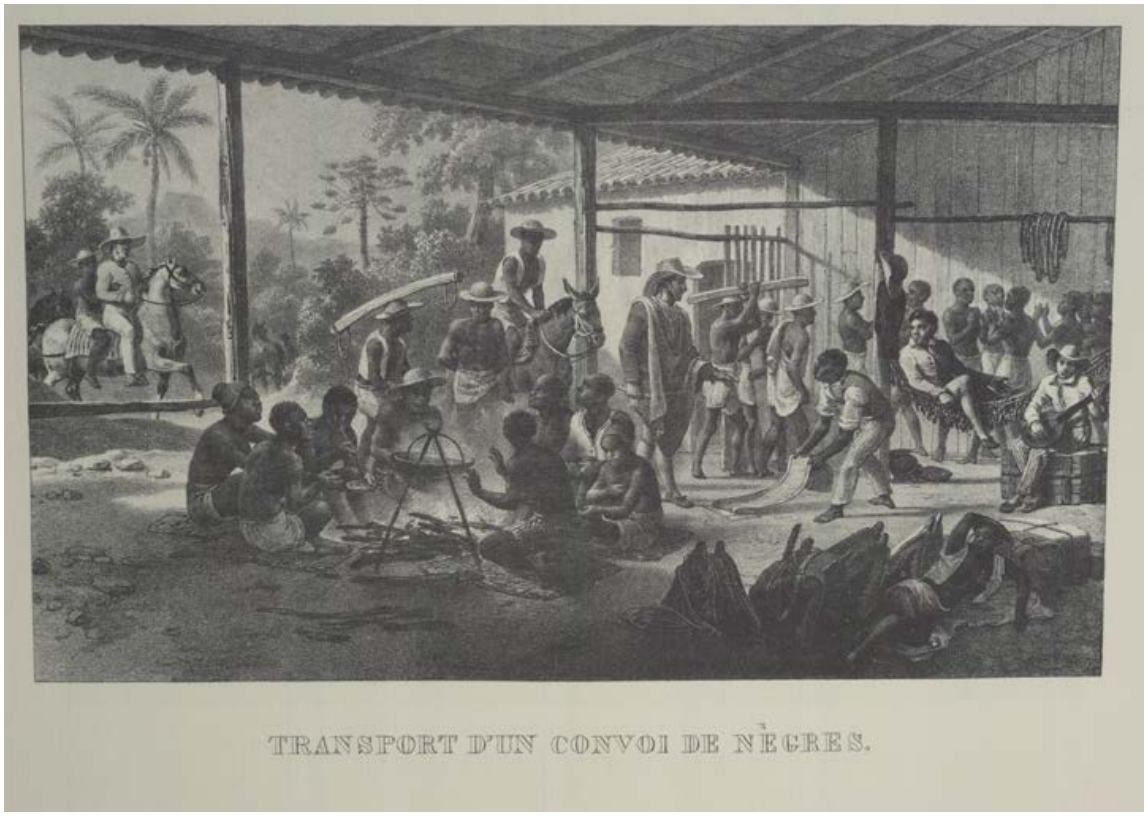
after the landings and the sale in the port cities on the way to the respective locations, is part of the genuine regime of terror of the so-called "trade" or "transport" (which also took place between different slavery regimes), which also applied on internal slave trade routes (image: Rugendas "Transport d'un convoi de nègres").



This is why the legal theorists of Euro-Atlantic slavery developed the "no-closer-look" legal doctrine, which exempted buyers of enslaved people on the coasts of Africa or on the borders of indigenous territories from the customary requirement[5] of proving the persons being bought had been enslaved in just wars.

The life histories of enslaved people provide a glimpse into the traumatic "transport" in Africa and from Africa across the Atlantic to the Americas (and from there to their ultimate destination as a slave): They were collected in transport caravans or (smaller) groups of enslaved, in slave settlements (often compounds run by other slaves), barracoons or fortresses in Africa, but also sometimes by individual delivery from two or three *cativos* to the Atlantic slave ships. Then comes shipping, transport on a slave ship, arrival at a port (usually a formally legitimate slave port),[6] a contra-

5 Cloe Ireton, "Black Africans' Freedom Litigation Suits to Define Just War and Just Slavery in the Early Spanish Empire," *Renaissance Quarterly* 73, no. 4 (2020): 1277–319.

6 Michael Zeuske and Vicent Sanz, "*El Negrito* y la microeconomía política de la trata negrera en el Atlántico: La arribada a puerto con un cargamento de esclavizados," in *Reflejos de la esclavitud en el*

band clearinghouse, or a free port such as Port Royal or Tortuga. In the legitimate ports, like very early Cartagena de Indias, enslaved persons were abducted and held captive in certain buildings, for which the term *barracón* (barracoon) was used first in Africa and in the Iberian Americas. Barracoons prevailed in the eighteenth and nineteenth centuries; while in early sites of the burgeoning large-scale slave trade, such as Cartagena de Indias, these shelters were still called *negrerías* and could take the form of free-standing shelters or courtyard of a slave trader's house.[7]

Enslaved people from Africa, who remembered the horrors of these transports to (or in) Atlantic slavery within the overall system of "AAA" (Africa-Atlantic-America),[8] always highlighted the violent scenes within the barracoon before they were loaded onto the Atlantic ships.[9] The loading process itself and the horror of the lower decks of the slave trade ships were also seared into their memories.[10] The same applies, as noted above, to the transports and slave trades in the interior of Africa and in the Americas. These latter stages, portrayed in the Rugendas print above, were known as the "final passages" and have been particularly well researched in the context of British America[11] and between Jamaica and Spanish territories.[12] Nevertheless, there were also large slave caravans in individual slave territories, such as this one which took place in Cuba in February 1818:

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arte: imágenes de Europa y América, ed. Aurelia Martín Casares, Rafael Benítez Sánchez-Blanco and Andrea Schiavon (Valencia: tirant humanidades, 2021): 138–60.

7 Antonino Vidal Ortega, *Cartagena de Indias y la región histórica del Caribe, 1580–1640* (Sevilla: Universidad de Sevilla, 2002): 132–33 "eran depositados en almacenes [. . .] donde quedaban en condiciones infrahumanas, para así ser mostrados y vendidos. Locales llamados negrerías, que estaban situados en su mayoría entre las calles Santa Clara y Santo Domingo, contabilizándose veinticuatro en total, expresamente dedicadas a este fin; se trataba de construcciones rectangulares, de muros desnudos, con una sola puerta y una ventana en lo alto." Trans. MZ: "They were deposited in warehouses [. . .] where they were left in inhumane conditions, in order to be shown and sold. Places called *negrerías*, which were mostly located between Santa Clara and Santo Domingo streets, counting twenty-four in total, expressly dedicated to this purpose; They were rectangular buildings, with bare walls, with a single door and a window at the top." See also Antonino Vidal Ortega, "Entre la necesidad y el temor: negros y mulatos en Cartagena de Indias a comienzos del siglo XVII," in *Negros, mulatos, zambaigos: derroteros africanos en los mundos ibéricos*, ed. Berta Ares Queija and Alessandro Stella (Madrid: CNRS; EEHS, 2000): 96–97.

8 Michael Zeuske, *Sklavenhändler, Negreros und Atlantikkreolen. Eine Weltgeschichte des Sklavenhandels im atlantischen Raum* (Berlin: De Gruyter Oldenbourg, 2015).

9 For barracoons in the Senegambian-Guinea region, see Adam Jones, *From Slaves to Palm Kernels: A History of the Galinhas Country (West Africa), 1730–1890* (Wiesbaden: Steiner, 1983): 50–51.

10 Marcus Rediker, *The Slave Ship. A Human History* (New York: Penguin Books, 2007).

11 Gregory E. O'Malley, *Final Passages: The Intercolonial Slave Trade of British America, 1619–1807* (Chapel Hill: University of North Carolina Press; Omohundro Institute of Early American History and Culture, 2014).

12 Jones, *From Slaves to Palm Kernels*: 103–29.

> D.n Toribio Fran.co a P.to Principe por tierra lleva á su consignacion treinta y seis Negros bozales y cuenta y riezgo de su dueño D.n Fran.co Barrada y en su compania a el arriero Cristobal Garcia tres peones y veinte y una Caballeria con la marca [. . .] Fran.co Rodriguez con veinte negros bozáles para entregarlos á D.n Fran.co Jose de Aynero en el Bayamo con cinco comp.s y un negro su esclabo y catorze Caballerias [. . .] Pedro Nolazco de regreso al Principe con quince negros bozales de primera introducion por cuenta de D.n Jose Fabre.
>
> D.[o]n Toribio Franco to P.[uer]to Principe [Camagüey] by land takes to his consignment thirty-six negros bozales and account and risk of their owner D.[o]n. Fran.[cis]co Barrada and in his company the muleteer Cristobal Garcia three pawns and twenty-one cavalry [i.e., horses] with the brand [. . .] Franc.[isc]o Rodriguez with twenty negros bozales to deliver to Mr. Franco Jose de Aynero in Bayamo with five comp.[añero]s and one negro his slave and fourteen cavalries [. . .] Pedro Nolazco returning to the [Puerto del] Príncipe with fifteen negros bozales of first introduction on behalf of D.[o]n Jose Fabre.[13]

During the Second Slaveries (see below), there was widespread individual acts of violence which arose out of wider structural violence. The motives for these incidents were questions of property, especially with the "liberal" dissolution of old forms of land ownership such as *hacienda* in Cuba or *sesmaria* in Brazil (not capitalist property in the legal sense, but usually the denomination for a plantation) or collective property in general. Other conflicts revolved around the agrarian frontiers between indigenous peoples or newly created colonial peoples or between slaves and *mayorales* and *capatazes* (*feitores de roça* or *capatazes negros*). These conflicts arose when slaves perceived that established work requirements had unfairly been increased. Finally, some conflicts arose over slave smuggling and transport.[14]

In the early days in the Caribbean and on the continent (until around 1570), the main activity was in experiments of Atlantic slavery, a fact which was clearly reflected in jurisprudence and in a wide variety of laws. Ranking under these colonial settlements (which also incorporated free Indio communities) there were Indio slaveries at the foundation of developing colonial societies with few free colonists and many slaves.[15] In the Americas, various types of slavery were linked to private land control (property) and large-scale farming under the control of Euro-Creole settlers and their creole and *casta* offspring (*latifundia*); in Spanish America these enterprises

13 ANC, GSC, leg. 1671, no. 83,512 (1817). Pasaportes. *Libro de pasaportes y licencia expedidas por el Gobierno desde el año 1817, hasta el de 1823* (without foiling, original orthography; from or to Havana from the place mentioned in each case, about 800 kilometers).

14 Reinier Borrego Moreno, "Plantación adentro. Violencia y mortalidad en la economía esclavista en Cuba," in *Esclavitud y legado afrodescendiente en el trópico*, ed. José Antonio Piqueras and Imilcy Balboa (Valencia: Fundación Instituto de Historia Social, 2020): 131–55; Carlos Alberto Medeiros Lima, "Estado e fronteira agrária: causas externas de morte no Centro-Sul brasileiro e no Recôncavo Baiano (1820–1870)," *Almanack Guarulhos* 31 (2022): 2–25, https://www.academia.edu/94796407/ [accessed 30.01.2023].

15 Ida Altman and David Wheat, eds., *The Spanish Caribbean and the Atlantic World in the Long Sixteenth Century* (Lincoln: University of Nebraska Press, 2019).

were initially usually called *haciendas* (as well as the smaller *potreros*) and in Brazil and Argentina *hatos* or *estancias* / *sítios*. This is only the larger legal grammar of land occupation; the realities of *hatos* were also very regional and influenced by individual preferences.[16]

I will first address the *hato* economy and the labor of enslaved and dependent individuals on them because this system formed something like the basis of the Iberian colonial economies, especially the Spanish colonies. Together with urban slaveries, *Hato* economies were key drivers of slavery. They ensured the supply of leather, meat, and fat, as well as animals for riding, draft work, and transport. The *hato* economies were also based more in traditional structures than the plantation commodity economies – although in the late eighteenth and nineteenth centuries they also adapted to Second Slaveries and to the *hidden Atlantic*. As part of the "first slavery" in the Americas, *haciendas / estancias* were worked by many *yndios* and *castas* (*mestizos*, *zambos*, *mulatos*, *gauchos*/*gaúchos*, *llaneros, vaqueros*, *charqueadores*) as well as a handful of (expensive) *negros* as slaves and *mayordomos* (chiefs), as well as dependent peasants. *Hatos* or *estancias* were large, open cattle ranches. The cattle were hunted. *Hatos* were mostly unlimited and owned by a *hatero* group of white settlers connected by marriage; many specialized in large cattle (cattle, horses, mules, donkeys). However, they also diversified into small-scale agriculture (in the tropics, crops included tobacco, sugar, food, and, starting the eighteenth century, coffee) and cultivation of precious wood (lumber and timber in general). There were also strong smuggling links to sugar areas and cities, as well as to other colonies.[17]

16 Reinaldo Funes and José Antonio Piqueras, eds., *Usos agrarios, mensura y representación en Cuba, siglo XIX* (La Habana: Ediciones Imagen Contemporánea; Valencia: Fundación Instituto de Historia Social, 2023).

17 Juan Carlos Garavaglia, "Un siglo de estancias en la campaña de Buenos Aires: 1751 a 1853," *Hispanic American Historical Review* 79, no. 4 (1999): 703–34; Juan Carlos Garavaglia and Jorge D. Gelman, *El mundo rural rioplatense a fines de la época colonial: estudios sobre producción y mano de obra* (Buenos Aires: Biblos, 1989); Juan Carlos Garavaglia and Jorge D. Gelman, "Rural History of the Río de la Plata, 1600–1850," *Latin American Research Review* 30, no. 3 (1995): 75–105; Carlos Mayo, *Estancia y sociedad en la pampa, 1740–1820* (Buenos Aires: Editorial Biblos, 2004): 135–50; Michael Zeuske, *Von Bolívar zu Chávez. Die Geschichte Venezuelas* (Zürich: Rotpunktverlag, 2008): 259–82; Juan Carlos Garavaglia, "The Economic Role of Slavery in a Non-Slave Society: The River Plate, 1750–1814," in *Slavery and Antislavery in Spain's Atlantic Empire*, vol. 9, *European Expansion & Global Interaction*, ed. Joseph M. Fradera and Christopher Schmidt-Nowara (New York: Berghahn Books, 2013): 74–100; Juan Giusti-Cordero, "Sugar and Livestock: Contraband Networks in Hispaniola and the Continental Caribbean in the Eighteenth Century," *Revista Brasileira do Caribe* 15, no. 29 (2014): 13–41; David M. Stark, *Slave Families and the Hato Economy in Puerto Rico* (Gainesville: University Press of Florida, 2015); see also the short definitions given by Humboldt in the essay on Cuba for *hatos* and *potreros*: "Table of Agricultural Wealth in the Province of Havana, 1817," in Alexander von Humboldt, *Political Essay on the Island of Cuba: A Critical Edition*, ed. Vera M. Kutzinski and Ottmar Ette, trans. J. Bradford Anderson, Vera M. Kutzinksi and Anja Becker (Chicago: University of Chicago Press, 2011): 112. On the development of *haciendas* and *ingenios* (plantations with slaves) from one specific *hato* (hato Las Cruces) in

There are several famous large-scale *hato*-economy enterprises as well as many smaller ones. Many of them were, as noted above, part of the culture of "first" slaveries. However, some were run under "second" slavery regimes or at least supplied areas marked by second slavery, such as the northern plains and southern *pampas* and regions in southern and northeast Brazil, as well as Venezuelan *llanos* or Mexican regions. The most famous (in Europe and elsewhere) institutions are probably the *estancias* of the Río de la Plata-*pampas* with gauchos and *charque* or *tasajo* (also *tampique* – salted and sun-dried meat, mainly beef)[18] and the cattle ranches on the prairies of the North American "West" or Texas with their cowboys and cattle trails. A lesser-known but still existing *hato* economy is that of the *llanos* (verbatim: flat land, also *sabanas* – savannas) of Venezuela and New Granada (now Colombia).[19] The *llanos* or *sabanas* of Colombian America were initially filled with livestock (cattle, horses, mules, hinnies) introduced by Iberians and Europeans. Many of these animals escaped and spread rapidly across the plains. New communities, especially indigenous women with their children and men who had fled from colonial areas sought refuge there. The men became free *llaneros* or *llaneros cimarrones*, mounted and armed with spears, *garrochas*,[20] knives, and lassos made of twisted leather.[21] The *llanos* in the south of Venezuela and in the south-east of New Granada/Colombia hosted what amounted to a counter-culture to the colonial territories in the north and west, although there were still relatively strong ties to the colonial territories, especially in Venezuela.[22] The Llanos were initially referred to as a "zona sin fronteras" (borderless

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Cuba, see: Pina Yanes, Teresa Mayra and Ana Belén González Terry, *Cruces, el pueblo de los molinos* (Cienfuegos: Ediciones Mecenas, 2001).

18 Mattia Steardo, "Commercial Capitalism on the Banks of the Río Plata: The Meat Industry between Empire and Independence (1780s–1850s)," Commodities of Empire, Working Paper 34, 2022, https://commoditiesofempire.org.uk/publications/working-papers/ [accessed 05.02.2023].

19 Map: llanos colombo-venezolanos, https://es.wikipedia.org/wiki/Llanos#/media/Archivo:Mapa_LLanosOrientales1.png [accessed 08.12.2022].

20 *Garrochas* or *desjarretaderas* were long wooden sticks used to driving cattle or hobble fleeing livestock; wood was a rarity in the mostly forestless and treeless plains (llanos). Ramón Páez describes a *garrocha*: it "is made of the slender, yet tough stem, of the alvarico palm (ænocarpus cubarro), by merely sharpening the top end to a point, or surmounting it with an iron head, around which a number of loose rings of the same metal are affixed"; Ramón Páez, *Wild Scenes in South America; or, Life in the Llanos of Venezuela* (New York: Charles Scribner, 1862): 178. The metal rings, which rattled when the *garrocha* was moved and struck the body of a galloping cow or bull, could keep cattle at a distance (the rattling noise frightened them) or guide them at full gallop in a certain direction.

21 Miquel Izard, "Los de a caballo," *Boletín americanista* 39–40 (1989): 107–24.

22 Adolfo Rodríguez, *Los mitos del Llano y el llanero en la obra de Rómulo Gallegos* (San Fernando: Publicaciones del Cronista del Estado Apure, 1979); Adolfo Rodríguez, *El hato tradicional llanero* (San Juan de los Morros: Universidad Rómulo Gallegos, 1981); Adolfo Rodríguez, "Trama y ámbito del comercio de cueros en Venezuela (Un aporte al conocimiento de la ganadería llanera)," *Boletín americanista* 31 (1981): 187–218; Jane M. Rausch, "Horsemen of the Tropics: A Comparative View of the Llaneros in the History of Venezuela and Colombia," *Boletín americanista* 31 (1981): 159–71; Miquel Izard, "Ni cuatreros no montoneros, llaneros," *Boletín americanista* 31 (1981): 83–142; Miquel Izard, "Oligar-

zone) and area "sin ley y sin Dios" ("without law and without God"). Cattle (*ganado vacuno*) in particular were hunted mainly for their hides and fat. The *llanos*, like other savannas, were thus plentiful sources of leather. Humboldt laments the connection between robberies and the "*Wuth des Lederhandels* [fury of the leather trade]."[23] These areas were also full of *cimarrones*. The *llanos* had turned into the "vía expedita de libertad para muchos negros escapados de sus amos, pardomestizos desarraigados de la tierra, blancos al margen de la ley [expedited path to freedom for many blacks who have escaped from their masters, pardomestizos uprooted from the land, whites outside the law]."[24]

Llaneros, as colonial countercultures (in Spanish *sociedades cimarronas*, in the words of Miquel Izard), lived on and from the *llanos* as early as the sixteenth century.[25] Territorial expansion, called *conquista del llano* ("conquest of the *llano*") started around 1680. It opened the plains to colonization by missions and by elites from the north who appropriated herds and occupied soil (land) for private *hatos*/*estancias*. Around 1750, this new *conquista* spread to the southern shore of the Apure River.[26] As Giorgio Riello has argued, this expansion had to do with imperial consumption patterns, in particular the production of shoes and boots, bags, clothing, belts as well as "saddlery, coaches, gloves, belts, bookbinding, upholstery, machine

cas temblad, viva la Libertad: Los llaneros del Apure y la guerra federal," *Boletín americanista* 32 (1982): 227–77; Miquel Izard, "Sin domicilio fijo, senda segura ni destino conocido: los llaneros de Apure a finales del periódo colonial," *Boletín americanista* 33 (1983): 13–83; Jane M. Rausch, *A Tropical Plains Frontier. The Llanos of Colombia, 1531–1931* (Albuquerque: University of New Mexico Press, 1984) [translated by María Victoria Mejía Duque as *Una frontera de la sabana tropical: los llanos de Colombia 1531–1831* (Bogotá: Banco de la República, 1994)]; Gastón Carvallo, *El hato venezolano, 1900–1980* (Caracas: Trophykos, 1985); Hugo Mantilla Trejos, *Diccionario llanero* (Bogotá: Editorial El Guarracuco Blanco, 1985); Miquel Izard, "Sin el menor arraigo ni responsabilidad: Llaneros y ganadería a principios del siglo XIX," *Boletín americanista* 37 (1987): 109–42.

23 Von Humboldt, *Political Essay on the Island of Cuba*: 235.

24 Adelina Rodríguez Mirabal, *La formación del latifundio ganadero en los llanos de Apure: 1750–1800* (Caracas: Academia Nacional de la Historia, 1987): 102.

25 Armando González Segovia and Daniel Chirinos, *La presencia africana en los llanos (acercamiento al caso en la jurisdicción de San Carlos de Austria)* (Caracas: Fundación Editorial "El Perro y La Rana", 2008); Armando González Segovia and Rosa Mujica Verasmendi, "Los pueblos llaneros: enfoques más allá de lo colonial," *Revista HumanArtes* 19 (2021): 65–82, https://revista-humanartes.webnote.es/ [accessed 25.01.2023].

26 Rodríguez Mirabal, *La formación*: 101–62; see also Miquel Izard, *Orejanos, cimarrones y arrochelados* (Barcelona: Sendai Ediciones, 1988); Rausch, "Horsemen of the Tropics": 159–71; Izard, "Ni cuatreros no montoneros"; Miquel Izard, *Tierra firme: Historia de Venezuela y Colombia* (Madrid: Alianza Editorial, 1995): 128–32; Rausch, *A Tropical Plains Frontier*; Miquel Izard, *Ni cuatreros ni montoneros, llaneros (cuatro ensayos de historia de los Llanos venezolanos)* (Caracas: Archivo General de la Nación-Centro Nacional de Historia, 2011).

belts and footwear"[27] in the centers of Western Europe. Unfortunately, Riello's analysis largely overlooks Iberia.[28] The focus on leather "is not surprising if one looks at the centrality that the leather industry had in pre-industrial economies, as in the eighteenth century it was considered 'more important than the metal craft'."[29] In fact, an extremely wide range of goods was produced with leather, not only in pre-industrial but also in industrial societies.

Despite the existence of large leather industries in Iberian and other territories (*corambre*), there seem to have been relatively few legal slaves in the *llanos*. They were introduced with land control in the form of *hato* property. Adelina Mirabal portrays the social conditions on the *hatos* of the oligarchy and in the territories controlled by them as follows:

> una especie de núcleo social trazado en forma de pirámide, en el cual el punto central está determinado por el Amo del hato, hacendado criador que en muchos casos ya gozaba del carácter de terrateniente en otro partido de los llanos [. . .] que incursionaron en calidad de escolta de los misioneros o bien a su riesgo personal con sus esclavos mayordomos y sus rebaños.
>
> a kind of social nucleus traced in the form of a pyramid, in which the central point is determined by the Master of the herd, a rancher-breeder who in many cases already enjoyed the status of landowner in another part of the plains and [. . .] who entered as an escort of the missionaries or at their own personal risk with their slave mayordomos and their herds.[30]

Black slaves were employed mainly as *mayordomos* (chief overseers) and domestic slaves. Most important were the *mayordomos*:

> En el segundo escalón de la pirámide podía localizarse al mayordomo o capataz, negro esclavo, hombre de toda confianza para el dueño del hato, suplía la ausencia del amo, sobre todo cuando éste era dueño de varios hatos, administraba, gobernaba, tenía conocimiento de los hierros y el ganado herrado.
>
> On the second step of the pyramid, we find the *mayordomo* or *capataz* [foreman], a black slave, a man who enjoyed the complete confidence of the owner of the herd. The mayordomo acted in the absence of the master, especially when the master owned several herds. [The mayordomo] administered, governed, and kept track of branding irons and cattle branding."[31]

"Free" workers were known as *peones* ("peons"). There were only a few permanently settled peons in every *hato.* They were usually indebted to the hacendado and thus in dependency relationships. The highest ranks in the pyramid under the owner and the

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27 Giorgio Riello, *A Foot in the Past: Consumers, Producers and Footwear in the Long Eighteenth Century* (New York: Oxford University Press, 2006): 76; Ismael Sarmiento Ramírez, "Vestido y calzado de la población cubana en el siglo XIX," *Anales del Museo de América* 8 (2000): 161–99.

28 Riello, *A Foot in the Past*: passim.

29 Steardo, "Commercial Capitalism on the Banks of the Río Plata": 18.

30 Rodríguez Mirabal, *La formación*: 281.

31 Rodríguez Mirabal, *La formación*: 281.

mayordomo were *peones a caballo* (peons on horseback), as "dairy farms and rodeos required the competition of excellent horsemen ("vaquerías y rodeos requerían el concurso de excelentes jinetes")."[32] Further down the hierarchy were *peones a pie* ("foot peons") and tobacco growers (*vegueros*). There were also a few high-ranking black or colored slaves as well as a few house slaves and many *peones*, mostly as itinerant workers. Slaves were also important overseers and laborers in the *hato* economies of central-eastern Cuba (primarily Sancti Espíritu, but also Puerto del Príncipe, Holguín, Bayamo, Baracoa and Santiago de Cuba):

> generalmente, el trabajador de confianza del dueño de la hacienda era un esclavo, residía en la propiedad todo el año y hasta ponía en peligro su vida cuando [la hacienda] era atacada por los contrabandistas, sobre todo en las [haciendas] cercanas a las costas. Eran los esclavos y "negros libres" los que hacían los trueques de ganado con los traficantes y velaban porque las mercancías estuvieran listas y la carga completa.
>
> Generally, the trusted worker of the *hacienda* owner was a slave, he lived on the property all year round and even put his life in danger when [the *hacienda*] was attacked by smugglers, especially in the [*haciendas*] close to the costs. It was the slaves and "free negros" who bartered cattle with the traffickers and ensured that the merchandise was ready and the load was complete.[33]

The slaves of the *haciendas*, *potreros,* and *corrales* also had their own farms (raising mainly swine, poltry and food crops) and many other economic activities. Gerardo Cabrera Sánchez quotes a source from 1728:

> Una cuadrilla de 20 esclavos en la hacienda reportará beneficios si se distribuyen en las distintas labores diarios. Unos pocos a atender el ganado y el resto a los montes a capturar los cerdos y sacar la cera, a la mayor parte a atender el área de cultivo para producir yuca y otros productos necesarios para vender en la villa.
>
> A crew of 20 slaves on the *hacienda* will yield benefits if they are distributed in different daily tasks. A few are assigned to attend the cattle, while the rest go to the mountains to capture the pigs and remove the wax. The majority attend to the land under cultivation to produce cassava and other necessary products to sell in the village.[34]

Overseers (in Venezuela these were the above-mentioned *mayordomos*, in other territories *mayorales*, *capatazes*, *feitores de roça*, *capatazes negros*, *mandadores* or *gérants*) and mounted slaves or ex-slaves formed the top of the hierarchy on the *hatos*, here called *haciendas*. The majority, however, were assigned to other jobs that were not so highly regarded, such as sowing, harvesting, fishing, operating *pulperías* (com-

32 Rodríguez Mirabal, *La formación*: 283.

33 Gerardo Cabrera Prieto, "Ganadería y esclavitud en Cuba, 1756–1830," in *Esclavitud y legado afrodescendiente en el trópico*, ed. José Antonio Piqueras and Imilcy Balboa (Valencia: Fundación Instituto de Historia Social, 2020): 99.

34 Cabrera Prieto, "Ganadería y esclavitud en Cuba": 100.

pany stores), weaving, and production of honey, wax, salt, and other commodities.[35] The search for valuable timber and the felling of trees, which was always a priority, was carried out by specialized slaves, ex-slaves and work crews (*cuadrillas*). There were also many smaller cattle economies, for instance in Cuba near Matanzas, with "mestizo frontiersmen living scattered about the countryside"[36] and "small numbers of slaves."[37] As Laird W. Bergad noted: "By the 1690s the traditional dependence on cattle, wood, and subsistence farming, had given way to the widespread cultivation of tobacco."[38] Later, sugar cultivation was added.

In the crucial leather economy sustained by livestock holdings of various sizes (*ganadería intensiva*), some work was already carried out on the *hatos*, including selection, extraction, confinement, marking, and weighing of animals, leather tanning, meat processing, and other tasks. The next stage was the sale (often by smuggling) of skins, other products, and leather. These products led to the development of leather-related trades (*corambre*) in the cities, such as tanners, furriers, shoemakers, parchment makers, and leatherworkers (*curtidores*, *peleteros*, *zapateros*, *pergamineros*, *zurradores*), many of whom were slaves or former slaves.[39] The slaves of the *hatos* also had their own economies and participated in leather industries (and smuggling).[40]

There were even more slaves in the *hato*/*estancia* economy on the Río de la Plata, the Banda Oriental and in Rio Grande do Sul in Brazil. Helen Osório points out that research since the 1980s has confirmed "broad and widespread use of slave labor in the Río de la Plata region, especially in the 'estâncias'" ("sobre a ampla e disseminada utilização da mão-de-obra escrava na região do Rio da Prata, em especial nas 'estâncias'.")[41] The *estancias*, she observes,

35 Rodríguez, *El hato tradicional llanero*: passim.

36 Laird W. Bergad, "Matanzas Before Sugar: The Frontier Cattle and Tobacco Economy," in *Cuban Rural Society in the Nineteenth Century. The Social and Economic History of Monoculture in Matanzas*, ed. Laird W. Bergad (Princeton: Princeton University Press, 1990): 6.

37 Bergad, "Matanzas Before Sugar": 6.

38 Bergad, "Matanzas Before Sugar": 9.

39 Cabrera Prieto, "Ganadería y esclavitud en Cuba": 89–106.

40 P. Antonio Perpiñá, *El Camagüey. Viajes pintorescos por el interior de Cuba y por sus costas con descripciones del país* (Barcelona: Librería de J.A. Bastinos/Librería de Luís Niubó, 1889): 126–34.

41 Helen Osório, "Campeiros e domadores: escravos da pecuária sulista, séc. XVIII," in *II Encontro Escravidão e Liberdade no Brasil Meridional*, ed. Regina Célia Lima Xavier (Porto Alegre, 2005): 7, https://scholar.google.com.br/citations?view_op=view_citation&hl=pt-BR&user=0bMJkuQAAAAJ&citation_for_view=0bMJkuQAAAAJ:4TOpqqG69KYC [accessed 13.04.2024].

possuíam um determinado número de escravos que provia, total ou parcialmente, e conforme as diferentes conjunturas e as estratégias dos proprietários, as necessidades permanentes de mão-de-obra[,] tanto tarefas permanentes mas principalmente as sazonais. A decantada instabilidade dos peões livres estaria relacionada a outras alternativas produtivas e laborais.[42]

had a certain number of slaves who provided, totally or partially, and according to the different situations and the strategies of the owners, the permanent needs of manpower, both permanent tasks but mainly seasonal ones. The vaunted instability of free peons was related to other productive and labor alternatives.

The main difference between the cattle economies in the prairies of North America and the *llanos* and pampas of South America was firearms. Although Ramón Páez also mentions "blunderbusses"[43] in the Venezuelan *llanos*, in Iberian colonies cattle-hunting on their frontier economies, *garrochas*, *lassos*, *bolas*, *machetes* and knives were used, very few firearms. It was different among cowboys on the prairies in North America. The cattle skins of the *llaneros*, *gauchos*, and all others who used these above-mentioned instruments remained free of bullet holes. *Garrochas*, in particular, were regarded as a type of "ready made lance in the wilderness."[44] In North America, cattle herders did not use lances, but lassos (from Spanish "lazo," i.e., ropes) when they needed cattle hides without bullet wounds.

Descriptions of the real work of slaves and dependent peons on the *hatos* of the *llanos* are relatively rare. This example of how cattle were hunted is not only informative in its own right but provides an illuminating contrast with North America:

el modo de atrapar reses salvajes para obtener los cueros, para ello van a caballos dos, tres, cuatro o cuantos puedan, ya sean cristianos, negros o mestizos, abalanzan los perros para sacarlas de los bosques y con las desjarretaderas cortarles las coyunturas de las patas traseras. Las desjarretaderas son unas lanzas con un hierro de media luna abierta, de más o menos 24 palmas que por dentro corta como navaja. Al salir los toros, reses y terneros a campo raso corren tras ellos

42 Osório, "Campeiros e domadores": 7; see also Helen Osório, "Esclavos de la frontera: padrones de la esclavitud africana en Rio Grande do Sul, 1765–1825," in *Estudios sobre la cultura afro-rioplatense: historia y presente, Montevideo*, ed. Arturo Betancur, Alex Borucki and Ana Frega (Montevideo: Departamento de Publicaciones de la Facultad de Humanidades y Ciencias de la Educación, 2004): 7–15; Helen Osório, *O império português no sul da América: estancieiros, lavradores e comerciantes* (Porto Alegre: Editora da UFRGS, 2007).

43 Páez, *Wild Scenes in South America*: 47: "The trabuco or blunderbuss, too, is held in great estimation as a weapon of defence, or rather of aggression, as they are at all times ready to test its powers on the slightest provocation; and nobody thinks of travelling in that desert country without one of these wide-mouthed spitfires by his side" [original orthography].

44 Páez, *Wild Scenes in South America*: 178. Garrochas were "fully ten feet long [. . .] not thicker than a walking-stick, [they] can bear an immense amount of pressure without breaking."

> con la desjarretadera en la "mano y alcanzándoles les dan con la media luna sobre la rodilla, que por poca fuerza que hagan, corta el nervio y caen en tierra donde se mueren, y con una lanza les matan y en una carrera a menudo echan por tierra 5 o 6.[45]
>
> to catch wild cattle for hides, they go on horses two, three, four or as many as possible, whether they are Christians [meaning white Spaniards], blacks or mestizos, they use the dogs to drive them out of the woods and cut the tendons of the hind legs with *desjarretaderas*. The *desjarretaderas* [*garrochas*] are spears with an open half-moon blade [on the tip of the spear or *garrocha*], more or less 24 palms long, which cut like a razor on the inside. When the bulls, cattle and calves come out into the open, they run after them with the *desjarretadera* in their hands and, reaching them, hit them with the crescent moon on the knee, which, even with little force, cuts the nerve [meaning the tendon] and they fall to the ground where they die and with a spear, they kill them and in a race they may manage to hobble 5 or 6.

The chaplain of a US warship, John H. Hambleton, gives a very good description of a mounted *llanero* in 1819:

> Los hombres que han hecho una industria de prender estos animales [bueyes y mulas] son espertos jinetes. Vi uno en Soldedad exhibeindo sus cualidades: montaba una alta silla artesondada con pesados estribos, con un ancho freno y sin martingala. Estaba equipado con un lazo, una espada y un cuchillo. Montaba sobre una pierna y llevaba la otra recta para evitar la brida en caso de ataque (por la bestia [meaning un *toro salvaje*, i.e., a wild bull – MZ]).[46]
>
> The men who have made an industry of harnessing these animals [oxen and mules] are expert horsemen. I saw one in Soldedad [a hato] displaying his qualities: he rode a high-paneled saddle with heavy stirrups, with a wide curb and no martingale. He was equipped with a lasso, a sword, and a knife. He would ride on one leg and was holding the other straight to avoid the [destruction of the] bridle in case of attack (by the beast [i.e., a wild bull – MZ]).

The German researcher Carl Friedrich Appun also gives us a description of the dreaded *llanero* lances: "Then he seized a smooth stick of hard wood, attached to it the broad lance tip hanging at his side [which was also used as a knife – MZ], mounted his horse [. . .] and rode away."[47]

The *llaneros* and the *hato* slaves among them, especially the black *mayordomos*, were armed and mounted. It bears repeating that no form or regime of slavery was in any way "beneficial" to the enslaved. But there were worse and "better" versions of slavery. As to slaves within the *hato* and cattle economies (in Spanish America mostly between 1550 and 1880), it is often emphasized that it was a special "first slavery" involving indigenous persons, *casta* and specialized enslaved persons from Africa, who

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45 González Segovia and Verasmendi, "Los pueblos llaneros": 75.

46 John H. Hambleton, *Diario del viaje del río Orinoco hasta Angostura (Julio 11–Agosto 24, 1819): Con las instrucciones para el viaje dadas por el Secretario de Estado, John Quincey Adams* (Bogotá: Edición Banco de la República, 1969): 59–60.

47 Carl Ferdinand Appun, *Unter den Tropen: Wanderungen durch Venezuela, am Orinoco, durch Britisch Guyana und am Amazonenstrome in den Jahren 1849–1868*, vol. 1 (Jena: Hermann Costenoble, 1871): 294.

were also extremely important as Creolized surrogate settlers). Slaves from Africa could marry in the *hato* economy. They ran their own farms on the *hatos* / *estancias* (tobacco, sugar, wood, leather, and food). They ate meat from the cattle they raised (fresh and dried / *tasajo* or *tampique*) and often fresh fish (a good source of protein) as well as rice and *fufú* (also *angú* or *mangú* – smashed and cooked green plantains with pork fat or even butter). They hunted for themselves and controlled other slaves. They even used their weapons to defend the *hatos* / *estancias* against colonial indigenous resistance cultures based on "free" cattle and horses. The scene was often the *llanos*, *pampas*, and *prairies*¸ as described above in relation to the "free" *llaneros cimarrones*, who fought the expansion of private ownership of land and the control of their "free" herds of cattle and horses by colonial elites. An early Venezuelan sociologist who described the *llaneros* says of the slaves in the *llanos*: "The *llanero*'s slave inevitably wears a silver chain around his neck with a gold medal. This medal is engraved on one side with the image of the Holy Christ of the Mission, and on the other the initials of the master.") ("El esclavo del llanero lleva inevitablemente la cadenita de plata al cuello con una medalla de oro. Esta medalla lleva grabada por una cara la imagen del Santo Cristo de la Misión, y por la otra las iniciales del amo.")[48] *Hato* slavery was mainly a frontier slavery. In the largest Spanish-Iberian territories (called viceroyalties), New Spain/Mexico, Peru, and Río de la Plata, the main difference to the slavery regimes in slave owning territories on the peripheries (such as *tierra firme*/ Venezuela and Cuba along with the non-Spanish territories in the Greater Caribbean and Brazil) was that enslaved African people were (with territorially limited exceptions) generally employed in urban areas and as symbols of luxury. This will be addressed further below under the heading "Islands, Coasts, and Plantations – the Spaces of Second Slaveries."[49]

Needless to say, plains and frontier regions, as well as slave-plantation regions and the above-mentioned cities within large-scale slave empires, were full of markets, pubs and *pulperías* (or *bodegas*, *tabernas*, or *posadas*) and other shops (*tiendas*).[50] The

48 Daniel Mendoza, "El Santo Cristo de las Misiones: La trampa: Las marcas de esclavos," in *El Llanero (Estudio de Sociología Venezolana)*, vol. 24, *Biblioteca de Ciencias Políticas y Sociales*, ed. Rafael Bolívar Coronado (Madrid: Editorial-América, n.a. [c. 1910]): 120.

49 María Elisa Velázquez Gutiérrez, "Entre liberté et esclavage: des frontières poreuses: Mexico, XVe–XVIIIe siècle," in *Les Mondes de l'esclavage: une histoire compare*, ed. Paulin Ismard, Benedetta Rossi and Cécile Vidal, trans. Souad Degachi and Solange Lebourge (Paris: Seuil, 2021): 159–64.

50 Daniel Alberto Virgili, "Las esquinas de la pampa: Pulperos y pulperías en la frontera bonaerense (1788–1865)," in *Vivir en la frontera: La casa, la dieta, la pulpería, la escuela (1770–1870)*, ed. Carlos Mayo (Buenos Aires: Editorial Biblos, 2000): 99–122; Neller R. Ochoa Hernández, "El lugar de la revuelta: pulperías e insurgencia en Venezuela (1750–1850)," *El taco en la brea* 12 (2020): n.p., https://bibliotecavirtual.unl.edu.ar/publicaciones/index.php/ElTacoenlaBrea/article/view/9686/12962 [accessed 05.02.2023]; Ferdinand Bellermann – see Ferdinand Bellerman, *Diarios Venezolanos 1842–1845*, trans. Nora López (Caracas: Galería de Arte Nacional, 2007): 59 – records an observation from a *pulpería* in Venezuela: "Cuando llegamos a la pulpería de Ernandes oímos un gran ruido y vimos en el patio una

cimarrón (maroon) Esteban Montejo describes, from the point of view of an enslaved person, the *tabernas* near the sugar *ingenios*: "Near the mills were the taverns. There were more taverns than sand fleas [*niguas*] in the wild land" ("Cerca de los ingenios estaban las tabernas. Había más tabernas que niguas en el monte")[51] Sugar slavery, i.e., the use of slaves to produce the leading colonial resource of the modern age, was an especially harsh slavery regime. Yet here, too, slaves had the opportunity not only to visit the *pulperías*/*bodegas*, but also to resist, to escape and become maroons/*cimarrones*, and even to go on strike. They were aided in this by their most important tool/weapon, the *machete*.[52]

2 Islands, Coasts, and Plantations – the Spaces of Second Slaveries

New and dynamic developments, concentrations, and transcultural exchanges often took place on islands or peninsulas. This is also true of African slaves and plantations, especially as the "Second Slavery" and its regional or local types emerged. The essential founding elements of Second Slavery were initially developed in early colonial Brazil and on the English experimental island of Barbados and combined with experi-

pelea terrible a machete; los que peleaban eran negros y mulatos." – "When we arrived at the *pulpería* of Ernandes [sic: Ernandes' grocery store], we heard a great noise and saw a terrible fight with machetes in the *patio*; those who fought were blacks and mulattoes." On Cuba see Ismael Sarmiento Ramírez, "Las bebidas alcohólicas en la Cuba del siglo XIX: uso y abuso," *Del Caribe* 38 (2002): 75–89; Ismael Sarmiento Ramírez, "La alimentación cubana (1800–1868): sistema de abasto y comercialización," *Anales del Museo de América Madrid* 10 (2002): 230: "Las ciudades de La Habana y Santiago de Cuba, donde existía todo tipo de comercios, contaron a partir de la tercera década del siglo XIX con grandes 'plazas de mercados' que concentraban alimentos, vestidos, complementos para el hogar y un sin fin de otros artículos destinados al consumo. Como se acaba de ver, en las demás ciudades de la Isla, como sucedía en La Habana y en algunas más que en Santiago de Cuba, existían los establecimientos comerciales en pequeño que agrupaban a las tradicionales 'pulperías' – luego 'bodegas' –, las tiendas mixtas – las más numerosas –, las camicerías y las pescaderías." – "The cities of Havana and Santiago de Cuba, where all kinds of shops existed, were characterized from the third decade of the nineteenth century on by large 'market squares' that concentrated food, clothing, accessories for the home and an endless number of other items, articles intended for consumption. As we have just seen, in the other cities of the Island, as was the case in Havana and in some more than in Santiago de Cuba, there were small commercial establishments that grouped together the traditional 'pulperías' – later 'bodegas', the mixed shops – the most numerous – [in Brazil 'vendas'], the meat shops [*carnicerías*] and the fishmongers [*pescaderías*]." See also Ismael Sarmiento Ramírez, "Alimentación y relaciones sociales en la Cuba colonial," *Anales del Museo de América Madrid* 11 (2003): 197–226.

51 Esteban Montejo, *Cimarrón* [*Biografía de un cimarrón*], ed. Miguel Barnet (La Habana: Gente Nueva; Instituto del Libro, 1967): 21.

52 Gloria García Rodríguez, *Conspiraciones y revueltas. La actividad política de los negros en Cuba (1790–1845)* (Santiago de Cuba: Editorial Oriente, 2003).

ences from the English colonial convict system of in Ireland. Slaves were capital, to be sure, but they were also "commodities" who could speak. They were also agents, first and foremost as workers. Second Slavery brought the modern slave plantation in the true sense: accumulation of capital from the racial commodification of human bodies from Africa and the Caribbean in piracy/corsairship, smuggling and the Atlantic-Caribbean slave trade. By this time, there was little or no remaining *yndio*- and *casta*-slavery. Masses of enslaved people from different regions of Africa ("nations") were grouped together in competitive labor under a hierarchy of overseers, including enslaved overseers (*contramayorales*, *capataces*, *commandeurs*, *capatazes negros*). Plantations formed landscapes and territories in tropical lowlands.[53] Plantations were "working landscapes."[54] Whether they could genuinely be characterized as engaged in predatory agriculture[55] remains an open question. Plantations were a panopticon of human behavior. These working and living spaces also saw the dynamization of the biological, energy-related, and technical base. As time passed, more wood instruments or machines used in manufacturing processes were replaced with metal parts.[56] Technical change arrived first in the cultivation and processing of sugar, the key colonial resource of modern capitalist slavery in the Atlantic hemisphere. However, innovations soon followed in tobacco, indigo, and other commodity products (from 1760 on also in coffee; the end of the eighteenth century saw technological process in the cotton industry), as well as in mining, infrastructure, storage and transport. The least dynamic areas of economic activity were domestic slavery, cocoa and tobacco production, livestock farming, possibly in state infrastructure slavery (construction of streets, viaducts, castles, harbors, etc.) and in the construction sector (although specialized hired slaves played an important role here). Other

53 Philip C. Curtin, *The Rise and Fall of the Plantation Complex: Essays in Atlantic History*, 2nd ed. (New York: Cambridge University Press, 1998); Domingo Felipe Maza Zavala, "La estructura económica de una plantación colonial en Venezuela," in *La obra pía de Chuao, 1568–1825: Estudios introductorios*, ed. Farías Arcila and Carlos Salazar (Caracas: Universidad Central de Venezuela, 1968): 51–112; James A. Delle, *The Colonial Caribbean: Landscapes of Power in the Plantation System* (New York: Cambridge University Press, 2014); Padraic X. Scanlan, "Money, Death and Secrecy: The Plantation," in *Slave Empire: How Slavery Built Modern Britain*, ed. Padraic X. Scanlan (London: Robinson, 2020): 67–105; Sean M. Kelley, *Los Brazos de Díos: A Plantation Society in the Texas Borderlands, 1821–1865* (Baton Rouge: Louisiana State University Press, 2011); Roger G. Kennedy, *Cotton and Conquest: How the Plantation System Acquired Texas* (Norman: University of Oklahoma Press, 2013); José Antonio Piqueras, ed., *Plantación, espacios agrarios y esclavitud en la Cuba colonial* (La Habana: Casa de las Américas, 2017): 23–55.

54 Dale Tomich, "Text, Image and Object: Analysing Plantation Landscapes," *Cultural Dynamics* 34, no. 4 (2022): 342.

55 Trevor Burnard, "L'âge de la plantation," in *Les Mondes de l'esclavage: une histoire compare*, ed. Paulin Ismard, Benedetta Rossi and Cécile Vidal, trans. Souad Degachi and Solange Lebourge (Paris: Seuil, 2021): 897.

56 Guadalupe Ortega, "Machines, Modernity, and Sugar: The Greater Caribbean in a Global Context, 1812–1850," *Journal of Global History* 9, no. 1 (2014): 1–25; Daniel Rood, "Plantation Laboratories. Industrial Experiments in the Cuban Sugar Mill, 1830–1860," in *New Frontiers of Slavery*, ed. Dale Tomich (Albany: State University of New York Press, 2016): 157–84.

plantation products, special resources, and commodity industries – such as cultivation of bananas, cacao, rice, *henequén*/sisal[57] and rubber (*caucho*) – were not decisively industrialized during the formal era of slavery, which was abolished in various areas during the period from 1865–1888 (mainly in areas of second slavery). Various varieties of bananas were initially cultivated on plantations to feed the slaves. The main products of some plantations were other commodities and the commodification of human bodies.

The development of the slave plantation initially led to an ever-closer connection to the industrialization of the sugar sector. This process was also linked to the international division of labor, but the key influences were local dynamic processes of an emerging colonial slavery capitalism. The center of this rural slave capitalism in the eighteenth and nineteenth centuries was the colonial Caribbean (with offshoots in the continental Americas).[58] The "sugar revolution" formed the core of colonial industrial revolutions. Slave capitalism and Second Slavery[59] developed on an independent industrial (primarily machine-driven and technological) basis, induced and accompanied by European and indigenous/local knowledge, law, and social systems. Northeastern Brazil was in the vanguard of this process until c. 1650, when it was displaced by Barbados (the "leading sugar colony" until the 1720s).[60] Incipient Second Slavery plantations spread to the Dutch, English, French, and Danish colonial areas. These included Jamaica, the world's leading sugar producer around 1715–1760, as well as the Leeward Islands, and Saint-Domingue, the world's leading sugar producer c. 1760–1790, Martinique and Guadeloupe and, as mentioned, Dutch Guiana/Surinam, which initially produced mainly sugar, but soon included cotton, coffee and indigo. In Spanish America, especially *tierra firme*/Venezuela, crops included cocoa, sugar, indigo, coffee and cotton; Venezuela was the world's leading producer of cocoa c. 1720–1810.[61] In Portuguese-America, key locales were Salvador da Bahia, with sugar and tobacco; Rio de Janeiro was a center for the slave trade and sugar; cotton was cultivated in some areas; Maranhão early concentrated on cocoa and

57 Herbert J. Nickel, *Henequén-Plantagen in Yucatán. Vom Ende einer agroindustriellen Monokultur in Mexiko* (Freiburg: Arnold-Bergstraesser-Institut, 1995); Alejandro García Álvarez, "Cuba: una etapa en la trayectoria caribeña del henequén," *Historia y Sociedad* 9 (1997): 7–28.

58 There were further attempts in other territories of the world, see for example: Gwyn Campbell, "An Industrial Experiment in Pre-Colonial Africa: The Case of Imperial Madagascar, 1825–1861," *Journal of Southern African Studies* 17, no. 3 (1991): 525–59. It should also be researched for Egypt.

59 Michael Zeuske, "The Second Slavery in the Americas," in *The Palgrave Handbook of Global Slavery throughout History*, ed. Damian Pargas and Juliane Schiel (Cham: Palgrave Macmillan, 2023): 429–39.

60 Matthew Parker, *The Sugar Barons: Family, Corruption, Empire and War* (London: Windmill Books, 2011): 259–69.

61 Maza Zavala, "La estructura económica de una plantación colonial en Venezuela": 51–112; Christopher Schmidt-Nowara, "A Second Slavery? The 19th-Century Sugar Revolutions in Cuba and Puerto Rico," in *The Caribbean. A History of the Region and Its Peoples*, ed. Stefan Palmié and Francisco A. Scarano (Chicago: University of Chicago Press, 2011): 335–36; Aureo Yépez Castillo, "Los esclavos negros en Venezuela en la segunda década del siglo XIX," *Boletín de la Academia Nacional de Historia (BANH)* 249 (1980): 113–41.

later cotton, rubber.[62] Especially in the north-west European Caribbean colonies and on the Brazilian coasts, economies (especially *hato* economies) developed without "first slavery" or other slaveries or, compared to Spanish Caribbean, with more indigenous slaves of the "first slavery." Other slaveries and *hato* economies, as well as missionary slaveries in the Spanish and Portuguese areas (for example the Jesuit Order[63] or the Catalan Capuchins in Venezuela), were increasingly relegated to peripheral and frontier areas (or, like missionary slaveries, specifically settled, particularly in the eighteenth century). Santo Domingo, with its strong *hato* economies and high-value timber influenced as it was by the Saint-Domingue revolution and colonial war, was a special case.[64] Initial forms of Second Slavery also developed on some of the unsinkable slave trading platforms in the Caribbean, such as the Dutch island of Curaçao and the Danish islands of Saint Tomas and Saint Croix.

This first period of Second Slavery in the island Caribbean lasted until about 1760, i.e., until the Seven Years' War (which lasted much longer in the Caribbean). This period also saw the beginning of Second Slavery on *tierra firme* (particularly the coastal and fluvial areas of present-day Venezuela) which, as noted above, was based on cacao,[65] sugar, indigo, small-scale coffee and cotton cultivation, and *hato*/*estancia*-

62 Rafael Chambouleyron, "Escravos do Atlântico equatorial: tráfico negreiro para o Estado do Maranhão e Pará (século XVII e início do século XVIII)," *Revista Brasileira de História* 26 (2006): 79–114; Rafael Chambouleyron, "Como se hace en Indias de Castilla. El cacao entre la Amazonía portuguesa y las Indias de Castilla (siglos XVII y XVIII)," *Revista Complutense de Historia de América* 40 (2014): 23–43; Thales Augusto Zamberlan Pereira, "Poor Man's Crop? Slavery in Brazilian Cotton Regions (1800–1850)," *Estudos Econômicos* 48, no. 4 (2018): 623–55.

63 "Of Spanish America's many slave owners, the best known and generally most successful was the [Jesuit] Order, which controlled hundreds of agricultural and urban properties from northern New Spain to Chile and Argentina," see: David J. McCreery, "Jesuits and Slavery in Spanish America," in David J. McCreery, *The Sweat of Their Brow: A History of Work in Latin America* (Armonk: Sharpe, 2000): 54–56; Mercedes García Rodríguez, *Misticismo y capitales. La Compañía de Jesús en la economía habanera del siglo XVIII* (La Habana: Ed. de Ciencias Sociales, 2000) (jesuits modernizing plantation production); Jean-Pierre Tardieu, "La esclavitud de los negros y el plan de Dios: la dialectica de los jesuitas del virreinato del Perú," in *Esclavitud, economía y evangelización: las haciendas jesuitas en la América virreinal*, ed. Manuel M. Marzal and Sandra Negro (Lima: Fondo Editorial Pontifícia Universidad Católica del Perú, 2005): 67–81; Karl Heinz Arenz, "Cassava, Cacao and Catechesis. Agriculture and Extractivism in the Jesuit Missions on the Amazon in the Seventeenth and Eighteenth Centuries," in *Global Agricultural Workers from the 17th to the 21st Century*, ed. Elise van Nederveen Meerkerk and Rolf Bauer (Leiden: Brill, 2023): 209–35.

64 Raymundo González, *De esclavos a campesinos: Vida rural en Santo Domingo colonial* (Santo Domingo: Archivo General de la Nación, 2011): 125–39.

65 Eduardo Arcila Farías, "Comercio de esclavos," in *Economía Colonial de Venezuela*, vol. 2, ed. Eduardo Arcila Farías (Caracas: Italgráfica, 1973): 143–85; Robert J. Ferry, "Encomienda, African Slavery, and Agriculture in Seventeenth-Century Caracas," *Hispanic American Historical Review* 61, no. 4 (1981): 609–35; Robert J. Ferry, "Cacao in the Seventeenth Century: The First Boom," in *The Colonial Elite of Early Caracas: Formation & Crisis, 1567–1767*, ed. Robert J. Ferry (Berkeley: University of California Press, 1989): 45–71; Nikita Harwich, *Histoire du Chocolat* (Paris: Éditions Desjonquères, 1992);

based husbandry of semi-feral cattle, mules, and horses. Venezuelan cocoa was beset by crisis at the end of the eighteenth century.[66] There was already coffee production in Venezuela in the eighteenth century, some of which certainly also involved slaves. Actual export of coffee as a national product, however, started only around 1870, i.e., after slavery.[67] Until 1810 there was also extremely large-scale smuggling of *bozales* out of Africa via the slave-trading platforms of Curaçao and the Lesser Antilles islands. The "first slavery" system, which we recall was driven by a few expensive slaves from Africa compared to relatively many *indio* and *casta* slaves, fell into crisis. A similar fate befell areas without large *hato* economies whose economies were based essentially on sugar, such as the Dutch Guiana colonies, with their cosmopolitan slave ownership. These included Demerara, Pomeroon, Berbice, Essequibo and Suriname. These were generally sea-level colonies cities located on coasts and riverbanks with drainage systems and frontiers to the interior of the continent (such as the "*Jodensavanne*"). These local conditions inflicted extreme working conditions on slaves but also offered opportunities for escape.

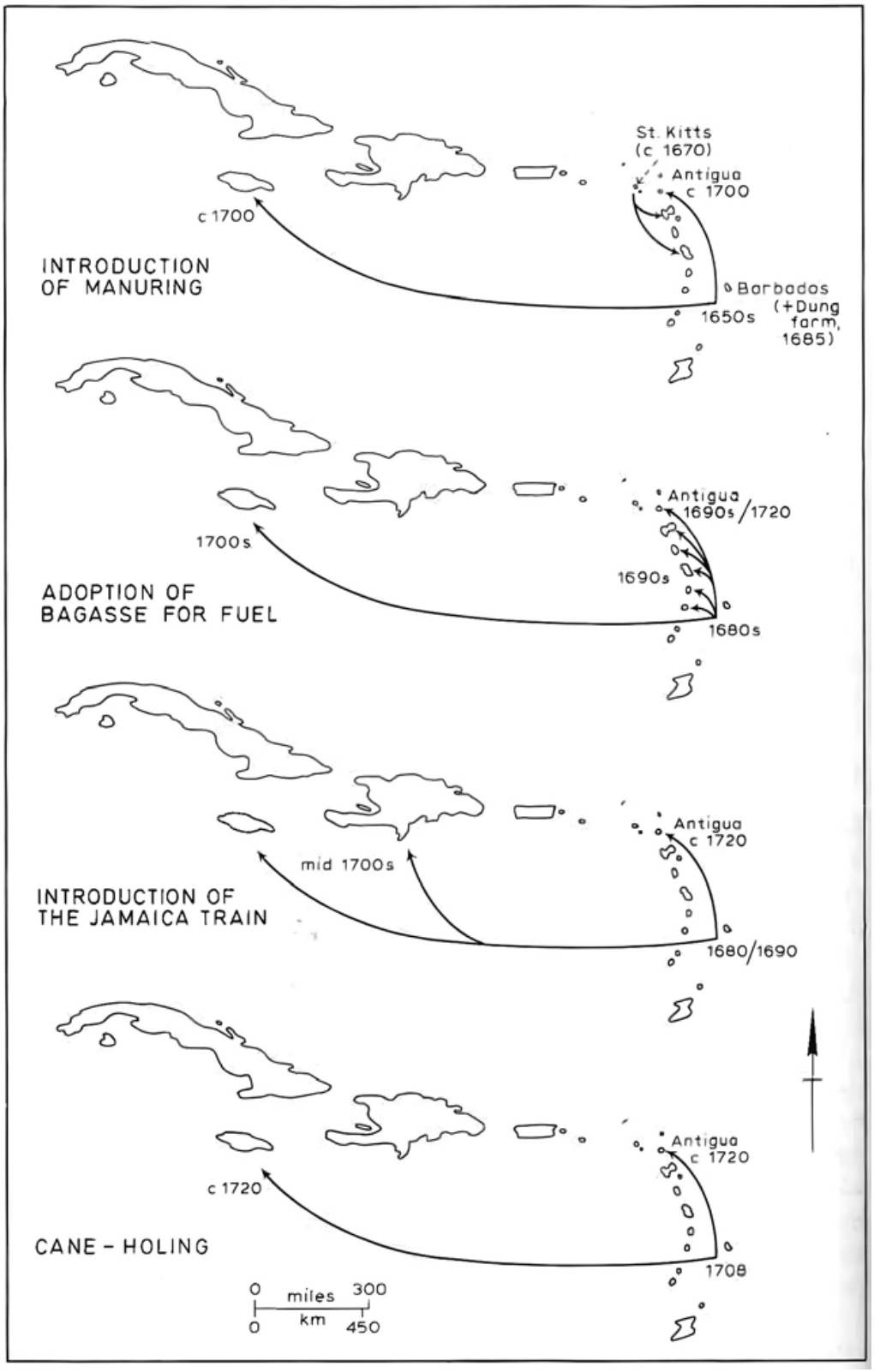
Later came the cultivation of coffee, and of lesser importance cigars, cotton, revolutions and "war capitalism."[68] There was also a new, large-scale massive Atlantic slave trade from Africa, particularly in the eighteenth century, overseen primarily by the French and British. However, participants also included captains from the North American colonies as well as Portuguese Brazilians, and later Spaniards and Cubans.

Sheila Salazar, "Cacao y riqueza en la provincia de Caracas en los siglos XVII y XVIII," *Tierra firme* 22, no. 82 (2004): 293–312; Nikita Harwich Vallenilla, "Le cacao vénézuélien: une plantation à front pionnier," *Caravelle: Cahiers du Monde Hispanique et Luso-Bresilien* 85 (2005): 17–30; Luis Alberto Ramírez Méndez, "Las haciendas en el sur del Lago de Maracaibo (siglos XVI–XVII)," *Boletín de la Academia Nacional de la Historia* 92, no. 66 (2009): 121–64; Luis Alberto Ramírez Méndez, "Los esclavos negros en el sur del Lago de Maracaibo (siglos XVI–XVII)," *Boletín de la Academia Nacional de la Historia* 94, no. 373 (2011): 83–106; Luis Alberto Ramírez Méndez, *La tierra prometida del sur del Lago de Maracaibo y la villa y puerto de San Antonio de Gibraltar (siglos XVI–XVII)*, 2 vols. (Caracas: Editorial el Perro y la Rana, 2011); Luis Alberto Ramírez Méndez, "Las haciendas cañeras en el sur del Lago de Maracaibo – Venezuela (Siglos XVI–XVII)," *Revista de Indias* 74, no. 260 (2014): 9–34; Luis Alberto Ramírez Méndez, "El comercio trasatlántico de San Antonio de Gibraltar (Venezuela): Siglo XVII," *Boletín Nacional de la Academia de Historia* 98, no. 389 (2015): 35–62; Luis Alberto Ramírez Méndez, "La formación de la identidad de los afrodescendientes durante la colonia en el sur del Lago de Maracaibo," *Revista de Historia, Geografía, Arte y Cultura* 9, no. 18 (2021): 10–20; Marcy Norton, *Sacred Gifts, Profane Pleasures: A History of Tobacco and Chocolate in the Atlantic World* (Ithaca: Cornell University Press, 2008); Irena Fatacciu, "Atlantic Politics and Strategies of Commercialization: The Role of Bourbon Reformism in the Diffusion of Chocolate in the 18th Century," in *L'Atlantique révolutionnaire: Une perspective ibéro-américaine*, ed. Gabriel Entin et al. (Paris: Les Perséides, 2013): 137–49; Carlos Viso, *La Casa Franceschi y la saga del cacao venezolano* (Caracas: Fondo Editorial Tropykos, 2017).

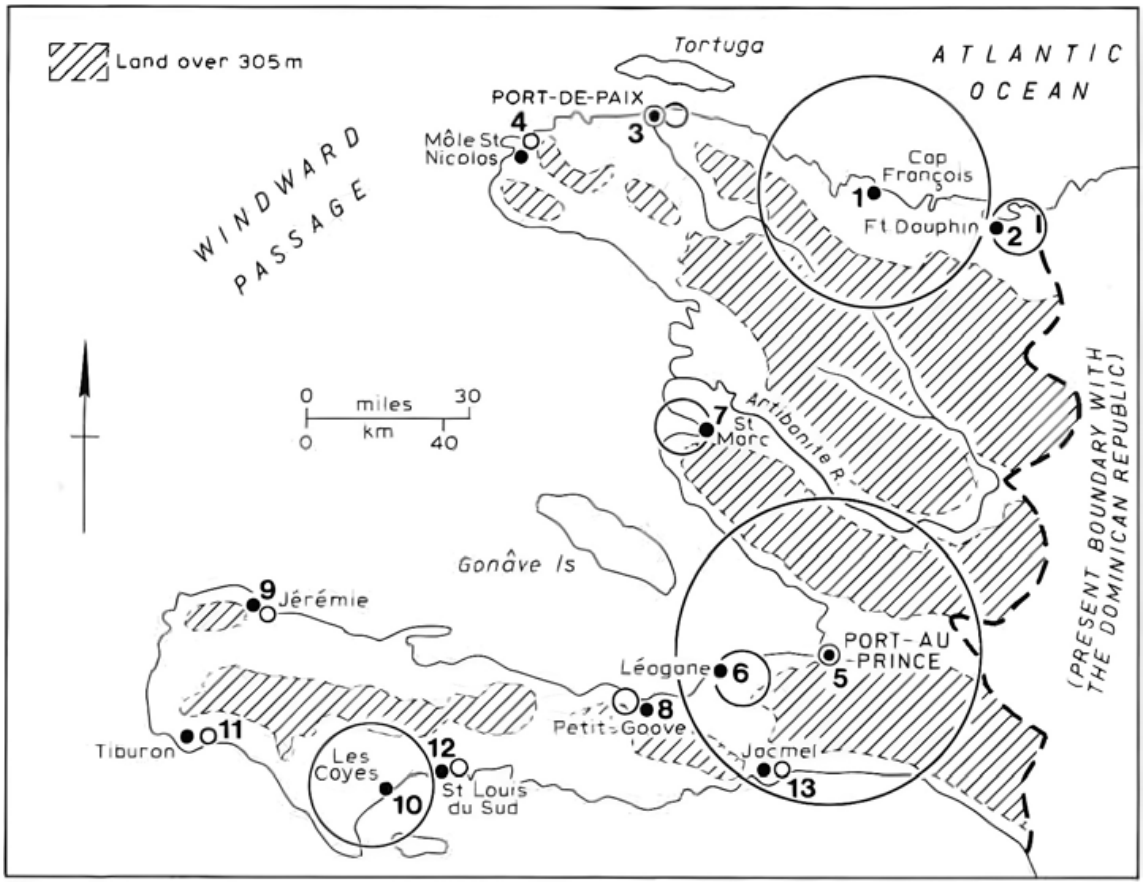
66 Izard, *Ni cuatreros ni montoneros*.

67 Alicia Ardao, "Importancia del café andino en la producción nacional," in *El café y las ciudades en los andes venezolanos (1870–1930)*, ed. Alicia Ardao (Caracas: Academia Nacional de la Historia, 1984): 55–65.

68 Sven Beckert, *King Cotton: Eine Geschichte des globalen Kapitalismus* (Munich: C.H. Beck, 2014).



Map 1: From David Watts, *The West Indies: Patterns of Development, Culture and Environmental Change since 1492* (Cambridge: Cambridge University Press, 1987): 406. Original caption: "Innovation diffusion in the West Indies, 1665 to 1720. The importance of Barbados as an innovation centre is clearly seen."



Map 2: From Watts, *The West Indies*: 254. Original caption: "Major sugar-producing districts in St Domingue, 1791. *Legend. Northern Part*: l. The Cape (45,382); 2. Fort Dauphin (10,249); 3. Port de Paix (1,298); 4. The Mole (128). *Western Part*: 5. Port au Prince (61,441); 6. Léogane (9,182); 7. St Marc (10,239); 8. Le Petit Goave (1,074); 9. Jérémie (496). *Southern Part*: 10. Les Cayes (23,360); 11. Cap Tiburón (341); 12. St Louis (11); 13. Jacmél (116)."

Persons from the then peripheral United States also often participated as pirates or privateers).[69] Coffee plantations, and to a lesser extent indigo, cotton, and tobacco cultivation, gave an extraordinarily dynamic boost to the existing system of Second Slavery used to produce sugar and cocoa. The production of coffee was extremely complicated. Like sugar, it required mill technology, which in turn required complicated water management, drying, and selection technologies. Coffee sometimes required higher initial investments than sugar, as coffee trees only bring marketable yields after 4–5 years. Capital for these plantations came mostly from the Atlantic slave trade and American slave smuggling, as well as piracy, timber and shipbuilding, and the rice, tobacco, and flour trade. During this coffee-and-sugar boom (which was ac-

69 Leonardo Marques, "Slave Trading in a New World: The Strategies of North American Slave Traders in the Age of Abolition," *Journal of the Early Republic* 23, no. 2 (2012): 233–60; David Head, "Slave Smuggling by Foreign Privateers: The Illegal Slave Trade and the Geopolitics of the Early Republic," *Journal of the Early Republic* 33, no. 3 (2013): 433–62.

companied by an aristocratic cocoa-and-sugar boom in southern Europe), the French Caribbean colonies became the most productive slavery economies, starting with the smaller ones, and then Saint-Domingue. Barbados went from a "sugar island" to a cotton island, a process which also affected Tobago and the Bahamas. Important technological improvements in sugar production (such as *tren jamaiquino*) took place first on smaller islands, in particular Barbados, but then spread to French colonies, along with the sugar island of Jamaica (see map 1).

Jamaica, however, produced only *mascabado* (muscovado, i.e., brown) sugar, which was refined in England. Before the revolution, Saint-Domingue was the most productive colony in the world (relatively, of course), even compared to Jamaica, Brazil, or Suriname.[70] This productivity was based on an intense slave trade and extreme exploitation of masses of slaves on sugar, coffee, and indigo plantations as well as some cotton and cocoa plantations (see map 2).

Overall, however, Spanish America remained the most important colonial producer, specializing in precious metals, colonial goods, and slavery and *hato* products. It was, however, not yet a major player in the sugar sector, even if few figures are available for Venezuela. Cuba was also not yet a major exporter of sugar.

The Spanish colonies remained reference points for technological improvements. The Spanish colonies, together with British and French islands in the Caribbean, were an important dimension of Second Slavery, alongside the massive capital input from the slave trade. Until 1790, the French Caribbean, "les Amériques," with its slave-owning agriculture, stood at the forefront of the world plantation system. The two main treatises on sugar and coffee cultivation were both written by Frenchman – Dutrône for sugar cultivation and plantation management[71] and Laborie for coffee.[72] From 1790 onwards, enslaved persons rapidly began to play a more important political role than technology in French-dominated areas. The vigorous French slave trade from Africa to the Caribbean may have led directly to the Haitian revolution, but this has not been definitively proven. However, as is well known, the later formal admission of "Spanish" slave traders to "free trade" in human capital was one of the causes of the wars of independence (*independencia*) in Spanish America after 1810. The large-scale French slave trade and slave smuggling to Saint-Domingue may have helped form the basis for a potentially revolutionary social structure. The population consisted of roughly ten enslaved persons to one free person, with a significant propor-

70 Rafael de Bivar Marquese, "A Tale of Two Coffee Colonies: Environment and Slavery in Suriname and Saint-Domingue, ca. 1750–1790," *Comparative Studies in Society and History* 64, no. 3 (2022): 722–55.

71 Jacques-François Dutrône de La Couture, *Précis sur la canne et sur les moyens d'en extraire le sel essential* (Paris: Chez Duplain, 1790): passim.

72 I am using the 1809 translation into Spanish: P.J. Laborie, *Cultivo del cafeto ó árbol que produce el café, y modo de beneficiar este fruto*, trans. D.P.B (Habana: Imprenta del Gobierno, [1809]). There are some translations into English.

tion descendants of white fathers and black/mulatto wives; these were essentially *casta*-slave owners. With regard to the emerging Second Slavery plantations on Saint-Domingue, the quantitative structure and its territorialization may have fostered revolutionary aspirations. In the Plaine du Nord, for instance, the main sugar production area around Cap-Français (le Cap; today Cap Haïtien), plantations were located very close to one another. As a result, the uprising in the plantation-rich areas of Acul and Limbé which helped launch the revolution in late August 1791 spread so rapidly that after only a week, about 140 plantations were no longer under the rule of their administrators or overseers.[73] That was a more than encouraging signal for uprisings on other plantations. After 1795, rebellions and uprisings could no longer be controlled. The plantation areas in the north, like all others, became the scene of revolution, civil war, imperial wars, massacres, and invasions. This is also true for coffee plantations and some plantation areas in the middle and in the south of Saint-Domingue. Led by priests of slave religions and *commandeurs*, the insurgents formed war gangs and smaller armies. The long-term consequence of this uprising was the destruction of the hitherto-dynamic territories of early Second Slavery capitalism. However, this collapse did not happen immediately. The idea of the plantation was so powerful that it shaped the thinking and actions of the revolutionary leaders of Haiti – in whatever political and ideological form – until the middle of the nineteenth century.[74] These large-scale attempts to re-establish slavery-like labor relations on plantations even in "free" Haiti[75] (especially in the northern parts) ended after 1840 in new forms of dependency during the general development of Second Slavery in the Americas.

The concept of Second Slavery was introduced by the historical sociologist Dale Tomich in the 1980s. It was initially based on developments in Martinique and the wider French Caribbean within the international division of labor as elaborated in Immanuel Wallerstein's analysis of capitalism. Scholars, invoking precursors in Brazil, again took up the concept at the beginning of the crisis of the globalized financial system in 2007/08. Since then, the concept has been applied to the modern era of slavery in the south of the United States, in south Brazil, and in the Spanish Caribbean

73 David Geggus, "Slave Resistance and Emancipation: The Case of Saint-Domingue," in *Who Abolished Slavery? Slave Revolts and Abolitionism. A Debate with João Pedro Marques*, vol. 8, *European Expansion & Global Interaction*, ed. Seymour Drescher and Pieter C. Emmer (New York: Berghahn Books, 2010): 112–19.

74 Johnhenry Gonzalez, *Maroon Nation* (New Haven: Yale University Press, 2019): 84–128.

75 Anne Eller, *We Dream Together: Dominican Independence, Haiti, and the Fight for Caribbean Freedom* (Durham, NC: Duke University Press, 2016); Anne Eller, "Rumors of Slavery: Defending Emancipation in a Hostile Caribbean," *American Historical Review* 122, no. 3 (2017): 653–79; Jean Alix René, *Haiti après l'esclavage: Formation de l'Etat et culture politique populaire (1804–1846)* (Ventura, CA: Communication Plus, 2019).

colonies (Cuba and Puerto Rico).[76] In the nineteenth century, Second Slavery also played a role in Martinique and Guadeloupe as well as Suriname, British Guiana, and Trinidad/Tobago (even though the latter territories had ended formal slavery in 1838).[77] Since then, the concept of Second Slavery has been expanded by two conceptual dimensions. As mentioned above, the one is "war capitalism" based on the new cotton slavery of the nineteenth century. Although not expressly related to slavery, it is in substance. It was accompanied by independent industrialization in the colonial area (especially in Cuba and in the south of the USA, since around 1860 also in Brazil). Cotton means industrial revolution, as Eric Hobsbawn correctly noted. Sugar also meant industrial revolutions, and even bigger, earlier and over a longer period than cotton. Of course, the phenomenon also involved other commodities and their commodity chains. There had already been a broad colonial-Atlantic phase of technological development and industrial revolution before and independent of the "English" industrial revolution: there were industrial revolutions based on Atlantic slavery (involving slave trade and transport as well as the use of slaves to cultivate land) on sugar, coffee and cotton as well as tobacco, indigo and cattle/meat/hides as well as

76 Schmidt-Nowara, "A Second Slavery?": 333–45; José Luis Belmonte Postigo, "Puerto Rico, Atlantización y Segunda Esclavitud," in *Los negocios de la esclavitud: Tratantes y mercados de esclavos en el Atlántico Ibérico, siglos XV–XVIII*, ed. Rafael Pérez García, Manuel Fernández Chaves and José Luis Belmonte Postigo (Sevilla: Universidad de Sevilla, 2018): 357–74.

77 For an in-depth account of the concept and reality of Second Slaveries in the Americas (especially southern Brazil, the southern U.S., and Cuba grande in Cuba), see Dale Tomich, "The 'Second Slavery': Bonded Labor and the Transformations of the Nineteenth-Century World Economy," in *Rethinking the Nineteenth Century: Contradictions and Movement*, ed. Francisco O. Ramírez (New York: Greenwood Press, 1988): 103–17; Dale Tomich, "Small Islands and Huge Comparisons: Caribbean Plantations, Historical Unevenness, and Capitalist Modernity," *Social Science History* 18, no. 3 (1994): 339–358; Dale Tomich, "The Wealth of the Empire: Francisco de Arango y Parreño, Political Economy, and the Second Slavery in Cuba," *Comparative Studies in Society and History* 1 (2003): 4–28; Dale Tomich, *Through the Prism of Slavery. Labor, Capital, and World Economy* (Boulder: Rowman & Littlefield, 2004); Dale Tomich and Michael Zeuske, eds., *The Second Slavery: Mass Slavery, World-Economy, and Comparative Microhistories*, 2 vols. (Binghamton: Binghamton University, 2009); Anthony Kaye, "The Second Slavery: Modernity in the Nineteenth-Century South and the Atlantic World," *The Journal of Southern History* 75, no. 3 (2009): 627–50; Javier Laviña and Michael Zeuske, eds. *The Second Slavery: Mass Slaveries and Modernity in the Americas and in the Atlantic Basin* (Berlin: LIT Verlag, 2014); Michael Zeuske, "Slaveries and the Enslaved in Spanish America: Thoughts on the 'World Working Class' in a Historical Global Perspective," in *On the Road to Global Labour History: A Festschrift for Marcel van der Linden*, ed. Karl-Heinz Roth and Ben Lewis (Leiden: Brill, 2018): 35–60; Michael Zeuske, "The Atlantic and Atlantic Slavery, the Hidden Atlantic, and Capitalism," in *The Atlantic and Africa: The Second Slavery and Beyond*, ed. Dale Tomich and Paul E. Lovejoy (Albany: State University of New York Press, 2021): 65–105; Michael Zeuske, "Writing Global Histories of Slavery," in W*riting the History of Slavery*, ed. David Stefan and Enrico Dal Lago (London: Bloomsbury Academic, 2022): 41–57; Michael Zeuske, "'Second Slaveries' – eine neue, kapitalistische Sklaverei und ihre regionalen Varianten," in Michael Zeuske, *Afrika – Atlantik – Amerika: Sklaverei und Sklavenhandel in Afrika, auf dem Atlantik und in den Amerikas sowie in Europa* (Berlin: De Gruyter, 2022): 196–242.

wood and precious metals. In the nineteenth century, this new phase opened to two further dimensions, which turned it into a global Second Slavery: firstly, the phenomenon of the "hidden Atlantic," with better and faster ships. The hidden Atlantic took place despite – or perhaps, precisely because of – the formal abolitions and their discourses.[78] It accompanied slave smuggling mainly, but no longer only, from West Africa, East Africa, and Madagascar to central regions of the Second Slavery (especially southern Brazil, Cuba and Puerto Rico, where prices for slaves were rising as they did in the southern United States).[79] Second, there was a new dimension of global forced migration of people from South, East and Southeast Asia (as well as other migrations). In older and smaller slavery territories, the soil was depleted and timber became scarce, especially in Barbados and Jamaica. There were also the maroon wars, the slave revolution in Saint-Domingue/Santo Domingo and the French colonial area as well as the *Independencia* wars on the *tierra firme* (especially Venezuela and New Granada). These events caused the Second Slavery territories and the colonial regimes which stabilized them to fall into severe crises: in Saint-Domingue/Haiti and Santo Domingo[80] and in Venezuela (i.e. in the heart of the Caribbean, with Venezuela as the base) the initial phases of Second Slavery failed or never got off the ground (as in the "Spanish part" of Santo Domingo, where slavery was ended by means of ten thousands of *libertad* notarial protocols, which included new forms of asymmetrical dependencies for the ex-slaves). The surviving ex-enslaved in Haiti resisted almost all attempts to reintegrate them into repressive slavery regimes. It was also above all the resistance of the enslaved and civil wars initiated by new political leaders in the territories of *independencia* movements – such as *llaneros* and their leaders (*caudillos*) from *hato* economies) – that defeated all attempts to reintegrate ex-slaves in the dynamic forms of capitalist Second Slavery. In Jamaica and the British Caribbean (particularly Guyana and Trinidad, abolitionism (which took place in phases between 1808–1838) salvaged a quasi-Second Slavery without formal slavery, but large-scale dependent immigration.

The core epoch of Second Slavery began around 1800 (simultaneously with von Humboldt and Bonpland travelling through Spanish America[81]), prepared by a phase of large-scale slave "free trade" in the Spanish Empire (which had started earlier at the Río

78 Brown, "Slavery and Antislavery, 1760–1820": 602–17; Brown, "Abolition of the Atlantic Slave Trade": 281– 97.

79 Laird W. Bergard, "Los mercados americanos de esclavos en la década de 1850: una mirada comparativa a las subidas del precio de los esclavos en los Estados Unidos, Cuba y Brasil," in *Azúcar y esclavitud en el final del trabajo forzado*, ed. José Antonio Piqueras (Madrid: Fondo de Cultura Económica, 2002): 146–64.

80 This refers to the whole island of Santo Domingo.

81 Alexander von Humboldt, *Diario Habana 1804: El diario original de Humboldt, escrito en La Habana*, ed. Michael Zeuske (La Habana: Ediciones Bachiller, 2021), https://bnjm.cu/?secc=noticias&idNews=3716&titulo=disponible-para-descarga-el-libro-diario-habana-1804-de-alexander-von-humboldt- [accessed 19.06.2023]; Michael Zeuske, "Humboldt y la 'segunda esclavitud'," in *Sometidos a esclavitud:*

de la Plata, Buenos Aires, and Montevideo). Parallel to this was large-scale smuggling of enslaved people directly from Africa even after abolition in various countries. This is known as the "Hidden Atlantic" phenomenon. These slaves were deported via other colonies (Brazil), first to Buenos Aires/Montevideo as well as to Venezuela and then to Havana. It is worth repeating that Second Slavery was nipped in the bud because of revolutions and wars of independence in Río de la Plata, in Venezuela, on the *tierra firme*, and on the island of Saint-Domingue/Santo Domingo,. In Montevideo, slave smuggling continued even after the *independencia* wars in hidden Atlantic ports close to southern Brazil.[82]

In Cuba, Puerto Rico, Martinique, Guadeloupe, the Guiana colonies and in certain regions of Brazil such as Rio de Janeiro, Minas Gerais and São Paulo, the complete opposite took place – Second Slavery transformed into slave-based capitalism operated by modern slave companies. Spaniards in Cuba and Cuban Creoles (who also preferred to be referred to as "Spaniards"[83]) joined naturalized captains, merchants and physicians including the Irishman David Nagle, the Hanoverian Daniel Botefeur[84] and the Basque-French Juan Luis de la Cuesta were among the first to create successful business enterprises during the Second Slavery: they founded the *Cuba grande*, an ever-expanding

los africanos y sus descendientes en el Caribe Hispano, ed. Naranjo Orovio (Santa Marta: Editorial Unimagdalena, 2021): 467–502.

82 Rolando Mellafe, *La introducción de la esclavitud negra en Chile: tráfico y rutas* (Santiago: Estudios de Historia Económica Americana de la Universidad de Chile, 1959): 240–46; Alex Borucki, "The Slave Trade to the Río de la Plata: Trans-Imperial Networks and Atlantic Warfare, 1777–1812," *Colonial Latin American Review* 20, no. 1 (2011): 81–107; José Antonio Piqueras, *Negreros. Españoles en el tráfico y en los capitales esclavistas* (Madrid: Catarata, 2021): 45–55; Alex Borucki, David Eltis and David Wheat, "Atlantic History and the Slave Trade to Spanish America," *The American Historical Review* 120, no. 2 (2015): 433–61; Alex Borucki, *Abolicionismo y tráfico de esclavos en Montevideo tras la fundación republicana, 1829–1853* (Montevideo: Biblioteca Nacional, 2009); Alex Borucki, Karla Chagas and Natalia Stall, *Esclavitud y trabajo. Un estudio sobre los afrodescendientes en la frontera uruguaya, 1835–1855* (Montevideo: Pulmón, 2009); Alex Borucki, "The 'African Colonists' of Montevideo: New Light on the Illegal Slave Trade to Rio de Janeiro and the Rio de la Plata (1830–42)," *Slavery & Abolition* 30, no. 3 (2009): 427–44; Alex Borucki, "Apuntes sobre el tráfico illegal de esclavos hacia Brazil y Uruguay: los 'colonos' of Montevideo (1832–1842)," *Historia: Questões & Debates* 52 (2010): 119–48; Florencia Thul Charbonnier, "Traficantes y saladeristas: los brasileños y sus prácticas continuadoras del tráfico de esclavos en Montevideo en el marco de la abolición, 1830–1852," in *El asedio a la libertad: abolición y posabolición de la esclavitud en el Cono Sur*, ed. Florencia Guzmán and María de Lourdes Ghidoli (Buenos Aires: Biblos, 2020): 211–35; Fabio Kühn, "Conexões Negreiras: Contrabandistas de escravos no Atlântico Sul (Rio da Prata, 1730–1752)," *Anos 90* 24, no. 45 (2017): 101–32; Paulo C. Possamai, "La llave de plata del Brasil. El Río de La Plata como forntera sur de la América portuguesa," in *Las fronteras en el mundo atlántico (siglos XVI–XIX)*, ed. Susana Truchuelo and Emir Reitano (La Plata: Universidad Nacional de La Plata, Facultad de Humanidades y Ciencias de la Educación, 2017): 389–425.

83 Cirilo Villaverde, *Cecilia Valdés o la loma de Ángel*, ed. Reynaldo González and Cira Romero (La Habana: Ediciones Boloña, 2018): VII–LXIX, LI, footnote 143.

84 Bruce L. Mouser, "Traders of the Lower Pongo," in Bruce L. Mouser, *American Colony on the Rio Pongo: The War of 1812, the Slave Trade, and the Proposed Settlement of African Americans, 1810–1830* (Trenton, NJ: Africa World Press, 2013): 25–26, 82, 84, 86, 95–97.

slavery economy composed of plantations in the form of *haciendas-ingenios* (sugar), *cafetales* (coffee) and *vegas* (tobacco). These farms were also called *fincas* or even *haciendas* (or *ingenios* written as "yngenios"). They expanded into forested regions to obtain wood for construction, fuel, irrigation, thereby creating modern cities and port economies. This is why Francisco de Arango described the "the solitude of our plantations."[85] From these origins, highly dynamic plantation and technology boundaries pushed ever deeper into the flat areas of the island's interior (flanked by livestock on *hatos* and *potreros*). This expansion, in turn, revolutionized mobility and communications – especially railroads of all kinds, shipping and steamer lines, and a growing number of newspapers. New technologies changed even the plantation towns of the flat hinterlands. Sugar, in the final stage of distribution, was transported by railways or steamers together with more traditional transport vehicles (such as large and small carts, boats, small ships).[86] Something similar happened on the escape and resistance island of Puerto Rico, but mainly on the coasts. Sugar plantations of the Second Slavery era, mostly operated by "naturalized" foreign elites, were located mainly around San Juan and at points in the north, west and south of the island. They covered primarily the smaller coastal plains (around San Juan (Toa Baja, Rio Piedras, Loíza); Ponce; Mayagüez; Manatí; Guayama; region Centro-Oriental).[87] The mountainous center remained essentially a refuge and coffee-growing area for small farmers. Cuba was also initially a coffee and sugar island. However, coffee production, especially in the Havana-Matanzas[88] and Guanajay-Artemisa-Güines regions, fell into crisis around 1840 because of the wide-scale and highly efficient use of slavery in the coffee plantations of Brazil's Second Slavery and, to some extent, post-war Venezuela. Since the construction of the first railways in western Cuba in 1837), coffee was supplanted by "great" sugar plantations along with cattle ranches and smaller tobacco-growing areas. This took place in the island's large flat plains, primarily the red earth plain with the *llanura de Colón* at its center.[89] To-

85 Ada Ferrer, *Freedom's Mirror. Cuba and Haiti in the Age of Revolution* (New York: Cambridge University Press, 2014): 284.

86 Ismael Sarmiento Ramírez, *Cuba entre la opulencia y la pobreza: población, economía y cultura material* (Madrid: Aldaba Ediciones, 2004): 74–144.

87 Javier Alemán Iglesias, "Azúcar y esclavitud: una relación tardía en la región centro-oriental de Puerto Rico," in *Sometidos a esclavitud: los africanos y sus descendientes en el Caribe Hispano*, ed. Naranjo Orovio (Santa Marta: Editorial Unimagdalena, 2021): 191–223; (map, see: Watts, *The West Indies: Patterns of Development, Culture and Environmental Change since 1492*: 493).

88 Bertrand Huber, *Aperçu statistique de l'île de Cuba, précédé de quelques lettres sur la Havane, et suivi de tableaux synoptiques, d'une carte de l'île, et du tracé des côtes depuis la Havane jusqu'a Matanzas* (Paris: P. Dufart, 1826).

89 Raúl R. Ruiz, *Matanzas: Surgimiento y esplendor de la plantación esclavista (1793–1867)* (Matanzas: Ediciones Matanzas, 2001); Rafael Ocasio, *A Bristol, Rhode Island, and Matanzas, Cuba, Slavery Connection: The Diary of George Howe* (Lanham: Rowman & Littlefield, 2019); David Domínguez Cabrera, "Almacenes 'azucareros' en el puerto de La Habana, 1840–1880," *Pasado y Memoria* 26 (2023): 199–220, https://doi.org/10.14198/pasado.21742.

bacco slave plantations also existed in the west and center; in the East (*Oriente*) slavery and slave smuggling continued in smaller coffee-growing regions. Even with the economic dynamism of the Second Slavery Cuba, like Brazil, was not purely a plantation colony. Barickman says rightly: "Neither in Bahia nor in any other part of Brazil was the use of captive labor ever confined to plantation agriculture." ("Nem na Bahia, nem em qualquer outra parte do Brasil, o uso da mão-da-obra cativa jamais ficou confinado à agricultura de plantation").[90]

Cuba became the main producer of refined white sugar and the global leader in this technology. Activity was concentrated around the mentioned huge plain of highly fertile red soil of the *llanura de Colón* in the west-center of the island. From 1850 onward, sugar cultivation expanded around Sagua la Grande, Cienfuegos, Remedios, Santiago de Cuba, and Guantánamo.[91] Cuba remained the global technology and production center for white sugar until around 1870. Only under the pressure of competition from beet sugar producers (especially in Europe) and the main sugar market (the U.S.A.) was the production of branded white sugar halted in Cuba. It was replaced by cheaper brown sugar, also known as raw sugar or *azúcar crudo*). This represented a step backwards in industrialization and technological leadership for Cuba. However, after 1870, this brown sugar was produced in huge quantities in the world's largest stationary sugar factories (*centrales*). In the regions of *centrales*, sugar cane production was left to *colonos*, free but dependent farmers, often people of color.[92] The processes of final refining and whitening was outsourced to the U.S.A. and Europe.

The most modern sugar factory complexes (*centrales*), which had covered the flat sugar country as far as the eye could see since about 1870, were extremely capital-intensive, requiring modern industrial equipment, a stable power supply, plantation railways, and various other installations, houses, and other buildings. Some of the equipment and technology (especially railways, energy plants, workshops, and forges) had to be recycled, so to speak. They became part of quasi-autonomous companies under the umbrella of *central*. Thus, a Central railway also offered transportation and

90 Bert Jude Barickman, "Introdução," in Bert Jude Barickman, *Um contraponto baiano. Açúcar, fumo, mandioca e escravidão no Recôncavo, 1780–1860* (Rio de Janeiro: Civilização Brasileira, 2003): 27–46 [original: *A Bahian Counterpoint: Sugar, Tobacco, Cassava, and Slavery in the Recôncavo, 1780–1860* (Stanford: Stanford University Press, 1998)].

91 Jonathan Curry-Machado, "In Cane's Shadow: Commodity Plantations and the Local Agrarian Economy on Cuba's Mid-Nineteenth Century Sugar Frontier," in *The Global and Local History of Commodities of Empire*, ed. Jonathan Curry-Machado (London: Palgrave Macmillan, 2013): 143–67; Miriam Herrera Jérez, "Fondeados en Sagua: el paisaje del tráfico ilegal de esclavos (1852–1858)," in *Una sociedad distinta: espacios del comercio negrero en el occidente de Cuba (1836–1866)*, ed. María del Carmen Barcia Zequeira (La Habana: Universidad de La Habana, 2017): 187–248; Antonio Santamaría García, "Especialización económica, esclavitud y regionalización del espacio cubano, 1789–1862," *Caribbean Studies* 46, no. 2 (2018): 79–118.

92 Author Collective (AC), "La transformación capitalista: El nuevo régimen político-administrativo," in *Síntesis Histórica Provincial Cienfuegos*, ed. AC (La Habana: Editora Historia, 2011): 98–104.

passenger transport services to third parties, just as the administrators of the Central furnished electric power and maintenance and ironworking services to customers of the region and cities. As the *centrales* had a local monopoly, they could charge high prices. A typical *central* at the end of the nineteenth century also had a hotel, a central *tienda* (general store), accommodation for farm workers (*barracones*), tenements, often a pub with a playhouse, sometimes even a brothel. Partly for their own profit and partly to strengthen their control over the surrounding region, the *centrales* issued their own currency, generally coins of various materials (*tokens*, also *vales* or *fichas*).[93] The merchants of the agricultural towns in the regions often refused to accept *fichas*. Farm workers and their families were thus obliged to buy overpriced goods in the tiendas of the sugar factories. In Puerto Rico, the sugar plantation economy collapsed between 1880 and 1900 or only supplied local markets; especially since there was no "physical and economic infrastructure on which to base industrialization."[94]

In the south of Brazil, especially in the Vale do Paraíba and in the provinces of Rio de Janeiro, Minas Gerais and São Paulo, coffee was produced for the world market and especially the USA. Maranhão and Pernambuco also produced cotton).[95] It was not industrialization during slavery that differentiates Brazil from other Second Slaveries, it was the Atlantic slave trade (even though the hidden Atlantic ended in the 1850s except for Cuba, where it only ended around 1875).[96] Brazil always had more

93 Manuel Moreno Fraginals, "Plantation Economies and Societies in the Spanish Caribbean, 1860–1930," in *The Cambridge History of Latin America*, vol. 4, ed. Leslie Bethell (Cambridge: Cambridge University Press, 1986): 191; see also: Rebecca J. Scott, *Slave Emancipation in Cuba: The Transition to Free Labor, 1860–1899* (Pittsburgh: University of Pittsburgh Press, 2000).

94 Moreno Fraginals, "Plantation Economies": 202.

95 Rafael de Bivar Marquese, "African Diaspora, Slavery, and the Paraiba Valley Coffee Plantation Landscape: Nineteenth Century Brazil," *Review: A Journal of the Fernand Braudel Center, Binghamton University* 31, no. 2 (2008): 195–216; Rafael de Bivar Marquese, "Espacio y poder en la caficultura esclavista de las Américas: el Vale do Paraíba en perspectiva comparada," in *Trabajo libre y coactivo en sociedades de plantación*, ed. José Antonio Piqueras (Madrid: Siglo XXI de España Editores, S.A., 2009): 215–51; Rafael de Bivar Marquese, "As desventuras de um conceito: capitalismo histórico e historiografia sobre a escravidão brasileira," *Revista de História* 169 (2013): 223–53; Rafael de Bivar Marquese, "Estados Unidos, Segunda Escravidão e a Economia Cafeeira do Império do Brasil," *Almanack Guarulhos* (2013): 51–60; Rafael de Bivar Marquese, "Visualidade e administração do trabalho escravo nas fazendas de café e engenhos de açucar de Brasil e Cuba, c. 1840–1880," *Estudos Históricos Rio de Janeiro* 32, no. 66 (2019): 143–70; Rafael de Bivar Marquese and Ricardo Salles, eds., *Escravidão e capitalismo histórico no século XIX: Brasil, Cuba e Estados Unidos* (Rio de Janeiro: Civilização Brasileira, 2015); Rafael de Bivar Marquese, "Paisaje, esclavitud y medio ambiente en la economía cafetalera brasileña: Vale do Paraiba, Siglo XIX," *Asclepio* 67, no. 1 (2015): 1–15, http://dx.doi.org/10.3989/asclepio.2015.04.

96 Gustavo Acioli Lopes, "Brazil's Colonial Economy and the Atlantic Slave Trade: Supply and Demand," in *Networks and Trans-Cultural Exchange: Slave Trading in the South Atlantic, 1590–1867*, vol. 30, *The Atlantic World*, ed. David Richardson and Filipa Ribeiro da Silva (Leiden: Brill, 2015): 31–70.

privileged access to slaves from Africa (especially in the so-called Gold and Slave Coast (today's Angola, Guinea-Bissau [Cacheu; Bissau][97] and Moçambique). Because of relatively cheap slaves and complicated geography, the Brazilian areas of Second Slavery were initially industrialized less quickly, especially in transport, where traditional modes included mule caravans, boats, and oxen teams. Large-scale industrialization started only around 1860. This means that Second Slavery existed alongside Atlantic slavery in general and throughout Atlantic slavery's formal existence (1350–1900). Especially for smaller areas of production in the Americas, it was dependent for its continued existence on Africa and African elites and enslaved people, although this observation only applies to a limited extent to the southern U.S.).

3 Second Slaveries and Colonial Slavery Capitalism

The second slavery era of sugar production, especially in *Cuba grande*, was the most important and dynamic industry of colonial capitalism. It had its own technical, organizational, and technological revolutions.[98] This Cuban phase of second slavery was linked to large-scale and extremely violent capital accumulation enabled by means of human bodies from Africa on the hidden Atlantic trade route. Without sugar, coffee and cotton, there could be no modernity. Agricultural sugar, coffee and cotton slaveries may also have concentrated most of the enslaved people from Africa as capital of human bodies, settlers, and work in all periods of Atlantic slavery.[99] On this basis, a formally colonial but at the same time highly modern capitalist societies developed in the nineteenth century. The development took place mainly in rural areas, where industrialization proceeded in smaller urban centers. However, its effects were also felt in large cities with harbors and institutions.

The parties involved consisted of a few entrepreneurs and slave traders from the high nobility who became very rich. Yet there were also many middle- and lower-class slave owners, merchant slave traders and enslaved workers, reinforced by dynamic groups of ex-slaves and migrants from all over the world. These various social groups emerged as victims, participants, and actors within their respective slavery regimes. Of course, they also included participants in slavery and the slave trade. Given

97 Walter Hawthorne, *Planting Rice and Harvesting Slaves: Transformations Along the Guinea-Bissau Coast, 1400–1900* (Portsmouth: Heinemann, 2003); Walter Hawthorne, *From Africa to Brazil: Culture, Identity, and an Atlantic Slave Trade, 1600–1830* (Cambridge: Cambridge University Press, 2010): 61–96.

98 Zeuske, Michael. "'Second Slaveries' – eine neue, kapitalistische Sklaverei und ihre regionalen Varianten," in Michael Zeuske, *Afrika – Atlantik – Amerika: Sklaverei und Sklavenhandel in Afrika, auf dem Atlantik und in den Amerikas sowie in Europa*: 196–242.

99 Herbert S. Klein, "El comercio atlántico de esclavos en el siglo XIX y el suministro de mano de obra a Cuba y Brasil," in *Azúcar y esclavitud en el final del trabajo forzado*, ed. José Antonio Piqueras (Madrid: Fondo de Cultura Económica, 2002): 37–49.

its dynamic infrastructural environment (transportation and ports/storage) and technological and industrial prowess, the large-scale slave-driven cultivation of sugar should be regarded as the first phase of second slavery. Other forms of slavery and extremely asymmetrical dependencies (coolies, migrants, convicts) were part of this phenomenon, and their management was also modernized. The *contrapunteos* (counterparts) of sugar production with many slaves to tobacco, the other important slavery commodity after 1830 in almost all Cuba (except most parts of *Oriente*), were, as has been claimed, initially coffee, and livestock and sugar. The continuous industrial modernization of sugar slavery formed the basis of cultural, social, and state development as well as narratives, visualizations, and perceptions about and from slavery-Cuba.

It should be kept in mind that although the Cuban second slavery was more limited in terms of geography and production quantity, it was nevertheless the most concentrated, wealthiest, and technologically advanced second slavery (on a relatively small island, compared with the South of the United States or Brazil). Sugar shaped two of the traditional provinces (Havana and Matanzas) and Cuba's global reputation as a sugar island and "Pearl of the Antilles."[100] Until around 1920, the machinery on Cuban plantations contained the most metal components and was more heavily influenced by modern technology and rural industrialization than plantation societies elsewhere. The second slavery production of cotton was almost certainly nowhere near as modern and industrialized on the plantations themselves as the industrial production of sugar in Cuba's *ingenios* and *centrales*. However, cotton cultivation was by far the most widespread activity within second slavery (both geographically and in terms of production) under formal slavery regimes, which were abolished in these areas between 1865–1888. Cotton production, together with its attendant industrialization of storage and transport (including steam ships), formed the most influential, powerful, and wide-ranging economic endeavor under second slavery, especially if one includes Brazil from the 1860s onwards. As can be seen from the work of Walter Johnson and Sven Beckert, cotton-based second slavery was initially not as global as Cuban second slavery but formed distinct centers (most obviously the U.S.) and was more focused, not to say dependent, on the British Empire. Culturally, socially, and politically, this slavery was the basis of an (almost) independent post-colonial society, for imperial imaginations in a slavery empire[101] and, for a short time, the basis of a confederation of states, the Confederate States of America. Capitalizing on human bodies, commodities, and labor, this slavery focused almost exclusively on American Creole slaves. The second slavery era of coffee cultivation was, together with cotton-based slavery

100 Jegor von Sivers, *Cuba, Die Perle der Antillen. Reisedenkwürdigkeiten und Forschungen* (Leipzig: Verlag von Carl Fr. Fleischer, 1861); Antonio Carlo Napoleone Gallenga, *The Pearl of the Antilles* (London: Chapman and Hall, 1873).

101 Walter Johnson, "Tales of Mississippian Empire," in Walter Johnson, *River of Dark Dreams: Slavery and Empire in the Cotton Kingdom* (Cambridge, MA: Harvard University Press, 2013): 303–29.

in the north, the second largest from a geographic and production standpoint, even if it did not really reach continental dimensions in Brazil, as had cotton in the south of the USA. The great slavery systems in historic Brazil mostly flourished near the coast. However, coffee slavery and other slavery regimes (sugar, gold, and diamonds) created formal territories. These became the provinces (now *estados*) of the Brazilian Empire: Rio de Janeiro, Minas Gerais, and São Paulo. Sugar and coffee modernization followed similar paths from 1760 to around 1830; they often also developed within the same territories. They were based on mills and complicated management and organization schemes for various tasks to be performed by slaves as well as by individual professionals such as supervisors, sugar masters, and machinists – some of whom were also enslaved. However, the second slavery of coffee remained more traditional for two related reasons. The owners and administrators of the largest coffee slavery plantations in the world in southern Brazil, São Paulo, Minas, and Rio had, as emphasized above, far more direct access to slaves from Africa until the 1850s. They thus could continue accomplishing tasks with slave labor instead of adopting new technologies and, above all, transport by river and/or teams of horses or oxen. Intensive modernization in coffee was the basis of entire local societies and even "states" (provinces), like Rio and Minas. Until about 1850 this slavery remained dependent on capital in the form of human bodies from Africa; from around 1850 the internal slave trade took precedence.

It is thus not surprising that Brazil and Cuba, two Iberian societies, had the longest-lasting and widest-ranging legacy of slavery in the history of African-Atlantic slavery.

4 A Brief Conclusion

At the end of this chapter, I will examine the work environments and levels of oversight which enslaved peoples faced, including the role of crops and territories. Intense oversight was, after all, one of the essential foundations of slavery capitalism.

Domestic slaves were subject to the most direct and one might say intrusive oversight regimes. Clients of construction gangs, slaves who wielded axes, and enslaved stevedores also exercised tight control over their charges, although this was often the domain of enslaved foremen such as Margarito Blanco. Slaves in cotton and sugar production faced lower levels of oversight. The lowest level of control was found in cocoa during harvest and during the transport of the cocoa pods by the *arboledas* as described above. A correlation between crops and their processing and the territories in which these plantations were located allows us to draw the following conclusions.

From the perspective of slaves, the worst crop in terms of enforced control was cotton. Only the seed balls were harvested from cotton plants. By contrast, in sugar and indigo cultivation the whole plant was harvested. Tobacco required only the

leaves of the plant. Coffee involved plucking small fruits from a bush; cocoa, required harvesting of large fruits from a relatively small tree.

In cotton, the bushes were kept half-high, which probably meant 1 meter to 1.20 meters. This meant that overseers could keep an eye on the slaves from all sides. When harvesting sugar cane, overseers and the chief overseer (*mayoral* or *mayordomo*) stood behind the enslaved sugar cane "cuadrilla" (working gangs of slaves under their preferred overseer), who walked face first into the rows of sugar cane and harvested the plants in front of them. Sugar cane enabled intensive control, especially since the sugarcane gangs were in competition with each other and between the individual *naciones* (teams). This means that here too, enslaved sub-foremen – *contramayorales* – exercised an important oversight function. Owing to the height of the cane, the main inspectors could only position themselves behind the cane-beaters. No white overseer (*mayoral*) would have dared to go close to the sugar cane cutters. If at all, they would do so only accompanied by dogs used as defenses against potential attacks by slaves.

During the harvesting of tobacco leaves, oversight was either impossible or was only possible in a very restricted way, i.e., in the sense of requiring supervisors to ascertain whether workers are "even in the field?". Given the average height of a males at the time (approx. 1.50–1.60 meters), the plants were almost man-high, so a field supervisor could at least see the slaves' heads.

For the slaves of the *hato*/*estancia* economies, not even this type of oversight, which I call "crop control," was possible. "House control" was also impossible, as *hato* and *estancia* slaves lived in their own houses with small farms. This was due not least to the geographical characteristics of the *hatos* (frontiers), to the commodities they produced (wild cattle and horses) and to the fact that these slaves were not used to cultivate crops. They owned their most important work tools, horses, and weapons individually and used them to work livestock independently, taking advantage of their excellent horsemanship.

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2. Slaveries and Similar Dependencies

2.2. Regions and Epochs

Contemporary Societies

Sinah Kloß. "Tattooed Dependencies: Sensory Memory, Structural Violence and Narratives of Suffering among Caribbean Hindu Women," in *Narratives of Dependency*, ed. Elke Brüggen and Marion Gymnich (Berlin: De Gruyter, 2024): 347–365.

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Sinah Theres Kloß

Tattooed Dependencies: Sensory Memory, Structural Violence and Narratives of Suffering among Caribbean Hindu Women

1 Introduction

Godnas are tattooed marks representing, embodying, symbolizing, and actively (re-) constructing experiences of gender-based suffering in Suriname and Guyana. They are linked to male domination and female subordination and, therefore, to structural violence, representing asymmetrical dependencies. As sensory and embodied memories, godnas initiate and become framing principles of 'narratives of suffering,' which (re-)create gender roles and are used to contest and negotiate power relations in Caribbean Hindu communities.

Godna, a word for tattoos in Hindi and *Sarnami* (Surinamese Hindi), can be found among senior Caribbean Hindus, especially 'Indian' women born before or during the 1960s.[1] Although godnas have multiple meanings, contemporary interpretations and public discourse in Guyana and Suriname exhibit little variation. According to my interlocutors, godnas referred to a girl's wedding and transformation into a (married) woman. Commonly, a husband's initials were a substantial component of godnas. However, the tattooed words रामनाम or श्रीरामनाम (*Rāmnām* or *Śrīrāmnām*, the name of [Lord] Ram), the symbol and mantra ॐ (Aum), and symbols of fertility or good fortune were equally important. Godnas were placed near the crook of the right arm and sometimes extended, with a black dot on the forehead and a circular symbol on the left hand. From a contemporary perspective, godnas evoke ownership and slave markings, especially tattooing one person's initials on the body of another. Today, young women consider godnas as 'old-fashioned' or even 'backward' signs of female subordination and dependence on men.[2] My informants often described godnas as signs or symbols that subjugated them to their in-laws, marking a woman as her husband's possession. During my ethnographic fieldwork, conducted between 2017 and 2019 in Suriname and Guyana's border region, I met with six elderly Hindu women over seventy years of age marked with godnas. I conducted between one and four formal interviews with each.

1 People who define themselves as 'Indian' in Guyana and Suriname consider themselves descendants of South Asian indentured laborers, who were shipped to the Caribbean to work on plantations during British and Dutch colonial rule between 1838 and the 1920s. In Guyana, the term 'East Indian' is sometimes used, while in Suriname the term 'Hindoestani' (or 'Hindustani') is common.

2 Sinah T. Kloß, "Embodying Dependency: Caribbean *Godna* (Tattoos) as Female Subordination and Resistance," *Journal of Latin American and Caribbean Anthropology* 27, no. 4 (2022): 601–612, https://doi.org/10.1111/jlca.12644.

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In these interviews, the women elaborated on their godna and their lives in general. Due to the interviews' sequentiality and our additional informal conversations, I soon realized that the women's life narratives and explanations of godna varied. They often shifted emphases depending on varying influences, such as the interviewee's mood and health condition, interlocutors' interactional dynamics, and overall structure. As I discuss in detail below, godnas' meaning proved to be much more complex and heterogeneous than portrayed by the discourses that dominate popular culture and conversation today.

In this article, I do not focus on the narrative characteristics of the accounts produced on godna. They varied significantly according to linear, multilinear, and retrograde narrating techniques.[3] Instead, I analyze the contestations of social hierarchy and negotiations of power relations in the interactional production of tattoo narratives. I discuss how the corporeality of bodies and the sensory memory of tattoos influence the construction of life narratives and how social relations and asymmetrical dependencies are inscribed, (re-)created, and contested via bodily marks and related narratives. In the first part of this article, I suggest that godna narratives may be considered a particular life stage narrative. While discussing the concepts of tattoos and life narratives, I illustrate that when explaining a godna's meaning, senior Hindu women linked their tattoos to marriage and the particular life stage of wifehood, describing their gendered experiences of suffering and structural violence. In the second part, I propose that godna narratives are linked to womanhood and suffering because of godnas' relatedness to marriage. Moreover, godnas result from sensory and painful tattooing experiences; thus, they are embodied marks and sensory memories of physical and emotional pain endured in the past. Finally, I argue that by framing their narratives of suffering retrospectively and from the position of a widow who has endured this suffering, they may claim high(er) status positions in this and/or their next life. They may narrate their painful experiences to demonstrate their high morals and socio-religious obedience, actively claiming the roles of 'good woman' and 'good wife.'

3 Linear narration is characterized by the chronological order of narrated events. If a narrative comprises several lines of action, each of which follows a pattern of causality, the narration is multilinear. In retrograde narration, the temporal progression of events is reversed. See, for example, Martina Wagner-Egelhaaf, *Handbook of Autobiography / Autofiction* (Berlin: De Gruyter, 2019), https://doi.org/10.1515/9783110279818; Mona Körte, ed., "Rückwärtsvorgänge: Retrogrades Erzählen in Literatur, Kunst und Wissenschaft," *Zeitschrift für deutsche Philologie* 138 (2019).

2 Tattoo Narratives as Life Stage Narratives: Narrating Wifehood

Recent scholarly publications describe tattoo narratives as specific kinds of life narratives, particularly in studies that focus on Euro-American tattooing practices and 'Western' tattooees' explanations of the meanings of their tattoos.[4] For example, Atte Oksanen and Jussi Turtiainen define tattoo narratives as life stories told concerning tattoos, explaining that the narrating subject "tells his or her life story in relation to them, situates pain and charts life experiences" and construes these narratives as "powerful existential experiences, where life events are integrated into a narrative form via the body."[5] The tattooees' bodies, they argue, influence the narrative form, as tattoos "function as points of reference or maps that enable life history, as well as an opportunity for subjective security."[6] Similarly, Mary Kosut refers to tattoos as "historical reference points or *aides-mémoire*" in her discussion of tattoo narratives, suggesting that they "permanently illustrate biographical stories."[7] Tattoos are often framed as lasting visual images and marks "inscribed onto the body for life,"[8] which act as "visual memory aids"[9] that anchor memory "to tangible pictures."[10] In this sense, tattoos are commonly contrasted with supposedly less permanent types of adornment. Most scholars acknowledge that the narrator's memory and their acts of remembering (and forgetting) always influence these narratives. The social, temporal, and spatial context in which these narratives are constructed, and the narrator's sensory experience of being tattooed, necessarily influence them. Therefore, a tattoo cannot be considered to have only one, but rather various contextual meanings, which may change when narrators reflexively negotiate their identities and selves over time.[11]

Indeed, a tattoo narrative can be understood as a specific framing or structuring principle and as a kind of life narrative. I prefer the term life narrative to the some-

4 See, for example, Mary Kosut, "Tattoo Narratives: The Intersection of the Body, Self-Identity and Society," *Visual Sociology* 15, no. 1 (2000), https://doi.org/10.1080/14725860008583817; Atte Oksanen, and Jussi Turtiainen, "A Life Told in Ink: Tattoo Narratives and the Problem of the Self in Late Modern Society," *Auto/Biography* 13, no. 2 (2005); and Beverly Yuen Thompson, *Covered in Ink*: *Tattoos, Women, and the Politics of the Body*, Alternative Criminology Series (New York: New York University Press, 2015).

5 Oksanen and Turtiainen, "A Life Told in Ink": 127.

6 Oksanen and Turtiainen, "A Life Told in Ink": 112.

7 Kosut, "Tattoo Narratives": 96.

8 Kosut, "Tattoo Narratives": 82.

9 Hannah M.Y. Ho, "Negotiating a Personal Experience: Identity Affirmation of the Horimono Artist," in *Tattoo Histories: Transcultural Perspectives on the Narratives, Practices, and Representations of Tattooing*, ed. Sinah T. Kloß, Routledge Studies in Cultural History 81 (New York: Routledge, 2020): 306.

10 Oksanen and Turtiainen, "A Life Told in Ink": 126.

11 Kosut, "Tattoo Narratives": 90.

times interchangeably used life history, as its inherent reference to narration emphasizes the interactional construction of 'a life,' memories thereof, and the narrator's (re-)construction of identity, personhood, or subjective self in this process.[12] I also differentiate a life narrative from autobiography, which usually refers to a literary genre that "denotes a non-fictional, retrospective narration" seeking to "reconstruct an individual's life course in terms of a formation of one's unique personal self within a given historical, social and cultural framework."[13] Definitions of autobiography place a strong emphasis on writing, a process carried out by the narrating person. Furthermore, Sidonie Smith and Julia Watson define autobiography as a "particular practice of life narrative that emerged in the Enlightenment,"[14] referring to various kinds of (historical) documentation to reconstruct and narrate a life. Conversely, life narratives usually rely predominantly on personal memories as "the primary archival source."[15] The godna narratives of my interviews relied only on my informants' memories. They were supported by their sensory engagement with the tattooed marks themselves (such as looking at the tattoos and touching them).

There are various kinds of tattoo narratives; to define a single category would be to reproduce a too narrow and universalist approach to tattoo/ing. Asking about a tattoo or a tattooing experience may serve as a starting point of what may indeed be very different kinds of narratives that may rely on various narratological techniques. When using tattoos as a starting point or as a point of access to memory and narration, what follow may be narratives of specific or generalized events and routines, social relations, life stages, sensory experiences, and so on. The ways people talk about tattoos and tattooing may vary as much as how they narrate other events or, more generally, their lives.

Not all tattoo narratives are necessarily life narratives; they may focus only on a particular period in time or a phase in one's life. To complicate this even further, we cannot assume that people from different socio-cultural and religious backgrounds necessarily share an understanding of what 'a life' is. 'A life' does not necessarily begin with birth and end with death. It does not have to be conceptualized as following a linear progression of events between the conditions of being born and dying. Life may be considered a mere snapshot or a phase in a longer transition of a being or soul traveling across and moving between different (human and nonhuman) bodies. For example,

12 This is certainly not to say that historiography does not make use of narratives. Indeed, historical narratives and the ways history is told are as much a part of history as the socio-cultural processes of the past that are talked about. See Michel-Rolph Trouillot, *Silencing the Past*: *Power and the Production of History* (Boston: Beacon Press, 2015).

13 Helga Schwalm, "3.9 Autobiography," in *Handbook of Autobiography/Autofiction*, ed. Martina Wagner-Egelhaaf (Berlin: De Gruyter, 2019): 503.

14 Sidonie Smith and Julia Watson, *Reading Autobiography*: *A Guide for Interpreting Life Narratives* (Minneapolis: University of Minnesota Press, 2001): 3.

15 Smith and Watson, *Reading Autobiography*: 6.

in the context of Caribbean Hinduism, subtle bodies—sometimes referred to as 'souls'—are transmigratory entities that reincarnate in different gross bodies over time due to the cycle of reincarnation. The phase in which a subtle body dwells in a gross body may be considered 'a life,' yet, at the same time, this life is only one stage in the wider context of many different 'lives' that an individual 'soul' is forced to experience until liberation. Furthermore, every individual human life is divided into several phases or stages. Humans transition from one 'life stage' to another by performing a *sanskara*, a Hindu rite of passage. Sanskaras contribute to a person's gradual purification, perfection, and capacity to acquire knowledge, achieving salvation from the cycle of reincarnation. Although the number of sanskaras varies in the diverse Hindu traditions, most Caribbean Hindus consider the wedding sanskara (*vivaha*) to have the greatest significance for girls and women. The wedding sanskara is the rite of passage that transforms a girl into a woman and a wife. Womanhood and wifehood are thus intricately entwined social statuses in the Caribbean Hindu context; without being married, a girl is not considered a woman. Regardless of gender and age, all my informants related godnas to a girl's wedding and transformation into a (married) woman. For example, during one of our first conversations in December 2011, then 74-year-old Dhanmattie,[16] who lives in the Guyanese region of Berbice with part of her family, commented on her tattoo by stating that godnas were "like a tradition" in the past, "when you had been married." My informants usually framed godnas as "stamp[s] of marriage"[17] that highlight the irrevocability of Hindu marriages, emphasized by the tattoos' aura of permanence.

When interviewing senior Hindu women and initiating our conversation via their godnas, they often began to narrate memories of their lives, particularly the life stage of wifehood, emphasizing the relevance of marriage and what is considered to 'count' as/in a woman's life. By suggesting that senior Hindu women's life narratives were often life stage narratives, I am not implying that Guyanese and Surinamese women considered their lives to have started only after marriage. However, this certainly is the way their lives are often discursively framed in local popular discourse. In linking godna narratives to this particular life stage, their way of narration has to be considered a specific narrative strategy. When making general inquiries about their lives, not addressing godna, the women often initiated their narratives with a reference and/or story linked to their parents, elder siblings, or the house and village where they were born. When eventually asked about their tattoos over the course of the interview, they often framed godnas as motherly gifts, as symbols of female bonding, and as signifiers of having acquired a specific ritualistic status.[18] These general inquiries were not used as a prompt to frame the conversation about abusive marriages or

16 All names have been changed to ensure my informants' anonymity.

17 Usharbudh Arya, *Ritual Songs and Folksongs of the Hindus of Surinam*, Orientalia Rheno-Traiectina 9 (Leiden: Brill, 1968): 27.

18 Kloß, "Embodying Dependency."

experiences of suffering. However, whenever I initiated a conversation or interview by asking about a godna's meaning, the women framed the evolving narrative as an introduction to and regarding the specific life stage of a wife. As such, they used it as a bodily proof or trace and as a sensory access point to their memories of structural violence.

3 Tattoos as Sensory Memories

Tattoo narratives are often a specific kind of life narrative, frequently produced in conversations, interviews, and other interactions. As part of oral histories, they may differ from written narratives based on their performative-interactional character. Any representation may have a performative dimension, and written texts certainly have been influenced by people other than the author (such as editors, transcribers, and interviewers) and an intended audience.[19] Yet I still consider contemporary tattoo narratives to be distinct due to their link to oral history practices and their modes of production. Tattoo narratives, often coproduced by direct social relations and through the interlocutors' interactions, are part of oral storytelling. An interviewer usually frames an interview topic, asks specific questions, responds to the interlocutor, gestures, interferes, and uses different kinds of methodological probing. As was the case in my research, tattoo narratives are co-constructed in these situations and do not necessarily exist apart from the interviews themselves. Where oral history is actively coproduced, these moments have to be understood as interactional junctures and processes that rely on nonverbal communication as they depend on the spatial, temporal, social, and sensory contexts in which oral history interviews occur. Oral histories have an active part in their construction, providing the possibility of analyzing inherent negotiations of power and status.

The various social roles of interviewer(s) and interviewee(s), and the intersectional identities with which the interlocutors identify and ascribe significantly impact the narration and, in general, the production of historical narratives.[20] Power relations and negotiations of socio-political status always influence them.[21] Consequently, I consider the life stage narratives produced in my ethnographic interviews to be situational and contextual snapshots of extended conversations during longer stretches of fieldwork, which are necessarily influenced by the different social actors involved. The interactional dimension of tattoo narratives is seldom addressed in contemporary tattoo re-

19 Smith and Watson, *Reading Autobiography*: 178.

20 Sinah T. Kloß, "Talking History: Ethnographic Interviews, Intersectional Identities, and Power Negotiations in Research Encounters," in *Un-Mapping the Global South*, ed. Gero Bauer, Nicole Hirschfelder and Fernando Resende (Routledge, forthcoming).

21 Trouillot, *Silencing the Past*.

search and public discourse, for example, in many Euro-American popular magazines. Here, narrators' explanations of their motivation for a tattoo are sometimes even assumed to be authentic. That a tattoo's 'original' meaning is constantly (re-)constructed in the narrative process often remains obscured. However, formulating and asking questions to investigate the 'meaning' of one or more tattoos are already part of constructing specific life narratives and identities. Seeking to understand 'the meaning' of a tattoo presupposes not only that a tattoo necessarily has to have (one or more) meaning(s) but may also label a specific body modification as potentially different from other practices of body and/or identity construction. Asking about tattoos may (re-)construct tattooed bodies as other and contrast them to non-tattooed bodies, producing, for example, specific (legitimizing) narratives. Contemporary discourse and a society's stance on tattooing, which may be appreciative, indifferent, or stigmatizing, also affect the answers provided in an interview. Therefore, questions of intentionality and the interview's power dynamics have to be addressed in tattoo research, especially when the researcher frames it as an investigation of life narratives.[22] Additionally, questions regarding the process and practice of being and becoming tattooed and remembering the tattooing experience may provide different insights into and facilitate alternative productions of life narratives.

The transformational character and shifting interpretations of memories have long been reflected in methodological discussions of oral history and shall not be the focus of this discussion. Various socio-cultural influences and personal factors alter or adjust memories over time; memories' content is not only shaped by "the way people remember" but, similarly, also by "what is revealed to others, and how it is revealed."[23] Gender may be performed in narrations of 'life,' and expectations relating to gender roles usually influence how and what aspects of a life are narrated. Reflecting on the methodology of oral history as a feminist practice, Kathryn Anderson and Dana C. Jack remind us:

> A woman's discussion of her life may combine two separate, often conflicting perspectives: one framed in concepts and values that reflect men's dominant position in the culture, and one informed by the more immediate realities of a woman's personal experience. Where experience does not 'fit' dominant meanings, alternative concepts may not readily be available. Hence, inadvertently, women often mute their own thoughts and feelings when they try to describe their lives in the familiar and publicly acceptable terms of prevailing concepts and conventions.[24]

22 Silke Schmidt, *(Re-)Framing the Arab/Muslim*: *Mediating Orientalism in Contemporary Arab American Life Writing* (Bielefeld: Transcript Verlag, 2014): 64.

23 Mary Chamberlain, "Gender and Memory: Oral History and Women's History," in *Engendering History: Caribbean Women in Historical Perspective*, ed. Verene Shepherd, Bridget Brereton and Barbara Bailey (Kingston: Ian Randle Publishers, 1995): 106.

24 Kathryn Anderson and Dana C. Jack, "Learning to Listen: Interview Techniques and Analyses," in *Women's Words: The Feminist Practice of Oral History*, ed. Sherna Berger Gluck and Daphne Patai (New York: Routledge, 1991): 11.

The authors rightfully caution oral historians to "listen in stereo, receiving both the dominant and muted channels"[25] during interviews to understand women's perspectives more accurately. Expectations of gender, the construction of femininity, and more specifically, the notion of the 'good wife' as a marker of Hindu womanhood were of central concern in godna narratives, an aspect I address in the following section.

In this context, it is relevant to point out that my research and presence coproduced the life stage narratives interpreted in this article. These narratives were also influenced by the fact that my informants rightfully labeled me—their audience—as female, white, European, and, more specifically, as an 'unmarried' and 'childless' woman to whom they needed to serve as role models and to whom they could entrust their gendered stories of female suffering.[26] Often, they seemed pleased to be asked about their past, even though they did not narrate pleasant memories and sometimes cried during the interviews. Family members who were present were generally indifferent to listening to the stories (again). I got the sense that my elder interviewees seemed to appreciate me as an attentive, new, and potentially powerful audience, in the presence of whom they might be able to legitimate higher statuses and make specific claims to family members, especially if they overheard and witnessed the interview. Taking into account that "[s]torytellers benefit in terms of prestige and perhaps resources by earning the attention of audiences,"[27] I reflect on the agency of women in constructing their narratives and claiming high(er) status positions in the final section of this article.

When reflecting on the creative (co-)construction of tattoo narratives, and taking into account that tattoos have to be understood as experiences performatively reconstructed in narration, I argue that tattoos cannot be understood as mere mementos—as "reminder[s] of a past event or condition, of an absent person, or of something that once existed," or as "an object kept in memory of some person or event, a souvenir."[28] Indeed, we have to approach them as sites of sensory memories and experiences; tattoos interpreted this way actively construct and transform these experiences in the present and the narratives thereof. Narrators necessarily create, engage in, and perform embodied practices of remembering instead of simply repeating or conjuring up memories of a stored experience.[29] Tattoos become modes of "embodied knowing and

25 Anderson and Jack, "Learning to Listen": 11.

26 I self-identify as a white, European, heterosexual, able-bodied woman with a working-class background, who was in her early 30s at the time the interviews were conducted.

27 Brian Boyd, "Narrative and Storytelling," in *The International Encyclopedia of Anthropology* (2018), https://onlinelibrary.wiley.com/doi/10.1002/9781118924396.wbiea1900: 4 [accessed 07.09.2023].

28 "Oxford English Dictionary Online", www.oed.com [accessed 07.09.2023].

29 Constantina Nadia Seremetakis, "The Memory of the Senses, Part I: Marks of the Transitory," in *The Senses Still: Perception and Memory as Material Culture in Modernity*, ed. Constantina Nadia Seremetakis (Chicago: University of Chicago Press, 1996): 7.

remembering,"[30] especially in sensory engagements with and conversations about them. Consequently, tattoos and their related narratives may be considered modes of embodied memory-making and as "emplaced memory processes"[31] that are constituted and continuously reconstituted through practice.

Godna narratives are linked to wifehood and suffering because of godnas' relatedness to marriage and because godnas result from painful tattooing processes and experiences. They are embodied marks and sensory memories of physical and emotional pain and suffering experienced in the past, which had to be endured. They are one example that highlights how "material culture functions as an apparatus for the production of social and historical reflexivity,"[32] provided by sensory self-reflexivity. They link embodied experiences of pain and suffering during wifehood to the notion of endurance. Before I elaborate on the aspect of endurance, I shall analyze how my informants performed gender and (re-)created the notion of the 'good woman' in these processes of narration and embodied remembering.

4 Performing 'Good Wifehood': Narratives of Suffering

When I initiated interviews on the topic of godna, the vast majority of senior Hindu women recounted their life stage of wifehood, linking it to oppressive patriarchs, husbands, and mothers-in-law, and to gender-based violence and other experiences of 'physical' and 'spiritual' suffering. For example, a Guyanese informant—Aunty Betty—dismissed my interest in her godna when I inquired about its meaning in our first informal conversation. She rolled up her sleeves, lifted her skirt, and pointed to the numerous scars on her arms and legs, explaining: "This [godna] is only one of the marks he gave me." With this statement, she recounted her husband's abusive behavior and went on to list and narrate in detail some of her memories of gender-based violence. At the time of our meetings, Aunty Betty was in her early 80s. She lived as a widow with her unmarried, unemployed son, who was addicted to alcohol, in a decaying house in the Berbice region of Guyana. During our informal conversations and formal interview in September 2017, she related that she received no financial support from her family and that her only source of income was a small state pension she received monthly, which provided her with, at most, a two-week supply of the most basic groceries. Rather than elaborating on her godna, Aunty Betty preferred to tell me about some of her scars and her continuing 'punishment.' She remembered

30 Sarah Pink, *Doing Sensory Ethnography* (Los Angeles: Sage, 2009): 44.
31 Pink, *Doing Sensory Ethnography*: 44.
32 Seremetakis, "The Memory of the Senses, Part I: Marks of the Transitory": 7.

and recounted the details of an incident of her married life: one evening, while fleeing from her drunk and violent husband, she had to jump off her balcony with her baby in her arms, and was forced to sleep under the mango tree in the yard.

Aunty Betty and others used godnas as starting points and framing,' principles to elaborate on how they were 'prapa punish' ('being severely punished,' 'have suffered a lot'; Guyana) or how their lives were 'pinares' ('full of suffering'; Suriname). Senior Surinamese women addressed the condition and experiences caused by structural violence using the noun and verb *pinaren* ('suffering,' 'to suffer'), a term I adopt in the remainder of this article to address this type of suffering. *Pinaren* denotes suffering related to (female) experiences of subordination, poverty, and asymmetrical dependencies between men and women, deities and humans. The term is commonly known among Surinamese Dutch speakers, while to most other Dutch speakers, it seems to be unknown and is not listed in contemporary dictionaries. Its link to the former Dutch colony of Suriname has been documented in the 1914 publication of the *Encyclopaedie van Nederlandsch West-Indië* (*Encyclopedia of the Dutch West Indies*). The authors translate *pinaren* as 'poverty, suffering, and struggling,' further suggesting that the Surinamese term is "[p]robably related to the customary *penarie* in the Netherlands, to be in trouble ('in de penarie zitten')" or may be derived "from the Spanish *penar*."[33] One of the few publications that prominently make use of the term is Daniel Koning's photobook *Pinaren in Het Paradijs: Suriname Na De Onafhankelijkheid* (*Suffering in Paradise: Suriname after Independence*), published in 1991.[34] Here, Koning applies *pinaren* once, in addition to its prominent use on the book's cover, directly relating it to poverty and (female) begging practices.[35]

I argue that from my informants' perspective, *pinaren* is caused by structural and symbolic violence.[36] In everyday conversations, most senior Guyanese and Surinamese Hindu women did not discuss suffering as an exception but rather as a rule in the present world. Often, they commented that living in *kali yuga* is the reason why everybody has to suffer today. *Yuga* refers to the Hindu concept of world stages, marked by the continuous decay of morals and living conditions. According to this cyclical concept, everyone lives in the fourth and last of all world stages, kali yuga. Suffering is the normal condition in this stage due to cosmological principles. At the end of this yuga, the world will eventually be destroyed, dissipated, and will then be renewed

33 Herman Daniël Benjamins and Johannes François Snelleman, eds., *Encyclopaedie van Nederlandsch West-Indië* ('s-Gravenhage: Nijhoff, 1914): 563 (author's translation from Dutch).

34 Daniel Koning, *Pinaren in Het Paradijs*: *Suriname Na De Onafhankelijkheid* (Amsterdam: Fragment Uitgeverij, 1991): 8.

35 The sentence states: "On Graven Street, I am accosted by a woman with a child on her arm; she asks for money: 'We suffer [pinaren], sir.'" Koning, *Pinaren in Het Paradijs*: 8 (author's translation from Dutch).

36 Philippe Bourgois, "The Power of Violence in War and Peace: Post-Cold War Lessons from El Salvador," *Ethnography* 2, no. 1 (2001), https://doi.org/10.1177/14661380122230803.

again, starting anew with a "golden age."[37] Despite this naturalization of suffering in kali yuga, Surinamese and Guyanese women usually stressed in their life narratives that they personally have suffered *a lot* and disproportionately so, particularly in comparison to their husbands. The topic of suffering was discussed so extensively in these interviews that, in the remainder of this article, I shall refer to them as 'narratives of suffering.' In these narratives, my informants commonly explained how they had been expected to work, serve, and contribute in a multiplicity of contexts and concerning a seemingly endless number of social actors. They listed the tasks they were charged with, including different kinds of paid and unpaid labor: they worked on sugar plantations, in rice fields, or as market vendors; they worked in their in-laws' households; they were responsible for acquiring religious merit for their extended families by organizing religious ceremonies and attending rituals; and they were occupied with caretaking and reproductive labor. Most of the women I talked to who were more than 70 years old reported having had between 7 and 14 living children, not counting those lost due to miscarriages or the high infant mortality in the past. Simultaneously, they implied or directly stated that they had to serve and suffer without expecting much in return, at least not in this life.

The upbringing of their children was often the central theme of their narratives of suffering. They had to carry out this duty unconditionally, which was often made more difficult, if not nearly impossible, by the lack of support from their husbands, aggravated by frequent psychological and physical abuse. For example, Sadvati, an 82-year-old retired widow living in Nickerie, Suriname, referred to *pinaren* as suffering in the following interview excerpt, directly relating her experiences of suffering to her husband's violent behavior and alcoholism as well as to her struggle to feed and raise her children:

> My husband, my husband was . . . . My mother-in-law had four children, but three died, the one was left. Who married me. And he [pause], his head was not so good. Light. Later, when we were married, he started drinking so much. [. . .] Then, I had, still I had four children with 'em. [. . .] My husband did not want me to have to work! He did not want me to. When I said, 'I am going to look for work. There's no food in the house.' The pinaren. He said, 'No, I don't want you to.' He did not trust me to go to work. Outside work. [. . .] I was so . . ., all my children . . ., so pinares, so pinares, to raise the children. (Sadvati, 82, September 2018, Nieuw Nickerie/Suriname; author's translation from Dutch)

Sadvati referred to *pinaren* as a noun and *pinares* as the condition of experiencing suffering and feeling "punished." Most of my female informants expressed in similar ways that their husbands had been "useless." They characterized them, for example, as addicted to "rum and drinking," as reckless, lazy, not wanting to work, not earning but instead only wasting money, being abusive, immoral, and unfaithful. Frequently,

37 William John Johnson, *A Dictionary of Hinduism* (New York: Oxford University Press, 2010): 365.

they commented that their husbands had contributed neither to the family nor society, at least not to the extent the women themselves claimed to have.

The majority of these accounts reported various degrees and instances of gender-based violence, framed as a central feature of one's married life or mentioned as a side note. It remains a key aspect in almost all the life narratives told to me by Guyanese and Surinamese Hindu women in rural areas older than 40, exemplifying the structural and everyday violence directed at women.[38] In the past, gender-based violence seldom led to divorce or a permanent separation of husband and wife in the Hindu communities of Suriname and Guyana. Due to religious norms, a wife was always expected to endure the abuse and fulfill her life-long marital vows, as divorce was a religious and social impossibility. In this regard, godnas served as sensory and quasi-permanent reminders of wifehood inscribed on women's bodies. Women occasionally escaped the gender-based violence and their abusive husbands on a short-term basis, often with the help of their mothers. Sherry-Ann Singh refers to this "phenomenon of separation" concerning Hindu Trinidad, explaining that the "wife would leave the conjugal home, either with or without the children, to stay with immediate or distant relatives for an indefinite period of time" and that until "the 1970s, separation almost always occurred because of either excessive physical abuse or adultery."[39] Emphasizing the extent to which she had been *pinares*, Sadvati also included memories of separation in her narrative of suffering. In response to my question why her husband did not want her to find "outside work," she explained:

> Sadvati: He does not want [me] to. Because he does not, does not . . . drinks sopi [alcohol], that is why he does not want [me] to. I have all the children . . . When he drinks sopi he comes, starts to . . . starts hitting me, starts throwing everything [around/away]. When he leaves, I take all my kids; I walk with those kids to my mother's. Do you know where my mother lived? Where Shell . . ., that road across the street [far away]. I will look to the back, see if he comes. I run with the kids, I run run run. Until mother's. Go to my mother. [Pause] My mother knows exactly that the man hit me. I stay there. When he comes home, he sees the house and so on, this. He knows exactly that [I] went to my mother's. Not today, *tomorrow* he is going to come. When the sopi is done, *then* he is gonna come. My mother says, 'Look, he's coming by bike.' He is coming. He is sitting down. He's gonna tell my mother, 'I'm coming to get my wife, and my children.' My mother says, 'No, I am not going to send my daughter. You hit my daughter. You have pinaren my daughter.' He says, 'What do you say, she is my wife. I have the right.' He says it like that, 'I have the right. [*quiet*] I'll come [back and] get my brother.' [Pause]

38 Johan Galtung, *Peace*: *Research, Education, Action*, Prio Monographs 4 (Copenhagen: Ejlers, 1975): 24. Nancy Scheper-Hughes, "Small Wars and Invisible Genocides," *Social Science & Medicine* 43, no. 5 (1996), https://doi.org/10.1016/0277-9536(96)00152–9.

39 Sherry-Ann Singh, *The Ramayana Tradition and Socio-Religious Change in Trinidad, 1917–1990* (Kingston: Ian Randle Publishers, 2012): 177.

> Sinah: And then you had to go back?
>
> Sadvati: My mother says, my mother starts telling me, 'Go back. If you're gonna take another man, if that man is going to hit your kid[s], you're not going to like it.'
>
> Sinah: Hmm. [Silent probe]
>
> Sadvati: 'You married that man, and that man does what he does. We don't want to hear.' When he comes back home, two days he is going to be alright.
>
> Sinah: Two days?
>
> Sadvati: Two, three days, he is going to drink sopi again. [Pause] [. . .] I was, [with] all my children, so *pinares*, and so *pinares* to raise the children. Yeah.
> (Sadvati, 82, September 2018, Nieuw Nickerie/Suriname; author's translation from Dutch)

Sadvati described how she had run away from her abusive husband, seeking refuge at her mother's. When her husband came to take her and the children home, her mother first scolded him for his abuse, but when he threatened to return with his brother to enforce his rights, her mother started insisting that Sadvati should return to him. It could be worse, she indicated, stating that although he might be mistreating *her* now, another man would surely also extend these abuses to her children. As this narrative implies, a mother's self-sacrifice for her children is expected. This is a common theme emphasized in the women's life narratives and descriptions of 'good womanhood.' Sadvati later emphasized the irreversibility of a Hindu marriage; while acknowledging that today, "modern" women sometimes leave abusive husbands, she repeated that "old-time people" used to tell their ill-treated daughters that they had the moral and religious obligation to stay and endure the abuse. Similarly, Radica, an 81-year-old widow living with one of her daughters and some grandchildren in Guyana, in tears narrated how she ran away from her husband, emphasizing that she had to "mind me chirren" (mind my children):

> [I lived at my father-in-law's.] There were 21 of us in the house. I had to cook. You had to *cook*, you had to *wash*, you had to *scrub* [clean the house]. There was *no* money, well . . . *I* worked; I bought a few things for my children. [. . .] My man drank rum, beat me. I went away, left, and went away. Go back, come back, the kids were small. [. . .] I left for a *looooooong* time. [. . .] No money. Seven children.

Later in the interview, she added:

> Sometimes I did not earn the money to buy my ration [basic food items]. I minded my children. The children. Before that, before I left my husband, [. . .] my mother said I would get scared to leave my husband, but I did not get scared. I worked [at the market] in New Amsterdam. [. . .] I walked there; sometimes I took the donkey cart. [. . .] And, I worked; I got my 15 hundred [Guyana] dollars. But what could 15 hundred dollars buy you with seven children? The family did not take care of you in those times. And they could have. When I took out eight plates for food, for my children [starts to cry] . . . I did not get anything to eat. [cries] (Radica, 81, Berbice, Guyana, September 2017; author's translation from Guyanese)

It is not my intention to capitalize on my interviewees' narratives of suffering by reproducing every detail. Instead, my objective is not to silence their accounts, which I find emotionally challenging, even when only transcribing and analyzing them. Indeed, our conversations and interviews were seldom cheerful; they required energy and strength, particularly on the part of the narrators. For this reason and other ethical implications, the number of godna narratives produced in my research remains limited yet representative. I am indebted to my informants, who told me about and trusted me with their intimate experiences. To not further accentuate the power asymmetries already inherent in this (and most) research, I think it necessary to include several illustrative parts of their narratives in this article, especially when analyzing them regarding their subversive potential in the following section. However, the subversive aspect of narration has to remain but one way to think through my informants' traumatizing experiences, pain, and memories.

5 Retrospective Narratives of Endurance

My female informants unequivocally commented that suffering—being *pinares* or *prapa punish*—is a general and unavoidable condition of human existence in kali yuga, as mentioned above. They referred to *pinaren* as cosmologically justified structural suffering, which varied in intensity among humans according to gender. They focused their narratives not on the reasons for suffering or on possible ways to avoid hardship but rather on the methods and strategies to bear it. In religious contexts, the endurance of pain and suffering is often framed as an issue of morality and righteousness.[40] Accordingly, my informants' narratives of suffering did not so much highlight the different causes of their suffering (e.g., the lack of food and/or money and abusive husbands) as stressing how they dealt with this adversity practically (e.g., working, earning money, and temporarily leaving husbands). Central to these explanations was the principal reason why they tolerated the abuse: their children. All the women I interviewed confirmed that raising and taking good care of one's children was necessary to be and be considered a 'good woman.' Only a wife who fulfills her 'motherly duties' met the social norms and religious obligations expected of women. By this means, they contributed to society and would, they explained, ultimately be rewarded with religious merit and, hence, better their *karma.*[41] They would experience the benefits of their contributions and moral endurance in future rebirths and lives.

40 Clifford Geertz, "Religion as a Cultural System," in *The Interpretation of Cultures: Selected Essays*, ed. Clifford Geertz (London: Fontana Press, 1993): 104.

41 Karma refers to the structural principle that influences the future and rebirth of a person based on their intent and actions.

Consequently, narratives of suffering have to be considered a mode of narrating life and life stages to negotiate status positions both in the present and future lives. Narratives of suffering as a discursive strategy have to be contextualized in local historical narratives, which use and apply the notion of contribution and suffering to contest group status and power relations on the national level. For example, Guyanese often use historical narratives of nation-building to negotiate and contest power relations among different 'ethnic groups.' In such narratives, a group's past contribution to the nation is emphasized to contest or legitimize dominant positions in the present social hierarchy.[42] Negotiations of status may similarly be implied in women's construction of life stage narratives: experiences of suffering are reframed in terms of endurance, based on a woman's effort and contribution to the family and, hence, to society at large. This allows them to legitimize a high(er) social status and better living conditions in the life stage of the widow.

With this hypothesis, I do not seek to trivialize the very real experiences of pain and suffering experienced by my informants. However, I believe it is necessary to not gloss over the extent of women's agency but instead to reflect on aspects that allow further insight into the meanings of godnas and their related narratives of female suffering. This is necessary to avoid reproducing a narrow perspective on Indo-Caribbean women as simply victimized and repressed, a perspective replicated all too often.[43] While such approaches have been challenged more recently in the academic context, the trope of the suffering Indo-Caribbean woman has proven to be persistent, particularly in popular discourse and cultural representations, affecting, to some extent, the godna narratives produced.[44] Alternatively, it is necessary to "listen in stereo,"[45] as addressed earlier, and to acknowledge Guyanese and Surinamese women's agency in constructing and narrating their lives. Without obscuring the pain and suffering their experiences have caused and continue to cause, I believe the women should not be considered mere victims in weaving their narratives.

From this perspective, my interlocutors may have also narrated their experiences to (un-)consciously claim the status of 'good wife' and 'good woman' to legitimize or demand an enhanced living standard and social status in the present. As "storytellers have incentives to skew stories in their own favor or in support of those with power or prestige,"[46] and it is not exceptional in life narratives that narrators seek to address

42 Sinah T. Kloß, "Giving and Development: Ethno-Religious Identities and 'Holistic Development' in Guyana," in *Faith-Based Organizations in Development Discourses and Practice*, ed. Jens Köhrsen and Andreas Heuser, Routledge Studies in Religion and Politics (London: Routledge, 2019).

43 Marina Carter, and Khal Torabully, *Coolitude: An Anthology of the Indian Labour Diaspora*, Anthem South Asian Studies (London: Anthem Press, 2002).

44 Kloß, "Embodying Dependency."

45 Anderson and Jack, "Learning to Listen": 11.

46 Boyd, "Narrative and Storytelling": 4.

audiences "whom they want to persuade of their version of experience,"[47] we may want to hypothesize that my informants also claimed and legitimized their high(er) social status concerning other family members in their current old age, having transitioned to the life stage of widowhood. I do not believe, for example, that Radica consciously manipulated her narrative of endurance and suffering simply as a means of claiming higher social status. During our interview, the presence of her younger family members however formed an audience that she addressed while she answered my interview question, which influenced her narrative strategies. For example, during the interview and after relating her narrative of misery as a wife, Radica directly addressed her fear of "ending up in the dharamsala," the socially ostracized old age home, despite having "minded her children." She constantly complained in informal conversations that her family does not or cannot take sufficient care of her. Her daughters, who were in the same room and heard Radica's laments, were indirectly addressed, being called out on their supposedly low morals. In my presence, that of a white European researcher, her claims gained in determination.

Through narratives of suffering, often initiated when I asked a woman about her godna, a female narrator could claim a survivor's role and to have endured wifehood in dignity and with high morals. Indeed, most of the women who did not hesitate to characterize their husbands in the discussed ways and in the presence of their (adult) children were widows. Widows, or no-longer wives, self-confidently dismissed their husbands, having outlived them and not fearing their wrath and continued abuse. However, wives whose husbands were still alive voiced their criticism and frustrations more quietly, and sometimes indirectly, in our informal conversations. Widowed narrators frequently indicated that their current life situation had improved and that they were supported by (some of) their children, enabling them to (finally) live a "comfortable" and "humble" life. For example, Dhanmattie, introduced earlier, explained that she had been a widow for a while now, commenting: "I may be a poor woman, and I am a widow for 22 years now, this month. I was a widow since then, but before that, I was even *poorer*! Because he was bad! If he worked, not a dollar he would bring home" (January 2012; author's translation from Guyanese). She considered her current social and economic situation to be an improvement already, although she still considered herself "poor." Widows who faced loneliness due to their children's death, neglect, or emigration, whose lives were dominated by illness, or, in rare cases, whose deceased husbands were considered attentive and caring, were not so positive about their current situation.

With this discursive strategy, widows could increase their social status and position today and in the future. Having contributed to the family and society in this life as a moral and virtuous wife, they could hope to be reborn as a (more powerful) man in their next life. Dhanmattie's account exemplifies the narrative's interweaving of gen-

47 Smith and Watson, *Reading Autobiography*: 6.

der-based violence and (female) religious duties, suggesting that it is important for a woman to endure suffering, which has implications for her next life. Initiating her response by highlighting that she was not telling me idle gossip, but instead telling me the truth ("me talk me own story")—an expression she commonly used to create narrative authority—she referred to her virtue and modesty as a Hindu woman. A virtuous Hindu woman, according to Dhanmattie, had to respect her husband unconditionally before she could (claim to) love god. She then stated:

> You know, when a man falls, he is sick, and you have seen him in lots of wrong things [before]. Well, our kind of bible tells us, like this, says: 'If that is not for this birth, we hope for the next birth.' So we go away quick, like that. And that is left for the next birth, when we come [back]. So, when you see one-body coming, just now, our book tells us that . . . that it is not rubbed out. Because if you do five [*inaudible*], the five are there. If you do 20 good [things], the 20 good things are there, so with this now; it does not correspond equally, so you cannot suffer so much. But how much more [could I have suffered]? [. . .] I was not able to pay [for a better house], because the man was so *bad*. Before I tell anybody else's story, I tell my own story. And it is never done. And god cannot be mad at me for this, because I told god, I said, said, I must have done something wrong, to make me punish. I would not even see my man, and he [would] bust my head. (Dhanmattie, 73, Guyana, February 2012; author's translation from Guyanese)

Dhanmattie addressed a multiplicity of topics and entangled discourses in this revelatory fragment from our interviews. On a general level, she linked a husband's misconduct ("you have seen him in lots of wrong things") to a wife's obligation to hope for betterment in her next life. She explained how, if good deeds outweigh one's bad actions, karma will make one suffer less in future births. Linking this statement to the rhetorical question, "But how much more [could I have suffered]?" she then provided her example of suffering and shifted to her personal experience. Describing poverty, the condition of being 'punished,' and gender-based violence, she concluded that "god cannot be mad at me for this"—that is, for narrating her own story (truthfully) and for having dutifully endured all sorts of suffering and 'punishment.' Narrating these experiences, she simultaneously claimed the status of having been a 'good' and 'dutiful' wife, legitimizing what "little comfort" she had now as a widow and what she was hoping for in her next life.

6 Conclusion

Godnas can be interpreted as marks representing, embodying, symbolizing, and actively (re-)constructing experiences of gender-based suffering in Suriname and Guyana. They are inherently linked to male domination and female subordination, representing asymmetrical dependencies and, thus, structural and symbolic violence. As I have demonstrated in this article, godnas—sensory memories and embodied marks—initiate and become framing principles of narratives of suffering, which (re-)

create gender roles and social norms of (good) wife- and womanhood. By claiming the status of 'good wife' and contributing to society by 'raising their children' despite the hardships suffered during the life stage of wife, widowed narrators used their narratives, on the one hand, to share their painful experiences and memories. On the other hand, such narratives were also wielded to claim high(er) social status in their current life stage of a widow and their anticipated next lives. Having dutifully and obediently endured the *pinaren*, the cosmologically justified yet still disproportionate suffering, women may now hope for better living conditions and less suffering in future lives. Stressing female endurance, the tattooed marks—as outcomes of a painful tattooing experience—also materialized and visualized the twofold processes of suffering and endurance related to both marriage *and* tattooing. In this sense, godnas served as framing principles or initiatory triggers to life stage narratives and sensory memories that impacted the ways these narratives were constructed. Future research should compare the possibly different narratives that may evolve when asking a woman about a godna's meaning compared to asking about the tattooing process. Preliminary results indicate that memories of the tattooing process less often evoke narratives of suffering than prompt discussions of (female) relationships and relational narratives of those involved in the tattooing process.

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2. Slaveries and Similar Dependencies

2.2. Regions and Epochs

Contemporary Societies

Subin Nam. "The Forgotten Agent: Focusing on the 'Comfort Woman' Bae Bong-gi and her Faded History," in *Intentional Invisibilization in Modern Asian History: Concealing and Self-Concealed Agents*, ed. Mònica Ginés-Blasi (Berlin: De Gruyter, 2025): 73–92.

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Subin Nam

The Forgotten Agent: Focusing on the 'Comfort Woman' Bae Bong-gi and her Faded History

1 Introduction

In Korean society, the issue of the 'comfort women'[1] serves as an indelible reminder not only of the horrors of colonialism, but also a testament to the unimaginable violence and human rights violations endured by women during times of war. To prevent the recurrence of such harrowing atrocities, diligent efforts were undertaken to document the testimonies of these women and enable them to share the agonizing experiences they endured.[2] However, recording the experiences of 'comfort women' is a complex endeavor, influenced by a multitude of factors. These include voluntary or semi-voluntary participation and the diverse array of situations, both within Korea and on the global stage. This article centers on the case of a specific 'comfort woman,' Bae Bong-gi, who stepped into the light by revealing her status as a 'comfort woman' in 1975, having concealed her past until then. By focusing on her story, I aim to understand how the narrative of 'comfort women' was shaped by international conflicts and the struggles of postcolonial Korean society, with a particular focus on the period from the 1950s to the 1970s.

1 In the international community, the term "military sexual slavery" has gained widespread usage, originating from the 1996 UNESCO report on 'comfort women' in both South and North Korea. However, within Korean society, the term 'comfort women' continues to be employed officially. This term was originally coined by the Japanese army to euphemistically describe their role in "comforting and caring." The rationale for this continued use lies not only in its historical prevalence but also in its reflection of Japan's perspective on this system at the time. Consequently, it is officially appropriate to place the term 'comfort women' in single quotation marks, a practice consistent with the approach taken in this work. See more details in: Jin-Sung Jeong 정진성, *Ilbongun seongnoyeje* 일본군 성노예제 [Military Sexual Slavery of Imperial Japan] (Seoul: Publication Culture Center of Seoul University, 2016); Jeong-suk Kang 강정숙, "'Wianbu', jeongsindae, gongchang, seongnoye '위안부', 정신대, 공창, 성노예 ['Comfort Women', Korean Women's Volunteer Labour Corps, State-Regulated System, Sexual Slavery]," *Critical Review of History* 74 (2006): 315–20.

2 For instance, there are notable published collections of testimonies from 'comfort women.' The Korean Ministry of Gender Equality and Family initiated two key reports: The 2016 Report of Historical Research and Databasing Project on Japanese Military 'Comfort Women', and the 2018 Report. Additionally, the Korean Council for the Women Drafted for Military Sexual Slavery by Japan has published an extensive four-part series titled Gangjero kkeullyeogan joseonin gunwianbu 강제로 끌려간 조선인 군위안부 [Korean Comfort Women who were forcibly mobilized], spanning the years 2011, 2012, 2014, and 2016. These collections serve as valuable resources for understanding the experiences and stories of 'comfort women' during that era.

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In this chapter I will use the term "self-concealment" to describe her silence until 1975, and "invisibilization" to denote her subsequent neglect by society after her self-disclosure. In section 2, I will explore the process of Bae's silence, focusing on the complex entanglements between Japan, which had lost World War II, the United States, which sought to utilize Japan in the Cold War, and South Korea, which had to grapple with the issue of colonization. In section 3, I aim to illuminate how Bae's invisibilization was a multi-layered process, intertwined with ideologies and the tumultuous landscape of postcolonial Korea. I will do so by examining South Korea's response to Bae's testimony in 1975 within the context of Cold War ideology and the perception of 'comfort women' in popular media such as literature and film at the time. I will also provide a comprehensive view of the various factors and perspectives related to the issue of 'comfort women' during that time. Therefore, this article relies primarily on secondary literature, published testimonies of Bae Bong-gi, and a number of newspapers from the 1970s.[3]

Bae Bong-gi was born in 1914 in a town in South Chungcheong Province, which was part of colonial Korea, into a poor family. From the age of seven she had to earn her own living. In 1943, she met a man who told her he could get her a good place to work and so she boarded a Japanese ship, only to discover upon her arrival in Okinawa in 1944 that this "job" was that of a 'comfort woman.' Many of these women originated from territories occupied by the Japanese, and they were exploited by the Imperial Japanese Army before and during World War II. Forced into sexual slavery, they endured both physical and emotional abuse.[4] Some of the victims, including Bae, directly experienced the war itself. Upon arrival, Bae found the island of Okinawa already devastated, as Japan had heavily fortified it during the final stages of the Pacific War. Simultaneously, the US military sought to secure Okinawa as a strategic foothold for their impending invasion of the Japanese mainland, leading to intense and brutal battles. Some 240,000 Okinawan soldiers and civilians, including an estimated 10,000 Korean soldiers and 'comfort women,' were killed or went missing from March 1945

3 Numerous published collections contain testimonies regarding Bae Bong-gi. The testimonies referenced in this article include Fumiko Kawada 川田文子, *Ppalgan giwajip: ilbongun wianbuga doen hanguk yeoseong iyagi* 빨간 기와집: 일본군 위안부가 된 한국 여성 이야기, trans. Geon-yeong Oh (Paju: Ggoom-kyo, 2014). Jin-Sung Jeong 정진성 외, ed., "Bae Bong-Gi," in *Kkeullyeogada, beoryeojida, uriape seoda* 끌려가다, 버려지다, 우리 앞에 서다 (Seoul: PureonYugsa, 2018): 144–75, and *Okinawa geoju ilbongun wianbu pihaeja baebonggi jeungeon* 오키나와 거주 일본군 위안부 피해자 배봉기 증언 (Seoul: Korea Chongshindae's Institute, 2006).

4 For more information about 'comfort women,' see Yoshiaki Yoshimi, *Comfort Women: Sexual Slavery in the Japanese Military during World War II* (New York: Columbia University Press, 2000); Myeong sook Yun 윤명숙, *Joseonin gun'wianbu'wa ilbongun wianso jedo* 조선인 군'위안부'와 일본군 위안소 제도 [Korean 'Comfort Women' and the System of Comfort Stations for Japanese Soldiers] (Seoul: Ihaksa, 2015); Jeong, *Ilbongun seongnoyeje*.

onwards.[5] Miraculously, Bae survived this tumultuous period by hiding in a mountain for months. After Japan's surrender, she was interned in an American POW camp. Following her release, she found herself in a stateless limbo, spending the rest of her life in Okinawa, a place marked by war's indelible scars and her own journey of resilience.

2 Concealed and Self-Concealed

> I was betrayed by my allies and abandoned in a foreign land.[6]

When Bae's story was first made public in 1975, the Japanese newspaper *RyūkyūShimpō* described her as "an elderly woman who was brought to Okinawa as a comfort woman from Chosŏn in October of Showa 19 (1944), near the end of the Pacific War, and who [has been] living in secrecy as an undocumented resident to this day."[7] In this section, I will examine the social context that led to Bae concealing her identity, the circumstances that rendered her stateless, and the influence of the US-led Cold War on both defeated Japan and liberated Korea. The invisibilization of Bae is not a consequence of a disruption of earlier Japanese colonization, but rather a continuation of it. In this section, I will illustrate how she ultimately became an invisible agent/subject – the result of concealment influenced by citizenship laws, international politics, and occasionally "intentional omissions," all intricately intertwined with self-concealment driven by the shame linked to her past as a 'comfort woman.'

2.1 In Mainland Japan

At the time of Japan's defeat in World War II, approximately 2.4 million Koreans were living in Japan. The significant increase in the numbers of Koreans in Japan, which rose from 960,000 in 1937 to 1,469,000 in 1941, and further to 1.62 million a year later when the Pacific War began,[8] suggests a close relationship between the increase and

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5 Jeong, "Bae Bong-Gi": 156–57. More details in: Caroline Norma, *The Japanese Comfort Women and Sexual Slavery during the China and Pacific Wars* (London: Bloomsbury, 2017): chapter 6.

6 Kawada, *A House with Red Roof Tiles*: 125.

7 "30年ぶりに自由の身に—戦時中 '連行'の韓国婦人那覇入管事務所特別に在留許可, 琉球新報," 1975.10.22 (as cited in: Kyoung-Hwa Lim 임경화, "Okinawaui arirang—migunjeonggi okinawaui janryu-joseonindeulgwa nambukhan 오키나와의 아리랑—미군정기 오키나와의 잔류 조선인들과 남북한 [Okinawa's Arirang – 'Leftover Koreans' on Okinawa and the Two Koreas]," *Journal of Eastern Studies* 89 [2015]: 533).

8 Youngeon Yim and Iltae Kim 임영근&김이태, "Jaeildongpojeongchaegui hoegowa jeonmang gochal 재일동포정책의 회고와 전망 고찰 [A Study on the Retrospect and Prospect of Japanese-Korean Policy in Japan]," *Minjok Yeonku* 72 (2018): 32.

the war. As the Second Sino-Japanese War broke out in 1937, colonial Korea became a logistical base and played an important role in providing material and personnel for the war. Japan sought to justify and facilitate mobilization by categorizing Koreans as 'subjects of the emperor' (황국신민, 皇國臣民), forcing them to visit Japanese shrines and to change their names to Japanese. Under this system, colonial Koreans were mobilized as soldiers or forced laborers, for instance working in coal mining or as 'comfort women.' After liberation, around 1.4 million survivors returned to the Korean peninsula, their homeland, while an estimated 600,000 Koreans remained in Japan.[9]

Immediately after the defeat, Japan altered the status of its former colonial subjects who remained within its borders. In 1945 their right to vote was revoked, and in May 1947, the Alien Registration Order was enacted, officially classifying them as foreigners.[10] This order underscored the provisional classification of Koreans as foreigners.[11] Koreans technically retained Japanese nationality but were not recognized as Japanese citizens, which resulted in a paradoxical situation. This ambiguous order, rooted in the legacy of colonization, laid the foundation for persistent discrimination even after liberation. The Family Registration Law, called *Hojeok*, (호적법, 戶籍法) had distinguished between Koreans and Japanese during the Japanese colonial period by acknowledging Koreans as Japanese nationals but categorizing them as originating from the outer regions (외지, 外地), in contrast to the Japanese who originated from the inner regions (내지, 內地), which perpetuated this divisive distinction. As a result, Koreans in Japan were required to register and carry their documents at all times, with violation incurring penalties such as imprisonment, fines, and even deportation.[12]

The significant change in the situation for Koreans living in Japan occurred after the Treaty of San Francisco took effect in 1952. This treaty marked the point at which

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9 Haeng-Hwa Yi and Gyeong-Gyu Lee 이행화&이경규, "Migunjeonggiui oegugindeungrokryeonge gwanhan sinmungisa-jaeiljoseonin balhaeng sinmungisareul jungsimeuro 미군정기의 외국인등록령에 관한 신문기사-재일조선인 발행신문기사를 중심으로 [Newspaper Articles on the Alien Registration Act Published during the US Occupation of Japan]," *Journal of Korean Association of Modern Japanology* 68 (2020): 201.

10 Kyeong-hee Cho 조경희, "Hanilhyeopjeong chejeha jaeiljoseoninui gukjeokgwa bundanjeongchi 한일협정 체제하 재일조선인의 국적과 분단 정치 [The Nationality of Koreans in Japan and the Politics of Separation under the Korea-Japan Agreement]," in *Nareul jeungmyeonghagi* 나를 증명하기 [Identifying Myself] (Paju: Hanul, 2017): 124.

11 竹前栄治·中村隆英修/松本邦彦訳, *GHQ* 日本占領史*16* 外国人の取り扱い, (東京:日本図書センター, 1996): 82 (as cited in: Ibid.: 124).

12 The origin of the Hojeok system dates back to the Joseon Dynasty in Korea (1392–1897), where it served as a census method for labor and taxes. Initially, the concept of family was centered on the people actually living in the household. However, in 1909, the Japanese changed it into a civil law, transforming the meaning of family registration into an abstract concept of family, meaning that all family members are recorded, regardless of their existence in the house. See more details in: Seung-Il Lee 이승일, "Joseonhojeokryeong jejeonge gwanhan yeongu 조선호적령 제정에 관한 연구 [Study of the Chosun Family Registration Laws during the Colonial Chosun Government General]," *Journal of Society of Legal History* 32 (2005): 37–68.

Japan regained its sovereignty and began classifying Koreans as foreigners under the Law on the Registration of Foreigners.[13] It is crucial to acknowledge that, in the process of being treated as a distinct country, Korea was excluded from the treaty negotiations and did not sign the treaty. This exclusion can be attributed to the treaty's primary focus on addressing Japan's responsibility for the outbreak of the Pacific War with the Allied Powers, especially the United States. Despite Korea's expressed intent to participate, opposition from various countries, including Japan, hindered its involvement.[14] As a result, Koreans were not only denied the opportunity to hold Japan accountable for its colonial rule and seek reparations, but were also unwillingly categorized as foreigners.

In contrast to mainland Japan, Okinawa remained under strict US control due to its pivotal strategic location as a front-line base during the Cold War.[15] Surprisingly, even during this era of heightened surveillance, Koreans, including Bae, who had resided in Okinawa since the Pacific War, were not classified as foreigners, but as residents. However, this designation underwent a dramatic change a year later when Decree No. 93 was replaced by Decree No. 125, in which they were reclassified as foreigners. Decree No. 93 had defined Ryukyu residents very broadly, including individuals who had long been part of the Ryukyu Islands community and those who had registered after Japan's defeat, regardless of their nationality. In contrast, Decree No. 125 made a significant change by narrowing the definition of Ryukyu residents to "only those whose family register, Hojeok, is within the Ryukyu Islands and who currently reside there." Consequently, individuals who did not meet this criterion were deemed aliens, with the exception of US soldiers.[16] This meant that, as in mainland Japan, the distinction between Ryukyu and non-Ryukyu citizens hinged on whether a person's family register was held within the Ryukyu Islands. Under these circumstan-

13 Cho, "The Nationality of Koreans living in Japan": 125.

14 Japan's stance emphasized Korea's non-participation in the war, fearing that its inclusion would lead to substantial reparations. Countries like Britain were keen to avoid getting involved in colonial reparations issues. Nevertheless, scholars argue that the change in the United States' stance was even more critical. This shift was due to the complexity of US. Far Eastern policy and the difficulties in integrating Korea-specific provisions into the treaty text. Bak-jin Jang 장박진, *Sikminji gwangye cheongsaneun wae irwojil su eopseossneunga* 식민지 관계 청산은 왜 이뤄질 수 없었는가 [Why Ending Colonial Relations Was Impossible] (Seoul: Nonhyeong, 2009): 211–14; Byeong-joon Jeong 정병준, "Hangugui saenpeuransiseukopyeonghwahoedam chamgamunjewa baejegwajeong 한국의 샌프란시스코평화회담 참가문제와 배제 과정 [Participation Issue of Korea to the San Francisco Peace Treaty with Japan]," *Korea and World Politics* 36, no. 3 (2020): 1–42.

15 Lisa Yoneyama, *Cold War Ruins: Transpacific Critique of American Justice and Japanese War Crimes* (Durham, NC: Duke University Press, 2016): 60.

16 土井智義, 米国統治期の在沖奄美住民の法的処遇について: 琉球政府出入管理庁文書を中心として: 33–34 (as cited in: Mi-hye Kim 김미혜, "Okinawauijoseonin: baebonggissiui 'jagijeungmyeong'uiijungjeok-uimireuljungsimeuro 오키나와의 조선인: 배봉기씨의 '자기증명'의 이중적 의미를 중심으로 [A Korean in Okinawa: Focusing on Bae Bong-Gi's 'Double Meaning' of Self-Proof]," in *Identifying Myself*: 172–73).

ces, non-Ryukyu citizens were obligated to carry residence permits with fingerprints at all times and were denied the right to vote. Furthermore, as the right to travel was granted only to those with a passport and visa, individuals who became stateless were unable to obtain a passport, denying Bae and others in her circumstances any options for international mobility. Bae initially arrived in Okinawa as a subject of the emperor, then transitioned to the status of a Ryukyu resident, but ultimately regressed to the designation of a foreigner, rendering her effectively stateless.

2.2 In Liberated Yet Occupied Okinawa

During World War II, around 3,500 Koreans were mobilized to Okinawa as part of the navy, army, or other military units.[18] Most of those who survived the war returned home on repatriation ships, but a few, like Bae, chose to stay. Bae remained in Okinawa despite having no residence permit, which meant that she had to live there as an undocumented person. The reason was simply that she was not informed about the chance to return home through repatriation.[19] There may also have been other reasons, such as that she had not enough money to go home, or that she was ashamed of having been a 'comfort woman.'[20] Nevertheless, there is compelling evidence suggesting an alternative possibility: Intentional omission. Korean researcher Bang Seon-joo discovered the names of women believed to be 'comfort women' in a US document titled "List of Japanese Prisoners of War: Records Transferred to the Japanese Government" and dated 17 December 1954. He conducted a thorough comparison of this list with a separate roster containing 147 names of 'comfort women' specifically "designated" for repatriation from Okinawa to South Korea. Significantly, he noted the conspicuous absence of these names in the "List of Japanese Prisoners of War," suggesting that these women were not sent to Korea. This omission raises intriguing questions about their fate.[21]

18 Kim, "A Korean in Okinawa": 157.

19 Bae explained that she remained in Okinawa because she was not informed about the repatriation, as she was isolated from other Koreans. Kawada, *A House with Red Roof Tiles*: 130.

20 These two aspects must be interconnected, as Kawada suggested to Bae that she should visit her hometown to determine if her family members were still residing there. Bae refused to go, so Kawada embarked on the journey alone. During this journey, she discovered the reasons behind Bae's reluctance to reunite with her family. When other family members of Bae heard that she was still alive and living in Japan, they believed that Bae had achieved success and accumulated substantial wealth, thus assuming she could assist her relatives. Consequently, Kawada decided that she could not reveal the truth to them. This implies that Bae was not only reluctant to disclose her past as a 'comfort woman,' but also to return home out of fear of disappointing her family (Kawada, *A House with Red Roof Tiles*: 297–305).

21 Seon-joo Bang 방선주, 美國資料韓人<從軍慰安婦>考察: 223 (as cited in: Kim, "A Korean in Okinawa": 162–63).

Moreover, Kim Mi-hye raised a pertinent question regarding why, after the Japanese defeat, Bae was transferred from POW camps to civilian camps whose inmates were not eligible for repatriation.[22] Even though the exact background or process of Bae's transfer to the civilian camp is not known, her transfer indicates that she was never given the opportunity to return home. Additionally, the report of the "Joint Korean-Japanese Investigation Commission for Fact-finding on the Forcible Recruitment of Koreans during the Battle of Okinawa" (hereinafter referred to as "Okinawa Investigation Commission") in 1972, found that "the US military was initially unwilling to send the Korean women back to their homeland."[23] Testimonies from Okinawans at the time indicated that women recruited as 'comfort women' were dispersed in units of up to about 20 individuals to various US military bases in Japan. They sometimes worked in orphanages run by the US, but were more frequently compelled to work in bars exclusively for US military personal, and even forced into prostitution for the US soldiers, who referred to them as "pangpang girls."[24] In Bae's initial testimony, she also indicated that she had worked for the US military, but she did not offer specific details, which made it difficult to gauge the extent of her ordeal.[25] However, a glimpse of the severity of her experience can be gleaned from her response to a reporter's question about returning to her hometown: "There are American soldiers there, too."[26] During the period when Okinawa was under US control, it earned a grim reputation as the "island of prostitution."[27] Even today, 74.48% of US military bases in Japan are still situated in Okinawa, and only 25.52% on the Japanese mainland, in terms of surface area. It is essential to understand the historical context, and its close connection to the military

22 Ibid.: 167.

23 第二次大戦時沖縄朝鮮人強制連行虐殺真相調査団, 『第二次大戦時沖縄朝鮮人強制連行虐殺真相調査団報告書』, 東京: 第二次大戦時沖縄朝鮮人強制連行虐殺真相調査団, 1972: 13 (as cited in: Kyoung-Hwa Lim 임경화, "Examining the Significance of the Movements to Document Minority Histories and 'Comfort Women' for the Japanese Military in Okinawa," *Seoul Journal of Japanese Studies* 7, no. 1 [2021]: 181).

24 Kim, "A Korean in Okinawa": 167; and see also the documentary film *Grandmothers of Okinawa* (1979) by Tetsuo Yamatani (cited in: Lim, Examining the Significance of the Movements": 181).

25 According to the Japanese newspaper *RyūkyūShimpō*, she said that "she used to work in US military camp and was forced to have sex with U.S. soldiers." ("30年ぶりに自由の身に—戦時中 '連行'の韓国婦人那覇入管事務所特別に在留許可, 琉球新報," 22.10.1975 (as cited in: Lim, "Okinawa's Arirang": 553).

26 Woo-gi Park-Kim 박김우기, "배봉기 할머니를 기억하다-조선반도의 분단을 넘어서 [Remembering Grandmother Bae Bong-gi – Beyond the division of the Korean Peninsula]," trans. Kyeong-hwa Lim, 결 KYEOL, https://kyeol.kr/ko/node/133 [accessed 09.04.2023].

27 Nazno Kikuchi 菊地夏野, "Naesyeoneollijeumeseo sikminjuuiro: okinawa Asain jedowa ilbongun 'wianbu'munje 내셔널리즘에서 식민주의로: 오키나와 A사인제도와 일본군 '위안부'문제 [From Nationalism to Colonialism: The Okinawa A-Sign System and the Japanese Military 'Comfort Women' Issue]," in *Sikminjuui, jeonjaeng, gun 'wianbu'* 식민주의, 전쟁, 군'위안부' [Colonialism, War, Military 'Comfort Women'], auth. Yeon-ok Song and Gi-ok Kim (Seoul: Sun-in, 2017): 152.

presence on the island at that time.[28] Despite the official stance of the US military, which issued proclamations on Okinawa in 1947, including Special Proclamation No. 14, "Prostitution Prohibited with Members of the Occupation Forces," Special Proclamation No. 15, "Venereal Disease Control," and Special Proclamation No. 16 which declared "Female Sex Slavery Prohibited," prostitution continued to thrive. This led to the establishment of the so-called "A-sign system" in Okinawa, where the US military issued licenses to certain bars and recognized them as brothels, monitoring them through regular sanitation inspections to protect soldiers from venereal disease.[29] In these "A-sign" bars, prostitution technically did not occur under its official name, but transactions were carried out under the guise of personal dates, effectively bypassing the US military's ban on prostitution. In war-torn Okinawa, where the main economy revolved around the US military, this system allowed for the exploitation of women from poor backgrounds who were forced into this business through loans. In other words, the United States exhibited a disregard for the welfare of these financially disadvantaged women, concurrently engaging in their exploitation.

2.3 South Korea's "Ignorance"

Apart from the missed opportunity to address the issue of colonial rule with Japan, the San Francisco Treaty had another significant impact on South Korea. In accordance with Article 4 of the Treaty, the "Korea-Japan Talks" (한일회담) were organized, which took place a total of seven times over a span of fourteen years (1951–1965).[30] However, these talks had limitations for Korea. It could not demand full reparations from Japan for its colonial rule, as the San Francisco Treaty did not provide

28 US Forces in Japan clarified that there are 52 US military facilities on the Japanese mainland and 33 facilities in Okinawa. The spokeperson went on to elaborate, stating, "In fact, 39% of the US military's exclusive facilities and 49% of the members covered by the US-Japan Status of Forces Agreement (SOFA) are situated in Okinawa." (Se-won Lee 이세원, "주일미군사령부'불난 오키나와에 부채질' . . . 페이스북 논란 [US-Forces in Japan sparks Controversy on Okinawa Issue in a Fiery Facebook Post]," Yonhap News, 29.06.2016).

29 Kikuchi, "From Nationalism to Colonialism": 154–55.

30 Euysang Yoo 유의상, "Hanil cheonggugwonhyeopjeonggwa gwageosahyeonanui haegyeore daehan gochal 한일 청구권협정과 과거사현안의 해결에 대한 고찰 [Claims Agreement of 1965 and Study on the Resolution of the Past History Issues between the Republic of Korea and Japan]," *Journal of Korean Political and Diplomatic History* 37, no. 2 (2016): 209. For more details about Korea-Japan Talks, see Jang, *Why Ending Colonial Relations Was Impossible*; Jong-won Lee 이종원, "Hanilhoedamui gukjejeongchijeok baegyeong 한일회담의 국제정치적 배경 [The International Political Background of the Korea-Japan Talks]," in *Hanilhyeopjeongeul dasi bonda: 30junyeoneul majihayeo* 한일협정을 다시 본다: 30주년을 맞이하여 (Sungnam: Asea Moonhwasa, 1995), and Won-deok Lee 이원덕, *Hanil gwageosacheoriuiwonjeom: ilbonuijeonhucheorioegyowahanilhoedam* 한일 과거사 처리의 원점: 일본의 전후처리외교와 한일회담 [The Origin of dealing with the past between Korea and Japan: Japan's Postwar Reparations Diplomacy and the Korea-Japan Talks] (Seoul: Seoul National University Press, 1996).

for reparations. Therefore South Korea sought compensation from Japan only for the return of property that had originally legally belonged to Korea, not for thirty-six years of colonial rule.[31]

South Korea presented a total of eight claims to the Japanese side, including money taken from the Bank of *Chosŏn*, restitution claims to Japan from companies that had their headquarters or branches in *Chosŏn*, and compensation for Korean forced laborers, among others.[32] While Japan rejected most of these claims, it proposed that the items listed in Article 5, which dealt with the repayment of Japanese government bonds and debt, forced labor and other claims, be addressed on an individual basis in accordance with Japanese law, after the normalization of diplomatic relations. In contrast, South Korea demanded that these matters be addressed at the national level before normalizing diplomatic relations, rather than being subject to Japanese law.

South Korea and Japan grappled with unresolvable differences until 1961, and were unable to reach an agreement. South Korea wanted to include a clause allowing for future actions, but Japan objected, fearing unresolved issues post-negotiation.[33] In 1965, the two nations signed the Treaty on Basic Relations between Korea and Japan (hereinafter referred to as the "1965 Treaty").[34] South Korea, guided by President Park Chung-hee (1963–1979), desperately sought Japanese capital for economic growth through the "Five-Year Plans for South Korea" (경제개발 5개년 계획).[35] During his tenure, he focused on rapid industrialization and economic growth as part of the country's reconstruction after the Korean War (1950–1953). At the same time it sought a deeper relationship with Japan, fearing a greater enemy: Communism, more specifically North Korea. At that time, North Korea's military pacts with the Soviet Union and China added urgency. South Korea's swift agreement eliminated ties between Japan and North Korea in advance, securing essential economic aid and aligning with Cold War strategies.[36]

The 1965 Treaty was therefore designed to recognize the sole legitimate government in the Korean Peninsula and confirm the nationality of Koreans living in Japan

31 Yoo, "Claims Agreement of 1965": 210.

32 More information about the delegation can be found in "한일회담 – 재산청구권 교섭 [Korea-Japan Talks – Property Claims Negotiations], National Archives of Korea, https://www.archives.go.kr/next/newsearch/listSubjectDescription.do?id=002808&sitePage= [accessed 17.01.2023].

33 "일반청구권 소위원회 제 11차 회의 회의록 [Meeting Transcript of the 11th Meeting of the General Claims Subcommittee] (1962, 3,6)," 한국외교문서철 [Korean Foreign Affairs Documents], 750 (as cited in: Yoo, "Claims Agreement of 1965": 212).

34 According to this Treaty, Japan provided Korea with $300 million free of charge and $200 million as a loan, using a lump-sum method. Ibid.

35 The "Five-Year Plans for South Korea" were economic development plans that were implemented seven times between 1962 and 1996. More information could be found in: Jang, *Why Ending Colonial Relations Was Impossible*: 389.

36 Ibid.: 256, 393–96.

as citizens of the Republic of Korea. However, this process was complex, with a limited registration period of five years.[37] Unfortunately, this meant the agreement applied only to Koreans on the Japanese mainland, as it expired in 1971, one year before Okinawa's return to the mainland. Remarkably, the South Korean government was aware of stateless Koreans in Okinawa in 1966 but chose to overlook their situation. South Korea's disregard not only exacerbated Bae's invisibility, but also the 'comfort women' issue as a whole. While the 1965 Treaty settled all matters related to Japan's past colonization, it did not specifically address the issue of 'comfort women' as well. When the 'comfort women' issue intensified, particularly after the Konoe Statement in 1993, which was issued by Yohei Konoe, a member of the Japanese government, and acknowledged the forced mobilization of 'comfort women,' Japan argued that this matter was settled by the 1965 Treaty, and that it was no longer accountable. South Korea, on the other hand, maintains its position that the 'comfort women' issue should be treated separately from the 1965 Treaty, as it was not initially covered by the Treaty's provisions.[38] These different interpretations of the 1965 Treaty have been a major obstacle to South Korean society resolving the issue of the 'comfort women,' while the Japanese government has avoided all responsibility – thus leaving the issue unresolved to this day.

3 Invisibilization

When Okinawa was returned to Japanese control in 1972, the Japanese government had to adjust its territorial regulations and grant Koreans in Okinawa a legal status equivalent to that of Koreans living in mainland Japan. As a result, it was decided to give Special Permanent Residency to Koreans who were stateless and illegally residing in Okinawa at that time. But in order to obtain this Special Residency, Koreans had to prove that they had arrived in Japan before Japan's defeat in World War II. Bae, who did not wish to return to Korea, faced the risk of forced repatriation due to these new regulations. To secure her legal status, she sought assistance from Mr. Shinjo, the son-in-law of a restaurant owner she had previously worked for. He acted as a guarantor,

37 Cho, "The Nationality of Koreans in Japan": 129–30.

38 Cf. Chang-rok Kim 김창록, "Hanil gwageocheongsanui beopjeok gujo 한일 과거청산의 법적 구조 [Legal Structure of Righting the Wrongs of the Past between Korea and Japan]," *Journal of Legal History* 47 (2013): 85–113). Subsequently, in 2015, Presidents Park Geun-hye and Prime Minister Abe agreed to resolve the matter during a new round of Korean-Japanese negotiations regarding 'comfort women.' Abe emphasized that the fundamental position, including legal issues, remained unchanged and were already settled by the 1965 Treaty (Jun-hyeong Jo 조준형, "아베 '위안부 강제연행 증거없다' 입장 불변 [Abe: No Change in Position: 'No Evidence of Forced Comfort Women']," Yonhap News, 18.01.2016).

affirming that she had been residing in Okinawa prior to the end of World War II.[39] In October 1975, with Shinjo's help, she reported to immigration and obtained Special Residency status. Nevertheless, she had to recount her past as a 'comfort woman,' an experience she described as an "unwanted self-exposure."[40] While Japan's press and media showed great interest in her story, the response from the Korean media was relatively apathetic.[41] In this section, I analyze the reasons behind the lack of attention given to Bae's story in Korea, thus shedding light on the processes shaping the narrative of 'comfort women' in Korean society.

3.1 The Fight against Communism

It is difficult to pinpoint a single reason for the lack of recognition of Bae's story in Korea. However, many scholars suggest that her connection with *Chongryon* (재일본조선인총련합회, The General Association of Korean Residents in Japan), may have been a contributing factor.[42] Bae, who "kept her house secluded even on hot summer days," rarely opened it to anyone except two members of *Chongryon*, Kim Su-seop and Kim Hyeon-ok, whose support she received until her death.[43] In 1977, she granted an interview to *Chosun Shinbo*, the official newspaper of *Chongryon*, in which she gave a detailed account of her experiences and injuries.

Chongryon, founded in 1955, historically supported communism and opposed the Cold War system and the United States, which were seen as the cause for the post-war tragedies endured by Koreans.[44] This stance was not favored by the South Korean government at the time, as anti-communism was one of President Park's central national principles, alongside economic growth. Additionally, there was a growing fear of a potential North Korean invasion, exemplified by the failed attempt in 1968 by

39 "Okinawa geojuilbongun wianbu pihaeja baebonggi jeungeon 오키나와 거주 일본군 위안부 피해자 배봉기 증언 [Testimony of Bae Bong-Gi, a Japanese Comfort Woman in Okinawa]": 95.

40 Kim, "A Korean in Okinawa": 145.

41 Local publications such as *Ryūkyū Shimpō* and the *Okinawa Times* as well as national newspapers such as the *Kochi Shimbun* reported about Bae's story. In 1979, documentary filmmaker Tetsuo Yamatani made the movie *Okinawa's Grandmother* based on his 1978 interviews with her. In 1977, Kawada began interviewing Bae, which formed the basis for the book, *A House with Red Roof Tiles* (1989).

42 Hyun Gyung Kim 김현경, "Naengjeongwa ilbongun 'wianbu': baebonggiui ijhyeojin salm geurigo jugeomeul dulleossan gyeonghap 냉전과 일본군 '위안부': 배봉기의 잊혀진 삶 그리고 주검을 둘러싼 경합 [Cold War and 'Comfort Women': Bae Bong-Ki's Forgotten Life and Contested Death]," *Journal of Korean Women's Studies* 37, no. 2 (2021): 220. When Yoon visited Bae again in 1988, Bae did not open her door to her even though she was at home ("이화여대 윤정옥 교수 '정신대' 원혼서린 발자취 취재기 2- 오키나와 [Professor Yoon Jeong-Ok, Ewha Womans University, a Report Followed in the Footsteps of 'Volunteer Corps' – 2 Okinawa]," Hankyorhe Shinmoon, 12.01.1990: 15).

43 Kawada, *A House with Red Roof Tiles*: 20.

44 See, Yi and Lee, "Newspaper Articles on the Alien Registration Act": 210–12.

thirty-one North Korean Special Forces soldiers to remove President Park on North Korean orders. President Nixon's announcement in 1971 to withdraw US troops from Korea within five years further heightened concerns and led to Park's autocratic system being justified as a "defense against communist invaders."[45]

This context fueled hostility towards Koreans in Japan, so-called *Chae'ilkyopo* (재일교포), particularly those associated with *Chongryon*. Even earlier, in 1959, when approximately 1,000 Koreans living in Japan chose to return to North Korea, they were considered traitors in South Korea.[46] Moreover, those who did not opt for Korean citizenship under the 1965 Treaty were seen as *Chongryon* members or supporters of North Korea, and often regarded as spies. President Park attempted to reduce the growing influence of *Chongryon* among Koreans in Japanese society by encouraging university students of Korean descent to study in South Korea and using them for propaganda in support of his regime. However, as anti-government demonstrations and the distribution of flyers by these students increased, with cases such as the "literary spy ring" in 1974 and the "manipulation of a Korean spy group living in Japan" in 1975, they became increasingly marginalized in Korean society.[47] Given these circumstances, Bae Bong-gi's connections to *Chongryon* could explain why South Korean society did not pay much attention to her story.

In fact, Korean society was more concerned about the return to Japan of Okinawa, which was seen as a stronghold of anti-communism during US occupation.[48] When the 1969 US-Japan Summit decided to return Okinawa to Japan, Korean newspapers published over 800 articles related to this event. Many of these articles expressed concerns about the safety of the Korean Peninsula.[49] As a result, the Korean government emphasized the urgent need for countermeasures to prevent an "inva-

45 While focusing on the rapid economic growth, his tenure was marked by human rights violations, political repression and suppression of the press. "No. 1003 – Armed Forces Day on the 26th anniversary of the ROK Army," Daehan News, 05.10.1974, Media History Museum (e영상역사관), Korean Broadcasting System, https://www.ehistory.go.kr/view/movie?mediasrcgbn=KV&mediagbn=DH&mediaid=911&mediadtl=6777 [accessed 04.01.2024].

46 Beom-soo Kim 김범수, "Bakjeonghuijeonggwonsigi "gukmin" uigyeonggyewajaeilgyopo5 • 16 kudetaihu 10wol yusin ijeonkkaji sinmungisabunseogeul jungsimeuro 박정희 정권시기 "국민" 의 경계와 재일교포5 · 16 쿠데타 이후 10 월 유신 이전까지 신문기사분석을 중심으로 [Is a Chae'ilkyopo 'Korean'?: An Analysis of Newspaper Articles from the 5 · 16 Coup to the October Yushin (Restoration)]," *Korean Journal of International Relations* 56, no. 2 (2016): 197–200.

47 Young-ho Lee 이영호, "Wianbu munjeui deungjanggwa jaeiljoseonin gimilmyeon—japji [gyegan madang (季刊まだん)] ui gisareul jungsimeuro 위안부 문제의 등장과 재일조선인 김일면—잡지 [계간마당 (季刊まだん)] 의 기사를 중심으로— [The Issue of the Appearance of Japanese Comfort Women and Kim Il-Myun by Korean Residents in Japan: Focusing on Articles of the Quarterly Magazine Madang]," *The Korean Journal of Japanology* 113 (2017): 156–58.

48 Lim, "Okinawa's Arirang": 575.

49 "오끼나와反還問題 [Decision to return Okinawa to Japan]," Dong-A Ilbo, 03.06.1969; "오끼나와交涉과極東의關心 [Negotiations over Okinawa and interest in the Far East]," Dong-A Ilbo, 13.06.1969.

sion" of *Chongryon* into Okinawa and became more interested in gaining influence over the region.[50]

These fears of "invasion" were fueled by the Okinawa Investigation Commission in 1972. This private investigative team consisted of four members of *Chongryon* and four Japanese and had lasted about 20 days. Its purpose was to examine the forced mobilization and massacre of Koreans during World War II. The commission uncovered war crimes committed against Korean victims by the Japanese military, including the ongoing violence inflicted on Korean 'comfort women' during the US occupation of Okinawa.[51] The Commission's activities were welcomed by the local government of Okinawa and various human rights organizations. The subsequent year, the South Korean government, which had hitherto demonstrated limited interest in the Koreans residing in Okinawa, responded by sending their own investigator to the island. This investigation was aligned with the goals of the Okinawa Investigation Commission but placed a greater emphasis on Korean citizens. However, this investigation was largely only a formality, and its true purpose – as stated in a Foreign Ministry document – was "to uncover what happened and to set up a memorial."[52] Thus, on August 14, 1975, the war memorial to the Koreans was placed in a peace park in Itoman, Okinawa, which was built in 1972. The South Korean government attached particular importance to speeding up the construction of the memorial in order to prevent North Korea from erecting such a memorial.[53] It remains the only memorial specifically for Koreans until today.

During this period, Korean society showed indifference toward the news of Bae that emerged in the same year.[54] The focus was more on the geopolitical significance of Okinawa than on the marginalized victims of the Japanese colonial period who could not return from Okinawa. The complex dynamics of politics and anti-communist sentiment contributed to her absence from the Korean media.

3.2 In/visibilizing 'Comfort Women'

The conflict with Communism was one of the reasons Bae's story was overlooked in Korean society, but it was not the sole factor. When Yamatani's documentary, *Okinawa's Grandmother* (1979), started its film tour in Japan in May, it also garnered atten-

50 Lim, "Okinawa's Arirang": 562.
51 Ibid.: 567.
52 Ministry of Foreign Affairs, "Okkinawa hangugin wiryeongtap geonrip, 1974–1975 (1) 오끼나와 한국인 위령탑 건립, 1974–1975 (1) [Erection of Monument for Koreans in Okinawa, 1974–1975 (1)]," Accession No. DA0093946, 1974 (as cited in: Lim, "Examining the Significance of the Movements": 189.).
53 Jang-seon Kim 김장선, "일본 오키나와 한국인 위령탑 국내 이전 갈등 [Conflict over Relocation of Korean Memorial Monuments in Okinawa, Japan]," 15.12.2013.
54 Kim, "Cold War and 'Comfort Women'": 205.

tion in Korean media and was brought to the notice of Korean society.[55] However, a significant number of Korean media outlets expressed the opinion that Bae's story should not have been disclosed, deeming it a shameful and embarrassing matter concerning Korean women.[56] This does not imply that the issue of 'comfort women' was entirely taboo in Korean society.

During this period, the memories of 'comfort women' were depicted in films and literature in the mass media. Several novels focusing on 'comfort women' were serialized in newspapers, such as Kim Jeong-han's *Sura-do* (The realm of devils) in 1969, Ha Geun-chan's *Wollye-sojeon* (The Story of Wollye) published in 1973, Kim Seong-jong's *Yeomyeonguinundongja* (Eyes of the Dawn) in 1977, and Kim Jeong-han's *Okinawaeseo on pyeonji* (Letter from Okinawa), also published in 1977. *Letter from Okinawa* is set in Okinawa and tells the story of Bok-jin, a seasonal worker from Korea, through a series of letters. One day, she encounters a woman named Sanghe-dek (Mrs. Shanghai), who runs a restaurant in Okinawa. Much to Bok-jin's astonishment, she uncovers that Sanghe-dek is a former 'comfort woman,' who shares many similarities with Bae, raising the question of whether this is merely a coincidence. The novel provides a limited account of Sanghe-dek's story, as the narrative is structured as a series of letters from Bok-jin to her mother. This narrative approach reflects the limited understanding within Korean society at the time, when the existence of 'comfort women' was just being acknowledged. There was uncertainty about how to define and address their experiences.

Like Bok-jin, approximately one thousand Korean women were sent by the government to Okinawa every year as seasonal workers in agriculture during the 1970s, when Korea experienced important economic development.[57] This means that the Korean government chose to overlook the past and focus on moving forward, instead of addressing the issue of the past 'comfort women' and confronting the past with Japan.[58] In other words, the author of *Letter from Okinawa* aimed to illustrate the continuation of colonial practices in the postcolonial reality, highlighting the interconnected experiences of 'comfort women' and neglected seasonal laborers.

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55 "日社會에「挺身隊」충격 [Shocks of「 Volunteer corps 」in Japanese Society]," Dong-A Ilbo, 21.09.1979; "아끼꼬로 變身한 주인공 "나는 大東亞전쟁희생자" "보아서는 안될영화" 在日僑胞 얼굴 붉히며 떠나 [The main character who transformed into Akiko 'I am a war victim in Greater East Asian War' 'A movie that should not be seen' A Korean in Japan blushed and left]," Kyung-hyang Shinmoon, 28.09.1979.

56 "An incident that we don't want to bring up on purpose [. . .] because they are the shame and disgrace of our women." (*Dong-A Ilbo*, 21.09.1979) or "I can't forget the Koreans in Japan who blushed and said they had seen a movie they shouldn't have." (*Kyung-hyang Shinmoon*, 28.09.1979).

57 Sang-yeop Lee 이상엽, "[생각의 숲] '오키나와' 농장에 간 한국 여성들 [Korean women working on an 'Okinawan' farm]," Nongmin Shinmoon.

58 A former 'comfort woman,' Hwang Kum-ju, met the wife of president Park in 1972, who told her to forget the past so that Korea could move forward (Maki Kimura, *Unfolding the 'Comfort Women' Debates: Modernity, Violence, Women's Voices* [New York: Springer, 2016]: 193).

Novels from this period tended to focus on the issue of 'comfort women' as part of Korea's national tragic history, rather than paying homage to their individual suffering.[59] Particularly, these depictions highlighted anti-Japanese sentiment due to the atrocities of Japanese imperialism and the perpetration of sexual violence by the Japanese. There is a contradiction here in that these depictions were "consumed" and "reproduced" as male-centered memories or entertainment after the war.[60] For example, the 1974 film *Yeojajeongsindae* (Women's Volunteer Corps) depicted the tragic love story between the main character Chun-ja, who was mobilized as a 'comfort woman' with false promises, and Seong-cheol, a Korean conscript. It ended with their deaths.[61] The newspaper advertisement for this movie, which uses provocative language and pornographic design, reveals how 'comfort women' were portrayed in the film.[62] The novel *Eyes of the Dawn* describes the main character Yeo-Ok's journey to the 'comfort station' and her experiences there in a highly sexualized manner.[63] The relationship with Japanese soldiers is depicted as forced or sadistic, while the relationship with Koreans is portrayed as beautiful, emphasizing the purity of Korean women and the innocence of Korean men who tried to protect them.

The narratives in these novels and films frequently conclude with the death or disappearance of the characters. This could be interpreted as a deliberate attempt by colonial patriarchs to erase these women from the narrative, a manifestation of their inability to protect them.

59 Chung-Kang Kim 김청강, "'Wianbu'neun eotteohge ijhyeojyeossna? 1990nyeondae ijeon daejungyeonghwa sok 'wianbu' jaehyeon '위안부'는 어떻게 잊혀졌나? 1990년대 이전 대중영화 속 '위안부' 재현 [How Have the 'Comfort Women' Been Forgotten?: The Representations of 'Comfort Women' in Pre-1990s South Korean Popular Cinema and the Politics of Memory]," *Journal of East Asian Cultures* 71 (2017): 164; Su-hee Jang 장수희, "Danjeolgwa goribui naengjeonseosaroseoui ilbongun 'wianbu'-seosa yeongu: 1960~1970nyeondae ilbongun 'wianbu'seosareul jungsimeuro 단절과 고립의 냉전서사로서의 일본군 '위안부' 서사 연구: 1960~1970년대 일본군 '위안부' 서사를 중심으로 [A Study on Japanese Military Sexual Slavery as a Cold War Narrative – Focused on Japanese Military Sexual Slavery Narrative in the 1960s and 1970s]," *Emotion Studies* 22 (2021): 113–14; Ji-eun Lee 이지은, "Joseonin 'wianbu' yudonghaneun pyosang – 91nyeon ijeon gimilmyeon, imjonggugui 'wianbu' tekseuteureul jungsimeuro 조선인 '위안부' 유동하는 표상 – 91 년 이전 김일면, 임종국의 '위안부' 텍스트를 중심으로 [Korean 'Comfort Women', Fluid Representation]," *Journal of Manchurian Studies* 25 (2018): 202–3.

60 Kim, "The Representations of 'Comfort Women'": 172.

61 "여자정신대 [The Comfort Women, Yeojajeongsindae]," KMDb 한국영화데이터베이스 (Korean Movie Database), https://www.kmdb.or.kr/db/kor/detail/movie/K/02808 [accessed 09.04.2023].

62 Kim, "The Representations of 'Comfort Women'": 171–72.

63 Seong-jong Kim 김성종, 여명의 눈동자 [Eyes of the Dawn] (Seoul: Namdo, 1977).

4 Conclusion

This paper sheds light on the marginalized story of Bae Bong-gi, a Korean woman who endured the hardships of being a 'comfort woman' during Japanese colonial rule and her subsequent life in Okinawa. It explored the complexities of the historical and political context that influenced the invisibilization of Bae's story after the postwar period. The story of Bae Bong-gi is a poignant reminder of the complexities involved in acknowledging and understanding historical injustices.

Section 2, on Bae's concealment, discussed the interplay between geopolitical factors, such as the Cold War and the US-Japan relationship, and their impact on the treatment and recognition of 'comfort women.' The influence of the US military presence in Okinawa, the prioritization of anti-communism, and the manipulation of narratives by both the Japanese and South Korean governments played significant roles in shaping the reception of Bae's story.

This chapter also looked at the complexities within Korean society. Section 3, on her in/visibilization, discussed how Bae's relationship with *Chongryon* and the political climate surrounding the division of the Korean Peninsula influenced the reception of her story in South Korea. Additionally, it could be shown that the portrayal of 'comfort women' in literature and media, although aiming to shed light on their suffering, often reflected societal biases and limited understanding.

Bae's narrative reveals that the marginalization and disclosure of her story were not solely within her control. Beyond her personal journey, the course of her life was significantly influenced by both international conflicts and postwar Korean society. Furthermore, the way her story and life experiences were shaped serves as an example of how narratives of many other 'comfort women' might have been constructed or omitted similarly. The story of Bae serves as a reminder of the enduring legacies of colonialism and the challenges in confronting and reconciling with the past. It highlights the importance of continued efforts to acknowledge the experiences of 'comfort women,' provide support and reparations, and promote awareness to prevent the recurrence of such atrocities.

It emphasizes the significance of amplifying the voices of marginalized individuals, and fostering inclusive spaces for dialogue and healing. Bae's experience is just one example of marginalization in this narrative, highlighting the need to address the overlooked aspects in the study of 'comfort women.' To overcome these limitations, it is essential to strive for a comprehensive understanding of the silence they endured, and the multifaceted factors which have kept them excluded from politics of memory and reparation.

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2. Slaveries and Similar Dependencies

2.2. Regions and Epochs

Contemporary Societies

Boluwatife Akinro. "Second Class Family: Slavery, Elites and Dependency in the Ibadan Household Structure," in *Households as Coercive Labour Regimes*, ed. Stephan Conermann, Ulbe Bosma and Gijs Kessler (Berlin: De Gruyter, 2026): 233–258.

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CHAPTER 10

Second Class Family: Slavery, Elites and Dependency in the Ibadan Household Structure

Boluwatife Akinro

> Today, everybody that was born or grew up in Ibadan wants to claim that they are part of Ibadan, but Ibadan people know how to ask you some questions that you will not be able to answer … An Ibadan man must have a family compound and a village …

Interview with an Ibadan *mọ̀gàjí* (compound head), 12 March, 2024.

1 Introduction

Once a powerful military state, present-day Ibadan is the capital and largest city of Oyo State, Nigeria, with a population of over three million people. The Ibadan constitute a subgroup of the Yoruba, an ethnic group concentrated in southwestern Nigeria and defined by shared language and religion. Yet, the idea of Yoruba as a single ethnicity is relatively new, and many communities, like Ibadan, take pride in their own histories and identities.[1] The above quote was in response to my question of whether a resident of Ibadan could claim indigeneity without belonging to an *agbo ilé* (household compound), which holds the *ilé* – the traditional household structure to which every member of society must be affiliated to gain citizenship.[2] Using E.A. Hammel and Peter Laslett's typology, the *ilé* can be classified as a "multi-family household" containing two or more conjugal units, including kin and dependents.[3] The *agbo ilé*, therefore, is the specific site, the compound estate in which this household resides. These estates are communal dwellings constructed around a shared courtyard. The term *ilé* encompasses all people and property asso-

1 On the emergence of Yoruba ethnicity see J.D.Y. Peel, "The Cultural Work of Yoruba Ethnogenesis," in *History and Ethnicity*, ed. Elizabeth Tonkin, Maryon McDonald and Malcolm Chapman (London: Taylor & Francis Group, 2016): 198–215.

2 The question of "indigeneity" in Ibadan is more complicated than in other Yoruba communities. Since the current settlement was founded in c. 1830, families that identify as indigenous to the area may have arrived as recently as the early twentieth century.

3 E.A. Hammel and Peter Laslett, "Comparing Household Structure over Time and Between Cultures," *Comparative Studies in Society and History* 16, no. 1 (1974): 93.

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ciated with this identity. Even when members move away, their claim to belonging in the community is based on their ability to reference the specific site of their *agbo ilé*. This context is important for understanding the salience of the household institution in Ibadan socio-political organization. My interlocutor's response, that "Ibadan people know how to ask you some questions", offers a glimpse into the rigid regime of belonging in Ibadan, the actors and custodians who oversee its operations, and the practical measures used to secure its survival.

This chapter explores coercive power within Ibadan households, focusing on the discourse employed by the descendants of slaveholding elites about their slave-descended household members. It examines the actions taken by traditional elites and people of slave descent to perpetuate the institution of the *ilé* as a form of socially coerced, non-material labor. In doing so, it presents a challenge to other interpretations of the *ilé* that emphasize its potential for social mobility and mutual benefit. Research into the historical phenomenon of slavery within Yoruba communities is rampant, yet its legacy in the present has received scant attention. In the century since British colonialism ended internecine wars in the region, slavery has largely been viewed as an irrelevant relic of the past.[4] In media and popular culture, historical slavery is treated as a thing of the past with no enduring references or holdovers. The assimilative nature of slavery in much of the region fostered the widespread belief that enslaved people and their descendants, having been incorporated into their owners' households, have now become bona fide family members.[5] As one Ibadan resident told me, "we accepted them as children at home … they started a new life … we marry them and they marry us".[6] This conflation of assimilation into the household with diminished slave status was already present in colonial discourse in the early twentieth century.

The Memorandum on the Southern Nigeria Native House Rule Proclamation of 1901, featured below, foreshadowed the definitional problems that scholars and critics would face regarding the articulation and theorization of slavery and servitude in many African societies:

4 On nineteenth-century wars among various Yoruba groups, see Isaac Adeagbo Akinjogbin, *War and Peace in Yorubaland, 1793–1893* (Ibadan: Heinemann Educational Books, 2003); J.F. Ade Ajayi and Robert Sydney Smith, *Yoruba Warfare in the Nineteenth Century* (Cambridge: Cambridge University Press, 1964); Stephen Adebanji Akintoye, *Revolution and Power Politics in Yorubaland, 1840–1893: Ibadan Expansion and the Rise of Ekitiparapo, Ibadan History Series* (London: Longman, 1971).

5 On the slavery-to-kinship continuum thesis, see Suzanne Miers and Igor Kopytoff, eds., *Slavery in Africa: Historical and Anthropological Perspectives* (Madison: University of Wisconsin Press, 1977).

6 Personal communication, Ibadan *mọ́gàjí*, 18.05.2022.

> The term Domestic Slavery was undoubtedly an unfortunate one. It was bound to suggest, to a public not conversant with its application, a system by which a race was certainly down-trodden if not ill-used [...] Possibilities of improving his status by work and ability existed for each individual. Cases were not infrequent when by good work and close attention to his master's interests an individual "slave" became a man of property and independence. It was not exceptional to find that such a man had attained his "freedom", or in other words, become a "Member" proper of his House.[7]

Enslaved people entered the community as outsiders, purchased or captured from other kingdoms, but their membership in their master's household limited their marginalization and provided a path to assimilation. Nonetheless, the above memorandum recognized that even in their assimilation, they remained on the margins in many integral aspects of belonging and personal aspiration: "Once a 'slave' always a 'slave' is the rule in regard to many rights of inheritance. A 'slave' cannot under any circumstances, as a rule, become a 'Chief' who be [sic] free born".[8] Scholars similarly recognized that such incorporation seldom progressed into full belonging because of the host society's desire to "[include] the stranger while continuing to treat him as a stranger".[9] This deliberately incomplete assimilation of the slave is what James Vaughan called "institutional marginality".[10] This paper asks how this marginality manifests in the Yoruba household today. More importantly, it asks what function it serves, and how it is enacted and perpetuated by the household system.

To answer these questions, I begin with a review of the concept of the *ilé* in Yoruba culture, engaging with theoretical debates around the nature and composition of the Yoruba household. Through this analysis, it becomes clear that the *ilé* requires the strategic assimilation of outsiders while excluding them from the privileges of 'core' family members. I then go on to examine the history of Ibadan, demonstrating how important the household system and the legacy of slavery are to the social organization of the town. The third section of the essay argues that the constant effort required to maintain the *ilé* can be theorized as a form of labor.

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7 Olatunji Ojo, "The Southern Nigeria Native House Rule Ordinance (1901)," *African Economic History* 40 (2012): 132.

8 Ojo, "The Southern Nigeria Native House Rule Ordinance": 134.

9 Igor Kopytoff and Suzanne Miers, "Introduction: African 'Slavery' as an Institution of Marginality," in *Slavery in Africa: Historical and Anthropological Perspectives*, ed. Suzanne Miers and Igor Kopytoff (Madison: University of Wisconsin Press, 1977): 15.

10 James H. Vaughan, "Mafakur: 'A Limbic Institution of the Margi (Nigeria)'," in *Slavery in Africa: Historical and Anthropological Perspectives*, ed. Suzanne Miers and Igor Kopytoff (Madison: University of Wisconsin Press, 1977): 100. See also Igor Kopytoff, "Slavery," *Annual Review of Anthropology* 11 (1982): 215–16.

Each member must perform actions aimed at preserving the long-term survival of the *ilé*, which is seen as synonymous with the status of those elites related to the core lineage. I conclude with examples of the everyday actions that Ibadan's traditional elites take for this purpose, explaining that these actions have become increasingly important as modern politics and values threaten the *ilé*'s relevance.

Tracing slave descent is nearly impossible for community outsiders. As the Yoruba say, "strangers don't know which person is a slave, only members of the household can point them out".[11] Since historical markers of difference like facial scarification, ritual hairstyles and designated clothes are increasingly falling into disuse, and knowledge about them might be hidden to outsiders, studying the oral record provides an alternative with which to understand ideologies about slavery and slave descent. This was precisely what I did in Ibadan during my field research trips in April–July 2022 and April 2024. Over the course of these two visits, I interviewed academics, community historians and traditional leaders, including seven *mọ́gàjí* – (typically male) heads of Ibadan's household compounds. In interviews with these traditional elites, I paid attention to the politics of difference which demonstrated their conceptualization of slavery. Traditional compounds are the locus of the knowledge of slave ancestry, and they are the mechanism through which rights are administered for the descendants of enslaved people and "freeborn" alike. As only insiders know who is reputed to have slave ancestry, their role as custodians is central to the preservation of stigma. The actions of elites thus constitute a form of affective labour that is necessary to perpetuate the household. While this may be complemented by *material* labour on the part of slave-descended family members, the stigma around identifying specific descendants of slaves within the household makes this difficult to investigate. Nonetheless, elite discourse reveals that hierarchies still exist and shows how they are maintained, a significant accomplishment given the erasure of slavery's legacy in Nigeria.

2 *Ilé*: The Yoruba Social Unit

The semantic fluidity of the word *ilé* already indicates its centrality to the Yoruba sense of history, self and community. It can denote the physical house, the people living within the house, a town or even a lineage.[12] All these uses of the term anchor identity, signifying one's relation to place and kin. As a concept, Andrew Apter argues, *ilé* replicates the town (*ilú*) in the home, creating a single enduring entity

11 In Yoruba: "*ará òde kì í ma ni l'ẹ́rú, ará ilé ní ma ń nọ̀ka ẹrú sí ni.*"

12 Akinwumi Ogundiran, *The Yorùbá: A New History* (Bloomington: Indiana University Press, 2020): 47.

out of blood relatives, migrants, enslaved people, clients and even friends.[13] Akinwumi Ogundiran defines it as a "multi-sited kinship network that transcended blood and marriage ties, but included and evolved from other types of interpersonal and social bonds, including patron-client relationships, friendship, and fraternities".[14] Adopting a singular definition of the *ilé* is difficult because its criteria for inclusion are fluid, and identification with an *ilé* can be mobilized towards various political ends. In its most basic understanding, however, the *ilé* is the multi-family household structure to which every member of a Yoruba sub-group must be affiliated to gain citizenship.

In her study of the Yoruba town of Okuku, Karin Barber tackles one of the central questions that has plagued scholars of Yoruba social life: whether kinship or shared residence takes precedence in the configuration of the *ilé*. She argues that the term incorporates both kinship and residence, referring to both "a 'house' in the sense of a dynasty as well as a 'house' in which people live".[15] A typical *ilé* consists of a "notionally agnatic" core – members descended from the same male lineage – as well as attached members who come from other lineages but reside within and are associated with the compound.[16] Like its counterpart in Okuku, the *ilé* in Ibadan is clustered around a central core, which claims exclusive access to family titles based on their ties to an ancestral founder. However, multiple lineages and extra members reside within the compound, bound by the kinship idiom. As seen in the introductory quote, Ibadan *ilé* are also multi-sited; necessarily having a compound within the historical city limits and another in one of the neighboring villages that serves as the household farmstead.[17] Both structures are spatially distinct but considered to be aspects of a single unit. Thus, Ogundiran, Barber and Apter's definitions are well-suited to describing the *ilé* as it exists in Ibadan.

Toyin Falola argues that the *ilé* was more than a kinship group, and that it was a means of organizing a number of socioeconomic relationships:

> Households were economic units with slaves providing the most valuable labour; pawns [bonded laborers] supplemented these requirements. In effect, there was a range of relationships disguised within households, which might appear to unin-

13 Andrew Apter, "Yoruba Ethnogenesis from Within," *Comparative Studies in Society and History* 55, no. 2 (2013): 365.

14 Akinwumi Ogundiran, *The Yorùbá*: 47–48.

15 Karin Barber, *I Could Speak until Tomorrow: Oriki, Women, and the Past in a Yoruba Town* (Edinburgh: Edinburgh University, 1991): 158.

16 Barber, *I Could Speak until Tomorrow*: 160–61.

17 Aderemi Suleiman Ajala, "Identity and Space in Ibadan Politics, Western Nigeria," *African Identities* 6, no. 2 (2008): 153.

> formed outsiders as merely based on kinship but in fact included many unrelated servile members, both slave and pawn.[18]

While ancestry is salient, *ilé* have intricate techniques to decide belonging in different contexts, emphasizing ancestral connections in some and downplaying it in favor of fictive kinship in others. In the case of Ibadan, as will soon be seen, this innate flexibility is strategically used to include or exclude, depending on what is considered necessary to preserve the household. Members are considered kin when convenient, to magnify the size of the family, for example, while being excluded as outsiders when it comes to the granting of certain privileges.

Before the twentieth century, the *ilé* was not only the primary means through which one gained membership within the *ìlú* (town) and access to resources; it also transmitted and enforced the parameters for acceptable social behavior. The *ilé*, rather than its inhabitants, was the subject of rights, and members' actions were motivated towards its perpetuation. Walter Hawthorne writes of Yoruba society that "people were, literally, the lineages to which they belonged. Individuals do not go into debt; lineages did. Individuals did not commit crimes; crimes committed by one were seen as crimes of the whole. Individuals were not, then, individuals at all. They were parts of a corporate group".[19] There are many recorded instances of households being collectively punished for the crimes of one member.[20]

This corporate group is organized according to the principle of social seniority and is headed by a patron, a powerful figure who exercises the rights and duties of the *ilé*. Ogundiran called this figure an "alpha", who is the conduit of social wealth and opportunities for the members of their houses. This figure historically worked in a political economy that was based on assembling, redistributing and managing labor, land and skills for the benefit of the *ilé* and its members.[21] All members of the household form a hierarchy under this patron, ranked on the basis of belonging to the core lineage and the order they joined the *ilé*.[22] Their manage-

18 Toyin Falola, "Slavery and Pawnship in the Yoruba Economy of the Nineteenth Century," *Slavery & Abolition* 15, no. 2 (1994): 224.

19 Walter Hawthorne, "'Being Now, as It Were, One Family:' Shipmate Bonding on the Slave Vessel Emilia, in Rio de Janeiro and throughout the Atlantic World," *Luso-Brazilian Review* 45, no. 1 (2008): 58.

20 J.D.Y. Peel, *Religious Encounter and the Making of the Yoruba* (Bloomington: Indiana University Press, 2000): 59–60.

21 Ogundiran, *The Yorùbá*: 51. See also William B. Schwab, "Kinship and Lineage Among the Yoruba," *Africa* 25, no. 4 (1955): 357–58.

22 On the Yoruba practice of social seniority, see William R. Bascom, "The Principle of Seniority in the Social Structure of the Yoruba," *American Anthropologist* 44, no. 1 (1942): 37–46; Oyèrónkẹ́ Oyěwùmi, *The Invention of Women: Making an African Sense of Western Gender Discourses* (Minneapolis: University of Minnesota Press, 1997): 40–49; Jeremy S. Eades, *The Yoruba Today* (Cambridge: Cambridge University Press, 1980): 53; Nathaniel A. Fadipẹ, *The Sociology of the*

ment of the household accorded seniors rights over their juniors, and, in turn, their dependents acquired protection and belonging, although, as will be shown later on, the paternalistic nature of this relationship can equally facilitate dependents' exploitation.[23]

Popular sentiments about the *ilé* have normally regarded it as a tool for mobility and mutual support. Its coercive elements and, more importantly, who drives this coercion remain underexplored. Oyèrónkẹ́ Oyěwùmí has provided, till date, the most comprehensive examination of the dynamics of social seniority from the perspective of the Oyo, another Yoruba kingdom that was dominant before the rise of Ibadan. She convincingly demonstrated that the Yoruba language does not use gendered vocabulary, but instead places importance on the seniority of the speakers based on the length of their affiliation with the kin group.[24] Oyěwùmí's work contains a normative argument that ordering based on seniority rather than gender is better since seniority is dynamic and relative. Unlike gender, "no one is permanently in a senior or junior position; it all depends on who is present in any given situation".[25] However, this account undertheorizes the concept of seniority by ignoring the element of coercion required not just to enforce the obligations of juniors, but also to ensure that there is always a class of juniors within the *ilé* from which seniors derive their seniority. For Oyěwùmí, seniority is largely characterized by the responsibility for juniors and not by its exploitative potential.[26] J.D.Y. Peel, on the other hand, highlights the inherent inequality in Yoruba communitarianism, masked by the language of kinship.[27] This manifests in the demands for social conformity which guides engagements between social seniors and juniors.

The principle of seniority within the household is embodied in the person of the patron. In Ibadan, this individual is known as a *mọ́gàjí*. While the patron is commonly a man, there are instances of women founding or heading compounds. Ibadan chief Efunsetan Aniwura was one nineteenth-century example, although her male relatives became head of her compound after her death.[28] Borrowing Oyin Ogunba's language in the context of Yoruba kingship, the patron, "far from being a mere *primus inter pares*, is in fact the magnificent living symbol of the community.

Yoruba, The Sociology of the Yoruba, ed. Olu Okediji and Ọládẹ̀jọ Òkédiji (Ibadan: Ibadan University Press, 1970): 128–29.

23 On the concept of "rights-in-persons," see Kopytoff and Miers, "Introduction": 7–11.

24 Oyěwùmi, *The Invention of Women*: 45.

25 Oyěwùmi, *The Invention of Women*: 42.

26 Oyěwùmi, *The Invention of Women*: 41.

27 John D.Y. Peel, *Religious Encounter and the Making of the Yoruba*: 58.

28 Raji Oyebamiji, "History of Iyalode Efunsetan – Ibadan by Alhaji Raji Oyebamiji," by Bolanle Awe, Reel-to-Reel Tape, April 1973, UCLA Library Digital Collections. See also Oyěwùmi, *The Invention of Women*: 49.

He is more of an idea than a person, being the pivot of the life and history of his people".[29] Each patron was to their *ilé* what the monarch was to their town. Beyond their administrative function, the patron was an object of affect through their embodiment of seniority, the Yoruba ideal of self-realization. In this affective role, they anchored the aspirations of people, not just within the household but within the town as well. The most prominent community members showcased their wealth through their large, successful households populated with their kin, clients and other dependents. The household, as a symbol, attracted the community's gaze and allowed their owners to compete for chieftaincy titles within the town.[30]

An aspect of the "situational and relational" social seniority within the *ilé* that remains unexplored is the way that the managerial role of the patron could be appropriated by any member of the household who could claim seniority in specific contexts. For example, wives were subordinate to those born before they had entered the *ilé* regardless of age, but they were considered senior to all subsequent wives and children.[31] To rise in seniority, then, they encouraged their husbands to take more wives whose labour they could control.[32] The implication of this intricate system was that the mechanisms of control in the *ilé* were, and remain, multifocal and not simply the onus of a singular, overarching patron, as previously theorized. Every member is a potential senior and is therefore, in their respective roles, responsible for the *ilé*'s sustenance and reproduction. This contextual nature of seniority makes each member police the actions of their juniors to avoid collective retribution or shame to the *ilé*.[33] This system naturally disadvantages the socially young.[34]

The very structure of the compound in historical Yoruba societies ensured this social control. Today, *agbo ilé* can be found in varying architectural styles, but the typical Yoruba *agbo ilé* featured "a hollow square, horse-shoe or a circle, enclosing a large central area, with one principal gateway[;] the house being divided into compartments to hold several families, all more or less related or united by ties of

29 Oyin Ogunba, "Ceremonies," in *Sources in Yoruba History*, ed. Saburi O. Biobaku (Ibadan: University of Ibadan Press, 1987): 88.

30 Karin Barber, "Documenting Social and Ideological Change Through Yoruba Oriki: A Stylistic Analysis," *Journal of the Historical Society of Nigeria* 10, no. 4 (1981): 40.

31 Isaac Adeagbo Akinjogbin, *Milestones and Concepts in Yoruba History and Culture: A Key to Understanding Yoruba History* (Ibadan: Olu-Akin Publishers, 2002): 118; Oyěwùmi, *The Invention of Women*: 45.

32 Francine Shields, "Those Who Remained Behind: Women Slaves in Nineteenth-Century Yorubaland," in *Identity in the Shadow of Slavery*, ed. Paul E. Lovejoy (London: Continuum, 2000): 188.

33 Peel, *Religious Encounter*: 59–61.

34 Fadipẹ, *The Sociology of the Yoruba*: 133; Akintoye, *Revolution and Power Politics*: 17.

kinship, or friendship".[35] The household head and his family unit resided in the central block, opposite the main entrance. As most aspects of compound life, from domestic work to hosting guests, took place in the courtyard or on the verandah that customarily runs along the interior, inhabitants were always drawn into contact with other members.[36] This architecture fostered a sense of community, but equally possessed a panoptic quality.

The *ilé* was designed to expand as new members joined. Members recruited through marriage, birth, clientelism, pawnship and slavery were addressed by means of the kinship idiom. Collectively, they were referred to as *ẹbí*, a group bound together "ontologically by very flexible and elaborate modalities of kinship".[37] The kinship idiom permeated every aspect of Yoruba sociality, such that outside the *agbo ilé* it was employed to address associates in clubs, age-grade organizations and friendships.[38] Inherent in this naturalized language of kinship, however, was the foundational inequality in seniority. While the kinship idiom served to communicate the *ilé*'s communality, one's junior or senior position in the house hierarchy reminded them of their station, thus maintaining the social order.

The above interpretations of seniority suggest that although members of the *ilé* are not equal, existing members rose in status as new members joined. The prospect of mobility incentivized juniors to fulfill their obligations to the house, as promoting its status was often a guarantee of their own social advancement. If, however, the *ilé* was unconducive to growth, existing cultural values made allowances for dependents to branch out and start their own households. In Okuku, for example, Barber heard stories of fifty lineages that had migrated from their towns of origin, "and it was not uncommon for a group to uproot itself a second and even a third and fourth time if their earlier choices proved unsatisfactory".[39] The coercive power of seniors over their dependents was curtailed by the ability of dependents to rise in seniority, by the existence of reciprocal obligations that seniors owed to juniors, and, finally, by the culturally justifiable option to leave the *ilé* entirely. These three factors have contributed to an understanding of the *ilé* as a relatively benign institution.

Communal discourse in Ibadan emphasizes the *ilé's* ability to incorporate outsiders and give them options to rise based on merit. Compound elites I interviewed were quick to proclaim that "*kò s'érú ń'Bàdàn* – there are no slaves in Ibadan", insisting that the incorporation of the descendants of enslaved people

35 Samuel Johnson and Obadiah Johnson, *The History of the Yorubas: From the Earliest Times to the Beginning of the British Protectorate* (Lagos, Nigeria: C.S.S. Bookshops, 1997): 98.

36 John Michael Vlach, "Affecting Architecture of the Yoruba," *African Arts* 10, no. 1 (1976): 52.

37 Ogundiran, *The Yorùbá*: 52.

38 Peel, *Religious Encounter*: 53–58; Hawthorne, "Being Now, as It Were, One Family": 58.

39 Barber, *I Could Speak until Tomorrow*: 150.

into their family compounds was complete. As with other Yoruba communities, attachment to the household was a source of rights for free and enslaved members alike. Yet, compound elites were equally clear that some rights within the family were exclusive to members of free descent. It is true that the language of kinship was applied to slave dependents. Domestic slaves were often addressed as *ọmọ* (child) instead of *ẹrú* (slave) or euphemized as *ọmọ ọ̀dọ̀* (child who stays with someone, typically to run errands) to lessen the shame brought on by their status.[40] Nevertheless, this language – especially by the nineteenth century, when warfare and the "legitimate" trade in cash crops drastically increased the scale of slavery – did not describe the true nature of the relationship.[41] The experience of enslaved people was certainly not uniform, and in many Yoruba communities, some even rose to leadership positions. However, even in these cases, slave heritage was associated with low status. Today, even the descendants of the most elite slaves revise or hide their family histories to mask their origins.[42]

In theorizing coercion, Marcel van der Linden identifies kinship as one means through which individuals enter coercive relations.[43] Being born in or belonging to a household or community predisposes a person to obligations they may not easily escape. While slave descendants have rightfully been recognized to be on the receiving end of such coercion, the *ilé* also structures the labour performed by elites and would-be elites within the compound. These individuals must work to preserve the hierarchy of the household and perpetuate the subordinate status of slave-descended family members. Stigma is not a natural phenomenon. Instead, its continuity requires deliberate reproduction.

3 Ibadan History and Slavery

Ibadan is a good site for the study of coercion in the household because compounds are especially important to the town's political structure. Unlike other Yor-

40 E. Adeniyi Oroge, "The Institution of Slavery in Yorubaland with Particular Reference to the Nineteenth Century" (PhD diss., University of Birmingham, 1971): 135; Peel, *Religious Encounter*: 63.

41 See Olatunji Ojo, "Slavery and Human Sacrifice in Yorubaland: Ondo, C. 1870–94," *The Journal of African History* 46, no. 3 (2005): 379–404; Falola, "Slavery and Pawnship."

42 See, for example, Ann O'Hear, "Elite Slaves in Ilorin in the Nineteenth and Twentieth Centuries," *The International Journal of African Historical Studies* 39, no. 2 (2006): 269; Damola Awoyokun, "Victorian Lagos Slaves and the Inversion of Oshodi Tapa," iNigerian.com, 20.04.2016, https://www.inigerian.com/victorian-lagos-slaves-and-the-inversion-of-oshodi-tapa/ [accessed 07.01.2025].

43 Marcel van der Linden, "Dissecting Coerced Labor," in *On Coerced Labor: Work and Compulsion after Chattel Slavery*, ed. Marcel van der Linden and Magaly Rodríguez García, Studies in Global Social History 25 (Leiden: Brill, 2016): 302.

uba towns with hereditary monarchies, Ibadan's ruler is chosen in a competitive process that is theoretically open to any compound head who has risen through the ranks. Ibadan was established as a military republic in c. 1830, where outstanding warlords competed to become the town ruler as opposed to the system of divine, hereditary kingship common elsewhere in Yorubaland. When war became less common, Ibadan's line of succession was broadened to incorporate all compound heads, even those without military backgrounds.

The Oyo Empire, which was centered around its capital of the same name, had been in decline from the late eighteenth century. Oyo was the dominant Yoruba power at the time, and its collapse, combined with the destruction of the Owu and Egba kingdoms, created much instability in the region. It was amidst this chaos that Ibadan was born.[44] It was originally a refugee and military camp for displaced citizens from Oyo, Owu and other towns, as well as for marauding warriors who had fought in the various ongoing wars since the beginning of the century. From a small, unpopular settlement, Ibadan became the great power in nineteenth-century Yorubaland, raiding, warring and expanding into the territory of other Yoruba kingdoms in the race to fill the role of hegemon vacated by Oyo.[45] Political and economic power in this new town depended largely on the ability to command a large number of people for prestige, but equally to material ends. The period's conflicts created opportunities for ambitious warlords, some of whom became the founders of Ibadan. The city-state did not have a standing army; instead, each warlord commanded a private militia staffed by loyalists, clients, relatives and, very importantly, enslaved people. Ibadan's land tenure system awarded early settlers their own lands on which they could site their *agbo ilé* and populate it with descendants and other dependents. The settlers that followed could either join established compounds or start their own on unclaimed land.[46]

Unlike older Yoruba kingdoms such as Oyo and Ife, none of Ibadan's senior titles were exclusive to a particular lineage, and people were constantly promoted upwards based on military acumen. The foremost among these were promoted into the town council, or could even become the town chief (*baálẹ̀*) or war chief (*balógun*), the most senior titles within Ibadan society. The town council reached

44 On the collapse of Oyo, Owu and the Egba towns, see Robin Law, *The Ọyọ Empire c. 1600–1836: A West African Imperialism in the Era of the Atlantic Slave Trade* (Oxford: Oxford University Press, 1977); Saburi O. (Saburi Oladeni) Biobaku, *The Egba and Their Neighbours, 1842–1872.*, Oxford Studies in African Affairs (Oxford: Clarendon Press, 1957); Akin L. Mabogunje and J.D. Omer-Cooper, *Owu in Yoruba History* (Ibadan: Ibadan University Press, 1971).

45 Akintoye, *Revolution and Power Politics*: 36–37.

46 Toyin Falola, *The Political Economy of a Pre-Colonial African State: Ibadan, 1830–1900* (Ile-Ife, Nigeria: University of Ife Press, 1984): 26.

the general populace through the heads of family compounds (*mọ́gàjí*).[47] The role of these compound heads would grow as the town consolidated. From the late nineteenth century, after British colonial intervention had effectively curtailed Ibadan's waging of wars, military might was jettisoned as a requirement for promotion. Instead, titled chiefs were selected from among the *mógàji* according to their seniority.[48] These *mọ́gàjí* today form a line of succession to the position of town ruler, now known as the *Olúbàdàn*.

For military and non-military elites, slavery was an important source of dependents who could be used to expand the household as soldiers, workers or symbols of prestige. Ibadan enslaved war captives in their many expeditions and received slaves as tributes from its vassal states. In 1877, eyewitness accounts claim that the majority of the 100,000 residents of Ibadan were enslaved.[49] Ibadan chiefs received about 1,480 slaves as tribute from the town of Modakeke during the Ife-Modakeke war of 1882.[50] Ogunmola, Ibadan's ruler in 1867, was said to have lost 1,800 of his soldier-slaves between 1860 and 1862 in the battle against Ijaye.[51] The significance of slavery in the town's sociality is further reflected in recorded praise poetry (*oríkì*) on historical figures.

Sanusi ọkọ wọn nílé ọkọ wọn lóko
Ẹrù jẹẹ̀ ọkọ onílé ọkọ àlejò
Ó lérú bí ẹgbẹ́ baba rẹ̀
Ohun tó wu Sanusi ló lè fẹ́rú ẹ́ ṣe
Ó lè fagbárí àádọ́ta mẹmu[52]

Sanusi, lord in the home and lord on the farm
The fearful one who troubles kin and stranger
He has as many slaves as his father's equals
He does as he pleases with his slaves
He can use the skulls of fifty of them to drink palm wine

47 Toyin Falola, "Ibadan Power Elite and the Search for Political Order, 1893–1939," *Africa: Rivista Trimestrale Di Studi e Documentazione Dell'Istituto Italiano per l'Africa e l'Oriente* 47, no. 3 (1992): 338–43; Ruth Watson, "Murder and the Political Body in Early Colonial Ibadan," *Africa* 70, no. 1 (2000): 26–27.

48 Falola, "Ibadan Power Elite": 343.

49 Oroge, "The Institution of Slavery": 177–78.

50 Olatunji Ojo, "Slavery and Slaving Operations in Nineteenth-Century Ibadan: A Demographic Analysis," *Lagos Historical Review* 9, no. 1 (2009): 47.

51 Johnson and Johnson, *The History of the Yorubas*: 354.

52 Toyin Falola, "Power Relations and Social Interactions Among Ibadan Slaves, 1850–1900," *African Economic History* 16 (1987): 102. I have included tone marks absent in Falola's rendering to aid comprehension.

These verses demonstrate the status and power of Sanusi, the son of Ibadan's ruler *Aare* Latoosa (1871–1875), and the extent of his slaveholding, magnifying his status and power. While o*ríkì* are prone to rhetorical exaggeration, they nonetheless illustrate the prevalence of slave owning in this period.

Given the centrality of slavery to the nineteenth-century Yoruba economy, my interviewees' insistence that it had no legacy in Ibadan seemed unlikely. This view of slavery's irrelevance is also challenged by observations made by historians. Kristin Mann, for example, briefly pointed out that in Lagos, allegations of slave ancestry were a common tactic in disputes over chieftaincy titles, and that she considered this an important legacy of domestic slavery. Her research participants, when pressed, indicated that "'you would not want your daughter to marry' the descendant of an *àrótà* [family slave] because her offspring could not succeed to any titles belonging to the family".[53] Elite discourse in Ibadan revealed similar anxieties about diminishing status.

4 The Work of Reproducing Status

Within the contemporary Yoruba household, traditional elites are constantly engaged in work to preserve their status and the relevance of the *ilé* as an institution. This work is immaterial in nature and thus bears some resemblance to what other researchers have termed "affective labor" or "kin work". One key difference is that theorists using such terms have typically applied them to marginalized individuals. Micaela Di Leonardo, who theorized kin work, wanted to spotlight women's specific labour in the creation and maintenance of kinship relations by sending cards, gifting presents, making phone calls, planning holidays, etc., which are taken for granted yet essential to the survival of modern households.[54] Michael Hardt, on the other hand, drew from Marxist tradition to understand how the affective labour of healthcare workers or fast-food servers, for instance, are exploitable by capital: "this labor is immaterial, even though it is corporeal and affective, in the sense that its products are intangible: a feeling of ease, well-being, satisfaction, excitedness, passion – even a sense of connectedness or community".[55] The labour of reproducing the *ilé* is not commodified in the service of capital, nor should traditional elites be considered a marginalized class. Nonetheless, there are many similarities between these theoretical conceptions of labour and the likewise "imma-

53 Kristin Mann, *Slavery and the Birth of an African City: Lagos, 1760–1900* (Bloomington: Indiana University Press, 2007): 229.

54 Micaela Di Leonardo, "The Female World of Cards and Holidays: Women, Families, and the Work of Kinship," *Signs: Journal of Women in Culture and Society* 12, no. 3 (1987): 442–43.

55 Michael Hardt, "Affective Labor," *Boundary 2* 26, no. 2 (1999): 96.

terial" and "affective" activities that members of the *ilé* must perform to maintain and perpetuate their households. Within contemporary Yoruba households, traditional elites must preserve social difference through active memorialization, while descendants of slaves, by their existence and differentiation, serve to magnify and legitimize the *ilé*.

The paradox of slavery in historical Yorubaland was that slaves and their descendants had to be incorporated to bolster the size and image of the compound but remained marginal in their inclusion to protect the identity of the house. The slave occupied a distinct position in the *ilé* social imaginary – they mirrored the position of the free, which reinforced the latter's superiority. In her study of *oríkì*, Barber notes that there are three fundamental categories of people within *oríkì orílé* (poetry of origin): *ẹrú* (slave), *ìwọ̀fà* (bondsperson) and *ọmọ bíbí inú* (free member/child of the *ilé*). "*Oriki orílé* [praise poems of origin]", she writes, "assert that from the moment of origin, society is characterised by vertical divisions. Citizens are not all equal; and the status of the privileged is defined by its difference from that of the deprived".[56] In contemporary Yoruba society, slaves are no longer a legal category. The traditional authorities that uphold the *ilé* exist within a Nigerian state whose formal institutions reject the legitimacy of slavery. However, as Peter Ekeh argues, post-colonial Africa is marked by the coexistence of pre-colonial values and institutions (the primordial public) and those introduced by colonial and independence governments (the civic public). Thus, while the physical markers and economic differences between *ẹrú* and *ọmọ* have largely eroded from civic life, they continue to be salient in the Yoruba primordial public.

Social difference, most explicitly symbolized by descendants of enslaved people, is central to the *ilé's* perpetuation. Before the twentieth century, slaves fulfilled both material and sociological functions. Owning of slaves affirmed the power and status of masters, but slaves also served as farmhands, palace retainers, traders, porters and warriors. All these roles added to the wealth of their masters. By the late nineteenth century, slaves could no longer be captured in wars. Yet, it was wage labour rather than British enforcement that dealt slavery its death knell. New opportunities in the building of colonial infrastructure like the army, railways and roads, coupled with the spread of abolitionist ideology, led to slaves deserting their masters en masse.[57] However, not every enslaved person seized these opportunities to leave their captor's household. Many no longer had ties to their natal origins or made strategic decisions to remain for social or economic benefits. Moreover, certain areas procured child slaves from the Benue province in the north of Nigeria into the twentieth century. These children were given the facial marks of

56 Barber, *I Could Speak until Tomorrow*: 142.

57 Toyin Falola, "The End of Slavery Among the Yoruba," *Slavery & Abolition* 19, no. 2 (1998): 232–49.

their owner's household to allow them to undetectably pass as members.[58] While the material functions of slavery are no longer applicable today, remarks by family members I spoke with indicate that descendants of slaves have retained their sociological function: to preserve the self-esteem of their social seniors. Hence, as the reach of the *ilé* shrinks from the incursion of the civic public, the sociological function of slavery becomes more urgent, even if "slavery" has become principally affective. The preservation of their subordinate status serves, first, to showcase the patron's ability to perpetuate their household, and second, to naturalize the exclusive rights of true members of the house.

Preserving the hierarchical nature of the primordial public requires stakeholders to practice "duty-memory". The function of this sort of memory, Pierre Nora writes, is "to protect the trappings of identity".[59] For Ibadan's traditional elites, their identity is tied to their status within the household. The growing erosion of aspects of primordial cultural values further heightens the necessity of orality in documenting histories which have no logic in the civic public but are integral to the primordial public. Ibadan household elites have necessarily become embodiments and custodians of the primordial social order, preserving and transferring knowledge that would be lost in the civic public. In the words of Jan Assmann, "anyone who during today fixes his eyes on tomorrow must preserve yesterday from oblivion by grasping it through memory. This is how the past is reconstructed, and this is the sense in which we can say that the past comes into being when we refer to it".[60] Ibadan is not peculiar in using memory this way. A respondent from Idanre whom I interviewed recalled a story his mother had told him:

> She was going to the farm, so she met a member of the family. She carried her basket and they were chatting as they were going. Then suddenly a senior member of the family saw my mother and that man chatting, and that senior man went straight to slap that man two, three times. He said 'how can you be walking with your lord, see her carrying a basket and you are chatting? That basket should be on your head.' My mother told me this story … the man took the basket and carried it …[61]

Given the elderly age of the respondent, this experience of his mother's likely occurred many years ago. More recent examples from Ibadan, recounted below, were not nearly as dramatic. Nonetheless, the story demonstrates, in two ways, the

58 Kristin Mann, *Slavery and the Birth of an African City: Lagos, 1760–1900* (Bloomington: Indiana University Press, 2007): 228; E. Adeniyi Oroge, "The Institution of Slavery": 407, 418.

59 Pierre Nora, "Between Memory and History: Les Lieux de Mémoire," *Representations* 26 (1989): 16.

60 Jan Assmann, *Cultural Memory and Early Civilization: Writing, Remembrance, and Political Imagination* (Cambridge: Cambridge University Press, 2011): 17.

61 Personal Communication, Idanre elder, 09.03.2023.

work that goes into perpetuating the *ilé's* social hierarchies. On the one hand, the first man in the story is coerced into the task of carrying the basket for the narrator's mother. The purpose of the work is not for the core family to derive any material benefit, after all the mother does not complain of having to carry her own basket, but instead to affirm the status of members of the core family against the descendants of slaves. On the other hand, the passing senior member also performs the work of reproducing the *ilé*. His vigilance is required to punish supposed offenses threatening the integrity of the *ilé*'s order, as without it these hierarchies would fade in the face of abolition within the civic public.

Many visible markers show the labour of elites in perpetuating the *ilé* in Ibadan. Visitors to Ibadan's *agbo ilé* cannot miss the statues erected to depict their founders, especially if they were warriors. One family told me that they had erected a statue in honor of their ancestor, a pivotal figure in Ibadan's nineteenth-century expansionism, whose exploits they felt had not been sufficiently memorialized by the state. Each *agbo ilé*'s name, also typically of the core lineage's ancestor, is printed boldly on banners and placards placed at the entrance, as well as their *oríkì*. Within the town, commemorative festivals with masquerade displays from each *agbo ilé* are held annually. One *mọ́gàjí* I visited told me their household masquerade had been seized by their warrior ancestor in a battle with one of Ibadan's rival towns. By hosting festivals with this masquerade, members of the household magnify this ancestor and thus engage in historical preservation. All these commemorative activities revolve around the core lineage and further reinforce their ownership of the household. The following section will describe how duty-memory is implemented in everyday ways by Ibadan elites.

5 "Duty-Memory" Amidst Elite Decline in Ibadan

The potency of slave descent, in the absence of material benefits to the household, is preserved as one of the last bulwarks to uphold a declining traditional order. Within the *ilé*, patrons preserve the memory of who is *ẹrú* (slave) and who is *ọmọ* (child) precisely because they know that their privileges in the wider society are under threat. Discussions on slavery reveal that elites employ the values of the primordial and civic publics simultaneously. The knowledge that slavery is rejected by the laws of the civic public does not prevent it from being seen as a legitimate method of status preservation in the primordial public. This allows elites to insist that "there are no slaves in Ibadan" while maintaining a distinction between slave-descended and "true" members of the family. When asked whether slave status was heritable, one *mọ́gàjí*, who had previously affirmed that slaves were completely incorporated into the compound, responded:

> There are a lot of them in Ibadan today … [My ancestor] conquered Ilesa, Ilesa people are still in [our] compound today because they marry to us and we marry to them. What we do is this: we have tribal marks, *Gombo*, [five lines across each side of the face]. But to differentiate them, because of tomorrow, and I'm saying this because I'm the head and I know that they should have ten [in total] …
>
> we give them four [on each side of the face]. But they still bear the same name with us. It is only if they misbehave we can tell them the story: [look at that person's face, how many marks does it have? Five. Look at the other person's – four – how come? Your fathers kept horses for our fathers]".[62]

This *mọ́gàjí's* slippage into the present tense while talking about the status of descendants of enslaved people within his family compound echoed another *mọ́gàjí's* statement, that "if you know them, they are still slaves".[63] This indicates the centrality of memory to the preservation of status and the performance of affective labor. The tradition of facial scarification, a common practice that marked belonging in pre-colonial Yoruba communities, is used as a signifier of slave descent. People are marked by specialists at infancy or upon incorporation.[64] Enslaved people underwent a similar process to mark their embeddedness in their masters' household, but they and their descendants were often given subtly different markings to permanently inscribe their social difference.[65] The "misbehavior" referred to in the quote often manifests in attempts by slave descendants to lay claim to material or symbolic rights considered to be the preserve of the "hosting" family. These rights play out most significantly over struggles for land and titles, especially the *mọ́gàjí* title. The prohibition of slave descendants from *mọ́gàjí*-ship undermines claims of their total integration, while the *mọ́gàjí*'s rationale that they do this "because of tomorrow" reveals the importance of this ingrained inequality for the *ilé*'s continuity. Elite anxiety about the *ilé*'s irrelevance is equally anxiety about their loss of status.

During my time in Ibadan, I perceived the keen consciousness that people had of the declining elite power. The historical order is at risk as material wealth within the civic public now enables former outsiders to buy into elite positions in the *ilú*.

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62 Personal Communication, Ibadan *mọ́gàjí*, 18.05.2022.

63 Personal Communication, Ibadan *mọ́gàjí*, 09.05.2022.

64 Olatunji Ojo, "Beyond Diversity: Women, Scarification, and Yoruba Identity," *History in Africa* 35 (2008): 368–69; P.C. Lloyd, "Osifekunde of Ijebu," in *Africa Remembered: Narratives by West Africans from Era of the Slave Trade*, ed. Philip D. Curtin (Prospect Heights, Ill: Waveland Press, 1997): 255–56.

65 Moyo Okediji, "Yoruba Facialographic Art and Oyo Expansionism," in *War and Peace in Yorubaland, 1793–1893*, ed. Isaac Adeagbo Akinjogbin (Ibadan: Heinemann Educational Books [Nigeria], 2003): 493.

This erosion of traditional elite dominance is taken as a fact that spells the end of the *ilé.* It is important to ask then, to what extent are the *ilé* and its inhabitants coterminous? Theorists of house societies argue that houses are living things, whose inhabitants "represent perpetuity only as they conscientiously and legitimately – through the language of kinship and affinity – replace and metaphysically embody their forebears, the sum of their life spans contributing to the status of the house as a *personne morale*".[66] The *àrólé*, literally "the one through whom the *ilé* stands/perpetuates", in Yoruba society, is the physical embodiment of the house's progenitor. This person is not merely the successor to the role of the *ilé*'s head but also their personification. As *àrólé*, then, their duty is not limited to overseeing the day-to-day survival of the *ilé* but also ensuring that its trappings of identity remain intact through time. The *mọ́gàjí* of the Oderinlo household in Ibadan, Alhaji Abass Olapeleke Oderinlo, for example, was not merely called *àrólé* Oderinlo, the compound founder, but professed that he was handpicked by the *Ifa* oracle to embody the power of his ancestor, Oderinlo, as signified by his ability to wear Oderinlo's nineteenth-century war garments, a feat no previous *mọ́gàjí* has dared.[67] This garment was believed by the family to still be imbued with Oderinlo's mystical powers. Several other *mọ́gàjí* I spoke with espoused the belief that they were their compound founder's reincarnation. The *mọ́gàjí* is not merely a representative of the *ilé* but its embodiment, and the power of the entire institution rises or falls with his own. The presence of the modern state challenges the power of Ibadan's *mọ́gàjí* and thus erodes the political relevance of their *ilé* and its survival.

The moral imperative for Ibadan's compound elites is to perpetuate traditional social structures in the face of a modern world that threatens their continuity. This entails elaborately reinstating the *ilé*'s legitimacy through the performance of what Constance de Saint-Laurent calls "memory acts", which involve the remembrance, narration, description or interpretation of past events.[68] Whether through orality or edifices like museums, place names or statues, narratives about a time when the *ilé*'s founder conquered foreign lands and boasted vast holdings and multiple dependents are essential to the *ilé*'s continued prestige. Elites declare their household's historical nobility to proclaim their legitimate standing in Ibadan's vertical social structure. Here is how a *mọ́gàjí* describes his ancestors:

66 Rosemary A. Joyce and Susan D. Gillespie, "Beyond Kinship: An Introduction," in *Beyond Kinship: Social and Material Reproduction in House Societies*, ed. Rosemary A. Joyce and Susan D. Gillespie (Philadelphia: University of Pennsylvania Press, 2000): 13.

67 Personal Communication, Ibadan *mọ́gàjí*, 27.06.2022.

68 Constance De Saint-Laurent, "Memory Acts: A Theory for the Study of Collective Memory in Everyday Life," *Journal of Constructivist Psychology* 31, no. 2 (2018): 148–62.

> There were a lot of wars that [he] participated in. Even after his death, one of his children also continued. Before he came back from war, one of his children was taken as a slave to Egba, where he went to buy him back with money and horse. This son became *Otun Balogun* of Ibadanland before he died. [His first son] died at Imesi as *Osi Balogun* after the death of [their father] during the Kirigi war. Another person also comes from [our compound] who died as *Ikolaba*, [and another] as *Olúbàdàn*.[69]

The pedigree of this household is narrated through the illustrious feats of the descendants of the dominant lineage, including the attainment of prestigious chieftaincy titles like *Otun Balogun*, *Osi Balogun* and *Ikolaba*. The *Olúbàdàn* is the ruler of Ibadan, and the highest title available to any individual. In a town where dozens of *mọ́gàjí* have historically competed to attain chieftaincy titles, proclaiming household progenitors' achievements, including becoming *Olúbàdàn*, is a political act. As the *ilé* is the battleground for legitimacy within the town, asserting that his ancestor could buy back his captured son is a means of marking differentiation from those who could not, and who are therefore marked by their ancestors' dishonor. This dishonor follows them in perpetuity, barring them from leadership positions within the compound and ultimately within the town.

In this *mọ́gàjí*'s family, cases on rights and privileges like the *mọ́gàjí* title were interrogated by asking which arm (*igun*) of the family the claimant descended from. Whoever could not verbally trace their ancestry to one of the founder's three sons was considered a descendant of slaves and thus forfeited their claim. These stories are equally passed on to the children of household elites, ensuring the perpetuity of this differentiation: "our fathers will surely tell us: '*ọmọ ọlá, bàyìí l'àwọn tó wà níbè yẹ́n ṣe jẹ́ o*' [noble child, this is the story of those people]; they will surely tell you, if truly it's a royal house, because whatever you are doing [without informing your children], you want it to end like that. So you have to let them know".[70]

The same dynamics were replicated during my interviews with other compound heads. Household pedigree was memorized and easily produced when asked. One informed me that a person must be ready to recount their genealogy to the fifth generation. His own ancestry, he told me, hailed from Oduduwa, the Yorùbá primogenitor on his father's side, and Obatala, the Yoruba creator deity on his mother's side, naming each ancestor in-between him and the deified kings.[71] Many of these men had heard the stories from their fathers. These stories, in line with their

69 Names have been ellipted to preserve anonymity.

70 Personal Communication, Ibadan *mọ́gàjí*, 18.05.2022.

71 Personal Communication, Ibadan *mọ́gàjí*, 20.05.2022.

purpose of perpetuating the *ilé*, do not only feature the elites' ancestors but also their slaves.

The rigid cleavages of belonging and patronage within Ibadan household compounds reveals how claims asserting that enslaved people were assimilated into their owners households have been taken for granted. Scholars have neglected to ask how exactly this inclusion was carried out.[72] The *mọ́gàjí* who claimed descent from Oduduwa and Obatala described it thus:

> In my lineage, slaves were given the freedom to build their own *agbo ilé* as well, and our slaves were warriors, so we would not even specify that these ones were slaves. *Tí ò bá ní ìdí, tí wọn ò bá du ǹkan tí ó yẹ kí wọ́n dù, a ó ní sọ fún wọn pé erú ni wọ́n* [If there is no reason, if they do not seek claims beyond their reach, we will not remind them that they are slaves]. In my compound, we have about twenty-six quarters, but there are only two that have the right to become *mọ́gàjí*. Apart from that, they can aspire to anything. That should tell you which family is which. But there are no slaves in Ibadan, there are only those who own the house and those who came to join the household.[73]

It is important to recall, as Barber identifies, that the *ilé* is a multi-family household whose lineages relate to one another in the same structure despite not being on "equal footing".[74] It is thus unsurprising that the compound described above is able to assimilate descendants of slaves, even elite slaves like warriors, while holding them apart from members of the "core" family. Besides the fact that compound elites could position themselves as altruistic for allowing their slaves "freedom" while benefiting from the prestige of having a large compound, slave descendants are also deterred from threatening their authority because of their inability to fully ascend the compound power structure.

The coercive quality of the household is most apparent in the mobilization of memory, and in who wields such memory. Such reminders are only effective because of the everyday silence maintained around people's slave ancestry. By keeping this status a "public secret", the threat of exposure becomes a reputational risk for slave-descended members of the household.[75] The role of silence in constraining slave descendants to act in certain ways is important. In his work on

72 Toyin Falola, for example, writes that "by and large, slaves were integrated into the households and kinship groups of their masters. While they were denied some of the privileges enjoyed by the freeborn, opportunities were provided for redemption, marriage and mobility." Falola, "The End of Slavery": 233.

73 Personal Communication, Ibadan mọgàjí, 20.05.2022.

74 Barber, *I Could Speak until Tomorrow*: 160.

75 Alice Bellagamba, "After Abolition: Metaphors of Slavery in the Political History of the Gambia," in *Reconfiguring Slavery*, ed. Benedetta Rossi (Liverpool: Liverpool University Press, 2016):

Antanety, Madagascar, Luke Freeman observed the role of silence in sustaining the stigma around slavery. Village rules prohibiting the discussion of slavery were meant to preserve peace in the community, yet they also made it impossible to call attention to the marginalization of those of slave descent or to redress the injustices of slavery.[76] Silence acts as a very effective mechanism for preserving the potency of slavery-supporting ideologies and the shamefulness associated with slave descent. It is this potency that free-descent members of the primordial public draw from when they invoke slave ancestry to caution, mock or rebuke.

An account from a *mọ́gàjí* illustrates how memory is used by those descended from household elites. During a dispute over land within the compound, this *mọ́gàjí* recounted using a person's servile origin to deter him from pressing his claim. By warning "don't let us go into history", he reminded this rival that his status in the family comes from a shameful past of captivity and dependence. "What it does is that it opens up wounds … but the moment I tell them 'don't let us go into history', we are already inside history, and when I say that, the person knows what I mean so they keep quiet".[77] Within the *ilé*, the kinship idiom for descendants of enslaved people goes hand-in-hand with silence. When they conform to the *ilé*'s social conventions, references to their slave ancestry are kept at bay. In the event of disagreement, the memory of their servile background is deployed to overturn the fictive kinship they share with the other household members. These threats of exposure themselves are only possible because of regular "whispers" that preserve knowledge of slave heritage within the compound, from fathers telling their children, as seen earlier, for example.[78]

Mọ́gàjí are not the only actors who uphold this coercion. While the *mọ́gàjí* acts as the household's mouthpiece, his selection involves intense competition between eligible men who must rally support from other members of the household.[79] One *mọ́gàjí* told me how he fought to become the *mọ́gàjí*, even being shot at on his coronation day because there were household members opposed to his appointment. The influential role of so many other actors within the household in the selection of the *mọ́gàjí* shows the dynamism of seniority. For slave descendants, however, this implies that their prohibition from leadership positions within the household is enforced by the entire family and not solely dependent on the whims of a particular *mọ́gàjí*. The same *mọ́gàjí* who spoke of being shot at his

66. Bellagamba uses "public secrets" to describe knowledge that is taboo to discuss openly but is nonetheless shared through gossip and other means.

76 Luke Freeman, "Speech, Silence, and Slave Descent in Highland Madagascar," *The Journal of the Royal Anthropological Institute* 19, no. 3 (2013): 614.

77 Personal Communication, Ibadan *mọ́gàjí*, May 2022.

78 Sandra E. Greene, "Whispers and Silences: Explorations in African Oral History," *Africa Today* 50, no. 2 (2003): 41–53.

79 See also Falola, "Ibadan Power Elite": 343.

coronation also mentioned that descendants of slaves would not dare apply for *mọ́gàjí*-ship, and that if they did, their application letter would be torn. When I asked who would tear this letter, he responded that this would be "the family's responsibility". This answer demonstrates how the *ilé* as a whole works to enforce propriety in the selection of its head.

Mọ́gàjí in Ibadan spoke about authority in their households with the pronoun "we", illustrating their accountability to other members of the core lineage. Furthermore, an aspiring *mọ́gàjí* is not only scrutinized within their household, but is also interrogated by the town's *Olúbàdàn*-in-Council. This is constituted by the most senior chiefs who form an advisory role to the *Olúbàdàn*. I was told that "real *mọ́gàjí* are the ones that were accepted in the family, that are actually presented to the *Olúbàdàn*-in-Council, paid a certain amount as *ìṣákọ́lẹ̀* (tribute), [to] be shared by some formula by the *Olúbàdàn*-in-Council. Then they are now invited once or twice. [*Olúbàdàn*-in-Council] question them, to really be assured that they are actually qualified to be *mọ́gàjí*".[80] These stringent mechanisms of surveillance check the appointment of slave-descended aspirants, but also show the strategic choices made by household and town elites to perpetuate, through their concerted effort, the social hierarchies from which they derive their legitimacy. Preventing descendants of enslaved people from claiming the *mọ́gàjí* title effectively bars them from aspiring to the position of *Olúbàdàn*, the town's monarch.

When traditional elites recount narratives of their relationship with slave descendants, whether in reprimand of perceived misdeeds or to pass on their heroic ancestral legacy to their children, they are performing a memory act. These memory acts rely on a shared framework of meaning and values. For the Ibadan, this framework involves the socially accepted juniority of slaves and their descendants. Slavery and slave descent are considered shameful, and being descended from slave owners with many dependents is seen as a source of pride. Once these frameworks of knowledge are agreed upon, memory acts work in two ways to maintain the subordination of slave descendants. Firstly, this subordination is naturalized by transmitting a version of history that valorizes nineteenth-century accumulation. Secondly, when this naturalization is complete, memory acts serve as a mechanism for enforcing the division. Therefore, in disputes over land and chieftaincy, which still occur between dominant and slave-descended members of the *ilé*, the expression of members' servile origins is used to deter them from further pressing their claim.

Their persistent marginality has led many with slave ancestry to leave the *agbo ilé*. This exit is often without spectacle; through fortune, education or other routes that give them social mobility, they move to places outside the coercive reach of

80 Personal Communication, Ibadan *mọ́gàjí*, 09.05.2022.

the household. The same *mógàjí* who told me about the *Olúbàdàn*-in-Council's screening process also spoke of descendants of slaves who reinvented themselves in other communities but "could not return because there are those who are still alive who will know their status". Exit from their dependency relation with Ibadan household elites is constrained because slave descendants can either leave and forfeit the social security and access to important networks offered by membership in an Ibadan compound, or stay and remain on the margins of the household.

6 Conclusion

The Yoruba *ilé* remains an important feature of traditional life in Ibadan. It is a source of identity for Ibadan indigenes, who use their affiliation with an *ilé* to signify their belonging to their community. It is even more so for the city's elites, whose affiliation with their ancestors grants them prestige and eligibility to join Ibadan's traditional rulership. Along with being a source of identity, however, the *ilé* was always a way of organizing the labour of juniors under the supervision of seniors. Enslaved people, in particular, were treated as eternal juniors whose work and very existence magnified the household and its leaders. Today, a century after the formal abolition of slavery, the *ilé* still depends on differentiation between the descendants of core lineages and those descended from enslaved dependents. The task of differentiation requires labour from the household. As material labour has become less important in the modern economy, affective labour to maintain the esteem of the *ilé* and the elites who embody it has become more important. Examining the discourse of Ibadan's elites, particularly their strategies of memorialization, reveals the *ilé* to be a coercive labour regime rather than a unified household of undifferentiated members. In this discourse, the descendants of enslaved people are markedly different from other members of the family. The *ilé* is thus a useful starting point for researchers seeking to understand the legacy of domestic slavery in the region. Examining the material costs of this intra-household discrimination and comparing the treatment of descendants of slaves to that of other assimilated dependents are just two examples of opportunities for future studies in this area.

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2. Slaveries and Similar Dependencies

2.3. Cultural Heritage and Slavery

Introduction

In the context of the global Cultural Heritage boom – where local, national, and global identity constructions are enmeshed with cultural tourism interests – sites of memory associated with colonialism and slavery, as well as with notions of accountability, have become the scene of social conflicts. For instance, the tensions between different actors and interests around the central issue of how to deal with the slavery past became visible through the global Black Lives Matter Movement in 2020, finding their expression in the toppling of statues and monuments. Accordingly, the BCDSS seeks to analyse discussions on the legacies of slavery and the tangible cultural heritage left by enslavers. We aim to approach the heritage of slavery from a multidisciplinary perspective, including the fields of history, social and cultural anthropology, and social science. In addition to scholars, we also intend to involve museum experts and scholarly activists. Our goal is to explore key issues through questions such as: What role does transatlantic slavery play in the cultural heritage of formerly colonial and colonized societies? Which legacies can be identified and remembered in public or private spaces – and how, where, by whom, and for what purpose? Which potential forms of public redress and reparations can be identified? We would like to establish connections to a diverse set of actors from the worlds of academia, civil society activism, local, national, and international politics, museums and heritage institutions, tourism, and the media; all of whom are engaged in uncovering the heritage of slavery. Last but not least, we also aim to discuss what scholars could (or should?) do about the issue of cultural heritage tainted by an association with slavery, as well as the impact of research into this complex subject on the general public and policymakers.

2. Slaveries and Similar Dependencies

2.3. Cultural Heritage and Slavery

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Ulrike Schmieder

Dealing with Dissonant Cultural Heritage: Traces of Enslavers in European Cityscapes

1 Introduction

This volume includes contributions to a virtual international conference about "Cultural Heritage and Slavery: Perspectives from Europe" (held in July 2021) and two chapters from authors (Gunvor Simonson and Holger Weiss) who were asked to participate later in that publication. The organizing colleagues of the Bonn Center of Dependency and Slavery Studies (Stephan Conermann, Karoline Noack, Claudia Rauhut, and Michael Zeuske) asked the author of this inaugural chapter to become a co-coordinator because the topic of this conference represents the core of her investigations about "Memories of Atlantic Slavery. France and Spain, the French Caribbean and Cuba Compared in the Context of Global Debates about the Commemoration of Slave Trade and Slavery." The conference opened a series of conferences focusing on the cultural heritage of enslavement. In March 2022, the conference "Cultural Heritage and Slavery: Perspective from the Caribbean," coordinated by Stephan Conermann, Claudia Rauhut, Ulrike Schmieder, and Michael Zeuske, followed. This second conference gave the floor to (circum-) Caribbean researchers working on the Caribbean. With respect to the first conference and this volume, the organizers tried to cover research on as many European countries involved in the enslavement of persons of African descent as possible.[1]

In the context of the cultural heritage boom, where community-based and national identity projects are involved and intertwined with interest in cultural tourism and sites of the memory of enslavement, questions of historical guilt and present responsibility are a source of social conflict, particularly in multicultural societies with

1 Lamentably, Isabel Castro Henriques, whose works about Portugal are quoted in this chapter, could not come, while the conference participant Antonio De Almeida Mendes has not delivered a chapter. Thus, the most important nation in human trafficking from Africa to America does not have a dedicated chapter.

Note: This article is based on the research project Memories of Atlantic Slavery, funded by the Deutsche Forschungsgemeinschaft (DFG; German Research Foundation, reference: SCHM 1050/5-1, 2, project number 393718958). The research presented here is based not only on academic publications, the media, and an analysis of memorial sites, but also on interviews. I wish to thank the 152 persons, some in couples or groups, who were so kind as to grant me an interview. The conversations will be interpreted in my forthcoming book about the sites of memory and the sites of oblivion of enslavement in Europe (with a focus on France and Spain) and the Caribbean (with a focus on Martinique and Cuba).

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an enslaving past.[2] This was revealed in the context of the Black Lives Matter movement in 2020, when statues of enslavers and colonizers were toppled, controversial debates about streets and places named after them re-ignited,[3] and the European Union apologized for slavery after the racist murder of George Floyd.[4] Connected debates focus on museums and artworks acquired unjustly in societies under colonial rule,[5] the question of whether and how museums or museum galleries should narrate the hidden past of enslavement[6] and colonialism, including their own colonial origins with respect to narratives about presumed European supremacy,[7] and the need to establish new monuments for the enslaved, their resistance, and abolitionists of African descent.[8]

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2 This paragraph resembles the conference description because this description was partially copied from Ulrike Schmieder's project summary, not vice versa.

3 Saima Nasar, "Remembering Edward Colston: Histories of Slavery, Memory, and Black Globality," *Women's History Review* 29 (2020): 1218–25; Ulrike Schmieder and Michael Zeuske, eds., *Falling Statues Around the Atlantic* [= *Comparativ. Zeitschrift für Globalgeschichte und vergleichende Gesellschaftsforschung* 31, no. 3–4 (2021)].

4 The European Parliament's resolution of 19 June 2020 on the anti-racism protests following the death of George Floyd called on its member states "to officially acknowledge past injustices and crimes against humanity committed against black people, people of colour and Roma; declares slavery a crime against humanity and calls for 2 December to be designated the European Day commemorating the Abolition of the Slave Trade; encourages the member states to make the history of black people, people of colour and Roma part of their school curricula." The European Parliament's resolution of 19 June 2020 on the anti-racism protests following the death of George Floyd (2020/2675, RSP), https://www.europarl.europa.eu/doceo/document/TA-9-2020-0173_EN.html [accessed 28.03.2023].

5 Felwine Sarr and Bénédicte Savoy, "Rapport sur la restitution du patrimoine culturel africain. Vers une nouvelle éthique relationnelle," 2018, http://restitutionreport2018.com/sarr_savoy_fr.pdf [accessed 04.10.2022]; Dan Hicks, *The Brutish Museums: The Benin Bronzes, Colonial Violence and Cultural Restitution* (London: Pluto Press, 2020); Deutscher Museumsbund, Leitfaden, "Umgang mit Sammlungsgut aus kolonialen Kontexten," 3rd Version, 2021, https://www.museumsbund.de/wp-content/uploads/2021/02/leitfaden-zum-umgang-mit-sammlungsgut-aus-kolonialen-kontexten-web.pdf [accessed 28.03.2023].

6 Laurajane Smith, Geoffrey Cubitt, Rose Wilson and Kalliopi Fouseki, eds., *Representing Enslavement and Abolition in Museums. Ambiguous Engagements* (New York: Routledge, 2011); John McAleer, "'That Infamous Commerce in Human Blood': Reflections on Representing Slavery and Empire in British Museums," *Museum History Journal* 6, no. 1 (2013): 72–86; Astrid Nonbo Andersen, "Curating Enslavement and the Colonial History of Denmark. The 2017 Centennial," in *Museums and Sites of Persuasion. Politics, Memory and Human Rights*, ed. Joyce Apsel and Amy Sodaro (London: Routledge, 2020): 56–73.

7 Tony Bennett, *Pasts beyond Memory: Evolution, Museums, Colonialism* (London: Routledge, 2004); Robert Aldrich, *Vestiges of the Colonial Empire in France. Monuments, Museums and Colonial Memories* (Basingstoke: Palgrave Macmillan, 2005); André Desvallées, *Quai Branly: un miroir aux alouettes? A propos d'ethnographie et d'"arts premiers"* (Paris: L'Harmattan, 2007); Thomas Dominic, ed., *Museums in Postcolonial Europe* (Abingdon: Routledge, 2010); Alice Procter, *The Whole Picture: The Colonial Story of the Art in Our Museums and Why We Need to Talk about It* (London: Cassell, 2020).

8 Alan J. Rice, *Creating Memorials, Building Identities: The Politics of Memory in the Black Atlantic* (Liverpool: Liverpool University Press, 2010); Ana Lucia Araujo, ed., *Politics of Memory: Making Slavery Visible in the Public Space* (New York: Routledge, 2012); Emmanuelle Chérel and Gabriela Brindis Alvárez, *Le Mémorial de l'abolition de l'esclavage de Nantes. Enjeux et controverses (1998–2012). Un*

We refer in this volume to this dissonant cultural heritage[9] in Europe, with a strong focus on the tangible remains of enslavement in the Atlantic space in Europe. This may concern, for instance, the castles and residences of royal, noble, and bourgeois enslavers; charitable and cultural institutions, universities, banks, and insurance companies, financed by traders in and owners of enslaved Africans; merchants who dealt in sugar, coffee, and cotton; and the owners of factories who profited from exports to the African and Caribbean markets related to Atlantic slavery. The enslaved Africans brought to Europe also left material traces,[10] rare and often difficult-to-find relics such as the coins embossed with the letter "S," a marker of enslaved persons, on the door of the San Ginés church in Madrid. Their religious confraternities adored black saints, as in the church of Graça in Lisbon. Enslaved Africans appear also in early modern paintings and sculptures.[11]

Whether the vestiges of the enslavers and enslaved become *lieux de mémoire* in Pierre Nora's sense, meaning that ritualized commemorations are regularly celebrated at sites,[12] depends on the outcome of public debates about how to deal with these remnants. This discussion is often initiated by committed scholars with expertise in the history of enslavement and by post-colonial activists of African, Afro-Caribbean, and Afro-American descent who are often scholars themselves, which is why these actors in memorial politics should not be seen as mutually exclusive categories.[13] The contributions of Abdoulaye Gueye and Artwell Cain in this volume study

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projet de Krysztof Wodiczko & Julian Bonder (Rennes: Presses Universitaires de Rennes, 2012); Renaud Hourcade, *Les ports négriers face à leur histoire: politique de la mémoire à Nantes, Bordeaux et Liverpool* (Paris: Dalloz, 2014); Bernard Michon and Éric Saunier, eds., *Les ports négriers et les mémoires de la traite et de l'esclavage* [= *Philanthrope* 7 (2018)]; Marcel Dorigny, *Arts & Lettres contre l'esclavage* (Paris: Cercle d'Arts, 2018).

9 The notion of "dissonant heritage," originally from George Ashworth and John Tunbridge (George Ashworth and John Tunbridge, *Dissonant Heritage. The Management of the Past as a Resource of Conflict* [Chichester: Wiley, 1996]), is discussed in Laurajane Smith, *Uses of Heritage* (London: Routledge, 2006): 80–82. She distinguishes between an authorized heritage discourse and subaltern and dissenting heritage discourses (29–43).

10 For Sevilla, see Ana Moreno, "La Sevilla africana: una ruta histórico-turística por el patrimonio negro de la ciudad," in *La negritud y su poesía, Prácticas artísticas y miradas críticas contemporáneas en Latinoamérica y España*, ed. Andrea Díaz-Mattel (Montevideo: BMR Cultural-Sevilla, 2019): 401–22.

11 José Miguel López García, *La esclavitud a finales del Antiguo Régimen. Madrid, 1701–1837. De moros de presa a negros de nación* (Madrid: Alianza, 2020): images 1–11; Erin Kathleen Rowe, *Black Saints in Early Modern Global Catholicism* (Cambridge: Cambridge University Press, 2019); Isabel Castro Henriques, *Roteiro histórico de uma Lisboa africana: séculos XV–XXI* (Lisbon: Colibri, 2021).

12 Pierre Nora, *Zwischen Geschichte und Gedächtnis* (Berlin: Fischer, 1990): 26–27.

13 For the historiography on memorial activism, see Madge Dresser, "Remembering Slavery and Abolition in Bristol," *Slavery & Abolition* 30 (2009): 223–46, Jennifer Moody, *The Persistence of Memory: Remembering Slavery in Liverpool, 'Slaving Capital of the World'* (Liverpool: Liverpool University Press, 2020), and Olivette Otele, "Mourning in Reluctant Sites of Memory: From Afrophobia to Cultural Productivity," in *Post-Conflict Memorialization: Missing Memorials, Absent Bodies*, ed. Olivette Otele, Luisa Gandolfo and Yoav Galai (Cham: Palgrave Macmillan, 2021): 35–54 for the UK; Johann Michel,

the protagonists of the memorialization of transatlantic slavery. Gueye refers to the conflicts over the selection of a site for the National Foundation for the Memory of Slavery and the establishment of a Slavery Museum in Paris, explaining the outcome of struggles in terms of the different material and symbolic capitals the competing actors (white French politicians, associations, and members of the African and Antillean diaspora) can dispose of. Cain points to the dilemma of the Afro-Dutch vis-à-vis a cultural heritage context where monuments of their ancestors do not exist and the acknowledgement of Dutch involvement in Atlantic slavery (and the anti-Black racism that is its legacy in Dutch institutions) has not gone beyond the very first steps. The interviews his chapter is based on reflect the complications of identity resulting from the exclusionary message of Dutch cultural policy and heritage.

State and community commemorative ceremonies in France on May 10 and 23 (the National Day of Remembrance of the Slave Trade, Slavery, and their Abolitions; National Memorial Day for the Victims of Colonial Slavery) and in the United Kingdom on August 23 (the beginning of the Haitian Revolution and the International Day for the Remembrance of the Slave Trade and its Abolition) often take place at new monuments honoring Black survivors and abolitionists of European and African descent. This is the case, for example, with the monuments Le cri, l'écrit, and Fers in Paris, the Mémorial de l'Abolition de l'Esclavage in Nantes, the statues of Modeste Testas in Bordeaux (Fig. 1) and Solitude in Bagneux, and other monuments in the suburbs of Paris. Commemorations are also held in front of museums, such as the International Slavery Museum (ISM) in Liverpool and the National Maritime Museum (NMM) in London.[14]

Devenir descendant d'esclave. Enquête sur les régimes mémoriels (Rennes: Presses Universitaires de Rennes, 2015), and Abdoulaye Gueye, "The Past is a Contentious Field. The Memory of the Atlantic Slave Trade in the Black French Organizational Dynamic," in *A Stain on our Past. Slavery and Memory*, ed. Abdoulaye Gueye and Johann Michel (Trenton: Africa World Press, 2018): 91–114 for France; Kwame Nimako and Glen Willemsen, "The Legacy of Slavery: The Unfinished Business of Emancipation," in *The Dutch Atlantic: Slavery, Abolition and Emancipation*, ed. Kwame Nimako and Glen Willemsen (London: Pluto Press 2011): 149–83, and Artwell Cain, "Slavery and Memory in the Netherlands: Who Needs Commemoration?" *Journal of African Diaspora Archaeology and Heritage* 4, no. 3 (2015): 227–42 for the Netherlands; Astrid Nonbo Andersen, "'We Have Reconquered the Islands': Figurations in Public Memories of Slavery and Colonialism in Denmark 1948–2012," *International Journal of Politics, Culture, and Society* 56, no. 1 (2013): 57–76 for Denmark; Marta Araújo and Anabela Rodrigues, "História e memoria em movimento: escravatura, educação e (anti)racismo em Portugal," *Revista história Hoje* 7, no. 14 (2018): 107–32. for Portugal; and Antumi Toasije, "La memoria y el reconocimiento de la comunidad africana y africano-descendiente negra en España: el papel de la vanguardia panafricanista," *Nómadas. Revista Crítica de Ciencias Sociales y Jurídicas* 28, no. 4 (2010): 277–316 for Spain.

14 Participant observation of the author: May 10, 2018, state ceremony at the Jardin du Luxembourg (Le cri, l'écrit monument), and communal commemoration at the Place Cartroux (Fers monument), May 10, 2017 and 2019 on the quaysides of Bordeaux, May, 23, 2018, state ceremony in the Overseas Ministry, protest march of Antillean associations in Paris, and August 23, 2019 in front of the ISM.

Fig. 1: Inauguration of the monument to Modeste Testas on the quaysides of Bordeaux, 10.05.2019 (photo: Ulrike Schmieder).

The architectural heritage of enslavement often remains hidden or half-hidden, meaning that only a few of the many still existing former residences, company seats, or charitable institutions built for and/or financed by enslavers are identified during guided tours (for example, in Liverpool, Bristol, Bordeaux, other French port towns, and Barcelona)[15] or on flyers or websites referring to the history of enslavers (for instance, in Lancaster, Bordeaux, La Rochelle, and Barcelona);[16] on site, there is often no plaque commenting this past. Only in Nantes, with its urban trail between the History Museum and the Memorial (Le memorial dans la ville), along the traces of enslavement, are there plaques fixed near enslaver residences.

15 Slavery Walking Tour by Laurence Westgaph, Liverpool. Bristol Transatlantic Slavery Walk. Guided tours by the NGOs Mémoires & Partages (Bordeaux, La Rochelle, Le Havre, Bayonne), Memoria in La Rochelle, and Asociació Coneixer Història, Barcelona.

16 Lancaster Slave Trade Town Trail. Mémoire de l'esclavage et de la traite négrière (Bordeaux). Mémoires rochelaises du commerce triangulaire (La Rochelle); Aymara Arreaza and Lorena Bau, *Indians/ BCN* (Barcelona: Ayuntament, 2016); Ralat Guzmán, Omar R., Enric Berenguer and Javier Laviña, *Barcelona, Llegats de l'esclavatge i l'abolicionisme* (Barcelona: CCOO, 2018); Barcelona y América: una cartografía del relato colonial (Barcelona).

2 Gaps in Historical Research on the Material Vestiges of Enslavement, and Some Recent Achievements

With respect to the dissonant cultural heritage of enslavement, what has been investigated and what not, what is commemorated and what is silenced? When I began my research project, I thought that the problem was that white mainstream society and local politicians were hesitant about or openly opposed to the decolonization of memorial cityscapes, but that historians had done their work, at least in identifying local connections to slavery-based economic activities and their tainted cultural heritage. In seeking to follow the traces of enslavers and enslaved in France and Spain, the main objects of my research, and occasionally in Britain and Portugal (to compare the case studies), I noticed in many instances that not all the necessary research had been carried out. As we can only remember what we know, this is a problem for the decolonization of European cityscapes.

In recent years, there has been a revival of the debate about Eric William's thesis regarding the interdependence between slavery and capitalism.[17] For decades, those who claimed that Atlantic slavery contributed little to Europe's capitalist economic development in the eighteenth and nineteenth centuries dominated academic discourse,[18] with some remaining Marxist historians such as Barbara Solow and Dale Tomich and experts in African history like Joseph Inikori disagreeing.[19] The means for maintaining the view that European progress was self-achieved and not obtained by exploiting others was to focus research narrowly on the direct profits of trafficking in Africans and their investment in industrialization. This overlooked the gains from plantation slavery itself, which was abolished only decades later, and the broadness of slavery-based economic activities, such as shipbuilding, banking, insurance, the commerce in and processing of agricultural products made by enslaved Africans, and industries pro-

17 Eric Williams, *Capitalism and Slavery* (Chapel Hill: University of North Carolina Press, 1994 [1944]).

18 Stanley B. Engerman, "The Slave Trade and British Capital Formation in the Eighteenth Century: A Comment on the Williams Thesis," *Business History Review* 46, no. 4 (1972): 430–43; Roger Anstey, *The Atlantic Slave Trade and British Abolition 1760–1810* (London: Macmillan, 1975); Patrick O'Brien, "European Economic Development: The Contribution of the Periphery," *The Economic History Review, New Series* 35, no. 1 (1982): 1–18; Henk den Heijer, "Roundtable. Reviews of Joseph Inikori, 'Africans and the Industrial Revolution in England: A Study in International Trade and Economic Development' with a Response by Joseph Inikori," *International Journal of Maritime History* 15, no. 2 (2003): 305–11.

19 Barbara L. Solow, "Capitalism and Slavery in the Exceedingly Long Run," *Journal of Interdisciplinary History* 17, no. 4 (1987): 711–37, and Dale Tomich, *Through the Prism of Slavery. Labor, Capital, and Economy* (Lanham, MD: Rowman & Littlefield, 2004), and Joseph E. Inikori, *Africans and the Industrial Revolution in England. A Study in International Trade and Economic Development* (Cambridge. Cambridge University Press, 2002).

ducing for African and Caribbean markets.[20] Furthermore, the new economic history of slavery argues that slavery was the core of capitalism, not something merely related to the capitalist economy; enslaved human bodies were capital, enslavers were the first capitalists, plantations were sites of industrialization.[21] How do we come from this research on macrostructures and global capital flows to the tangible urban heritage of slavery? For this, it is necessary to know not only which merchants traded in enslaved Africans, but also where they lived, where they built their country houses, in which economic branches and means of social distinction they invested the gains, in which family and socio-economic networks they were involved, and to which charitable institutions they donated. That means doing intensive empirical research on notarial deeds, censuses, and company archives if accessible.

20 For a reassessment of Eric William's thesis in relation to the UK, see Pat Hudson, "Slavery, the Slave Trade and Economic Growth: A Contribution to the Debate," in *Emancipation and the Remaking of the British Imperial World*, ed. Catherine, Hall, Nicholas Draper and Keith McClelland (Manchester: Manchester University Press, 2014): 36–59. Nicholas Draper. "Helping to Make Britain Great: The Commercial Legacies of Slave-Ownership in Britain," in ibid: 78–126; for the Netherlands, see Armand Zunder. "A New Approach to the Economic History of Suriname Including a Methodology to Calculate Reparations for Damage Caused by Dutch Colonial Rule," in *New Perspectives on Slavery and Colonialism in the Caribbean*, ed. Marten Schalkwijk and Stephen Small (The Hague: Amrit/Ninsee, 2012): 149–83. Karwan Fatah-Black, and Matthias van Rossum. "Beyond Profitability: The Dutch Transatlantic Slave Trade and its Economic Impact," *Slavery & Abolition* 36, no. 1 (2015): 63–83; and for Switzerland, see Marcel Brengard, Frank Schubert and Lucas Zürcher, "Die Beteiligung der Stadt Zürich sowie der Zürcherinnen und Zürcher an Sklaverei und Sklavenhandel vom 17. bis ins 19. Jahrhundert, Bericht zu Händen des Präsidialdepartements der Stadt Zürich," 2020, https://www.zora.uzh.ch/id/eprint/190541/ [accessed 01.04.2023]. In Tamira Combrink and Matthias van Rossum, "Europe and Slavery: Revisiting the Impact of Slave-Based Activities on European Economies, 1500–1850," *Slavery & Abolition* 42, no. 1 (2021): 1–14, the role of "slave-based economic activities" for the development of capitalism is explained for Prussia (Anke Steffen), Portugal (Filipa Ribeiro da Silva), the Netherlands (Tamira Combrink, Ulbe Bosma & Pepjin Brandon), and Britain (Klas Rönnbäck). In Michael Zeuske and Stephan Conermann, eds., *The Slavery/ Capitalism Debate Global: From 'Capitalism and Slavery' to Slavery as Capitalism* [= *Comparativ. Zeitschrift für Globalgeschichte und vergleichende Gesellschaftsforschung* 30, no. 5–6 (2020)], the interdependence of slavery and capitalism is revealed vis-a-vis the Netherlands by Pepjin Brandon and Spain by Martín Rodrigo and Enrique Martino.

21 Walther Johnson, *River of Dark Dreams. Slavery and Empire in the Cotton Kingdom* (Cambridge, MA: Harvard University Press, 2013); Edward Baptist, *The Half Has Never Been Told: Slavery and the Making of American Capitalism* (New York: Basic Books, 2014); Trevor Burnard and John Garrigus, *The Plantation Machine: Atlantic Capitalism in French Saint-Domingue and British Jamaica* (Philadelphia: University of Pennsylvania Press, 2014); Sven Beckert, *Empire of Cotton: A Global History* (London: Penguin Books, 2015); Michael Zeuske, *Sklavenhändler, Negreros und Atlantikkreolen, eine Weltgeschichte des Sklavenhandels im Atlantischen Raum* (Berlin: De Gruyter, 2015); Sven Beckert and Seth Rockmann, eds., *Slavery's Capitalism: A New History of American Economic Development* (Philadelphia: University of Pennsylvania Press, 2016); Calvin Schermerhorn, *The Business of Slavery and the Rise of American Capitalism* (New Haven, CT: Yale University Press, 2016); Dale Tomich, ed., *Slavery and Historical Capitalism during the Nineteenth Century* (Lanham, MD: Lexington Books, 2017); Zeuske and Conermann, *The Slavery/ Capitalism Debate Global*.

In the case of Britain, this empirical research has, in general, been done. The tangible cultural heritage of slavery in specific towns[22] and the country houses of enslavers[23] has been identified in many studies. The database Legacies of British Slave Ownership and related publications have been an important cornerstone of the research into the history and traces of enslavement. The new research of the Centre for the Study of the Legacies of British Slavery will focus on Black survivors, as Matthew J. Smith and Matthew Stallard explain in their contribution to this book. The reconstruction of the life of enslaved people on the basis of the "Return of Register of Slaves" intends to count the life histories of non-indemnified Black survivors of enslavement. The researchers conceive of this work as an effort of reparative history and restorative justice for enslaved people and their descendants.

Referring to the perpetrators' side, it is important to note the inclusion of the indemnification of enslavers in 1838 in research on capital flows and investments in urban and rural architecture, which proves the influence of profits from Atlantic slavery on the development of capitalism in the second half of the nineteenth century.[24] The material vestiges of enslavement in the port towns involved in human trafficking are represented in the International Slavery Museum in Liverpool, the London, Sugar, and Slavery Gallery in the Docklands Museum, the Atlantic Gallery in the National Maritime Museum in London-Greenwich, and some rooms in the Maritime Museum in Lancaster. While the museum in Liverpool and the galleries in London include the perspectives of the enslaved, the presence of Africans in Britain, the resistance of the descendants of the enslaved against the legacies of enslavement in racism and racialized social inequality, the stories of black achievers, in the Maritime Museum of Lancaster

22 Madge Dresser, *Slavery Obscured: The Social History of the Slave Trade in an English Provincial Port* (London: Continuum, 2001); Katie Donington, Ryan Hanley and Jessica Moody, eds., *Britain's History and Memory of Transatlantic Slavery: Local Nuances of a "National Sin"* (Liverpool: Liverpool University Press, 2016); Moody, *The Persistence of Memory*.

23 Madge Dresser and Andrew Hann, eds., *Slavery and the British Country House* (Swindon: English Heritage, 2013); Sally Huxtable, Corinne Fowler, Christo Kefalas and Emma Slocombe, *Interim Report on the Connections between Colonialism and Properties Now in the Care of National Trust, Including Links with Historic Slavery* (Swindon: National Trust, 2020); Mary Wills and Madge Dresser, *The Transatlantic Slave Economy and England's Built Environment: A Research Audit* (Fort Cumberland: Historic England, 2020); Corinne Fowler, *Green Unpleasant Land: Creative Responses to Rural England's Colonial Connections* (Leeds: Peepal Tree Press, 2021): 125–82.

24 Physical legacies (country houses, estates, public buildings, churches, town houses, castles, monuments), cultural legacies (paintings, donations/ patronage), and commercial legacies (investments in firms, railways) can be researched here: https://www.ucl.ac.uk/lbs/physical/; https://www.ucl.ac.uk/lbs/cultural/; https://www.ucl.ac.uk/lbs/commercial/ [all accessed 28.03.2023]; Publications: Nicholas Draper, *The Price of Emancipation: Slave-Ownership, Compensation and British Society at the End of Slavery* (Cambridge: Cambridge University Press, 2010); Catherine Hall, Nicholas Draper, Keith McClelland, Katie Donington and Rachel Lang, *Legacies of British Slave-Ownership. Colonial Slavery and the Formation of Victorian Britain* (Cambridge: Cambridge University Press, 2014).

the perspective of the enslaved is missing.[25] The difference has something to do with the degree of participation of Afro-Caribbean communities in the development of museology, which is normally the result of the long struggle of Black civil rights movements to be included in decisions about the politics of memory.[26] In this volume, Katie Donington refers to the "culture wars" about the representation of enslavement in English country houses, the strong resistance against such a representation, and the decolonization of museums in general. She also points to the lack of diversity in the upper ranks of museum staff and describes this as an important obstacle to making enslavement visible in country houses seen as cultural institution incarnating Englishness.

In Liverpool's ISM, one small screen referred to the indemnification of enslavers: for more information, one had to buy the accompanying book by Anthony Tibbles.[27] In the National Maritime Museum in London-Greenwich, some sentences are dedicated to this topic.[28] In both cases, the importance of these capital flows is not represented in full, though any reference is better than the silence in French museums resulting, among other reasons, from a lack of research. Enslavers from Saint-Domingue received compensation in 1825, paid by the Haitian state as a precondition to being recognized as sovereign, which was a heavy burden for the island throughout the nineteenth century.[29] In 1849, enslavers in all other colonies were indemnified for the loss of their enslaved workers. Research on this compensation had been neglected for decades in France, especially the payments after 1849 and their influence on nineteenth-century economic development in the French Antilles and mainland France. A doctoral thesis from 2004 on this topic that included references to capital transfer to France aroused no public debate.[30] A first step to overcoming this gap in public knowledge in France

25 Observations and documentation by the author in Liverpool (ISM, August 19 and 23, 2019), London (Docklands Museum, June 6, 2017, NMM, June 10, 2017), and Lancaster (August 21, 2019).

26 Richard Benjamin, "Museums and Sensitive Histories: The International Slavery Museum," in *Politics of Memory: Making Slavery Visible in the Public Space*, ed. Ana Lucia Araujo (New York: Routledge, 2012): 178–96; Moody, *The Persistence of Memory*: 181–216.

27 Anthony Tibbles, *Liverpool and the Slave Trade* (Liverpool: Liverpool University Press, 2018).

28 Ulrike Schmieder, "Museos marítimos europeos y esclavitud: ¿memoria u olvido deliberado? Barcelona, Londres (Greenwich), Lisboa (Belém) y Flensburgo," in *Del Olvido a la memoria. La esclavitud en la España contemporánea*, ed. Martín Rodrigo y Alharilla (Barcelona: Icaria, 2022): 300–304.

29 François Blancpain, *Un siècle de relations financières entre Haïti et la France (1825–1922)* (Paris: L'Harmattan, 2001); François Blancpain, "Note sur les 'dettes' de l'esclavage: le cas de l'indemnité payée par Haïti (1825–1883)," *Outre-mers* 90, no. 340–341. (2003): 241–45; Eugène Itazienne, "La normalisation des relations franco-haïtiennes (1825–1838)," ibid.: 139–154; Frédérique Beauvois, "Monnayer l'incalculable? L'indemnité de Saint-Domingue, entre approximations et bricolage," *Revue historique* 312, no. 3 (2010): 609–36.

30 Cécile Ernatus, "L'indemnité coloniale en Guadeloupe, Guyane et Martinique entre 1848 et 1860. Monnaie de pierre, monnaie de sable, monnaie de sang" (PhD diss., Université Paris X Nanterre, 2004); Cécile Ernatus, "L'indemnité coloniale de 1849, logique de solidarité ou logique coloniale?" *Bulletin de la Société d'Histoire de la Guadeloupe* 152 (2009): 61–77.

was taken when the database of the recipients, developed by the research group REPAIRS, went online in May 2021.[31]

In the French Overseas Departments, the memories of enslavement are closely connected with the indemnification of 1849, the basis for demands for reparations, conflicts over the cult of white abolitionist Victor Schœlcher, and the long-term consequences of enslavement. The continuity of the economic power of the *békés* (the white caste of the descendants of enslavers) particularly in Martinique and a racialized social hierarchy belong to these legacies.[32] In contrast, displays about the role of port towns in the enslavement of Africans in the Château des Ducs de Bretagne/ Musée d'Histoire in Nantes, the Musée d'Aquitaine in Bordeaux, and the Musée du Nouveau Monde in La Rochelle about slavery focus strongly on the far-off eighteenth-century commerce in African captives and end happily with the abolition of slavery in 1848. The exception is the museum in Bordeaux, which includes a reference to today's multicultural society as a legacy of enslavement.[33] They all ignore the compensation to enslavers in 1825 and 1849 and the fact that slavery was replaced by racialized colonial forced labor, not by free labor and the landownership of the formerly enslaved.[34] A change will come in Nantes

31 REPAIRS, "Esclavage & indemnités. Empire colonial français du XIXe siècle," 2021, https://esclavage-indemnites.fr/public/ [accessed 28.03.2023]; Jessica Balguy, *Indemniser l'esclavage en 1848? Débats dans l'Empire français du XIXe siècle* (Paris: Karthala, 2020); Coumba Kane and Julien Bouissou, "Les compensations versées aux propriétaires d'esclaves par la France au XIXe siècle publiées en ligne," *Le Monde*, 08.05.2021, https://www.lemonde.fr/afrique/article/2021/05/08/les-compensations-versees-aux-proprietaires-d-esclaves-par-la-france-au-xixe-siecle-rendues-publiques_6079584_3212.html [accessed 28.03.2023]; Interview with Myriam Cottias, historian, founder of the CIRESC, president of the *Comité National de la Mémoire et de l'Histoire de l'Esclavage* (CNMHE) 2013–2016, 18.05.2018, Paris, 27.5.2021, via zoom.

32 Béatrice Béral, "La commémoration de l'abolition de l'esclavage en Martinique de 1998 à 2010" (master's thesis, II. Université des Antilles, 2013); *Statues de Schœlcher et de quelques autres . . . : récapitulatif provisoire de 82 contributions au débat*, *MADININ'ART*, 07.10.2020, https://www.madinin-art.net/statues-de-schoelcher-recapitulatif-provisoire/ [accessed 28.03.2023]; Ulrike Schmieder, "Controversial Monuments for Enslavers, Enslaved Rebels and Abolitionists in Martinique and Cuba," *Comparativ. Zeitschrift für Globalgeschichte und vergleichende Gesellschaftsforschung* 31, no. 3–4 (2021): 374–93. Rodolphe Solbiac, *La destruction des statues de Victor Schœlcher en Martinique. L'exigence de réparations et d'une nouvelle politique des savoirs – The Destruction of the Statues of Victor Schœlcher in Martinique. A Demand for Reparations and a New Knowledge Policy* (Paris: L'Harmattan, 2020).

33 Observations and documentation by author: Nantes (17 May 2016, 17 October, 2 November 2019), Bordeaux (10 May 2017), La Rochelle (7, 15 November 2019).

34 Armand Nicolas, *L'insurrection du Sud à la Martinique (septembre 1870)* (Fort-de-France. Action, 1971); Gilbert Pago, *Histoire antillaise. L'insurrection du Sud. Contribution à l'étude sociale de la Martinique* (Toulouse: Université de Toulouse le Mirail, 1974); Oruno Denis Lara, *La liberté assassinée: Guadeloupe, Guyane, Martinique et la Réunion en 1848–1856* (Paris: L'Harmattan, 2005); Nelly Schmidt, *La France a-t-elle aboli l'esclavage? Guadeloupe – Martinique – Guyane (1830–1935)* (Paris: Perrin, 2009); Céline Flory, *De l'esclavage à la liberté forcée. Histoire des travailleurs africains engagés dans la Caraïbe française au XIXème siècle* (Paris: Karthala, 2015); Ulrike Schmieder, *Nach der Sklaverei – Martinique und Kuba im Vergleich*, 2nd. ed. (Berlin: LIT-Verlag, 2017).

when the displays relating to local history in the temporary exposition "L'Abîme, Nantes dans la traite atlantique et l'esclavage colonial, 1707–1830" are integrated into the permanent collections. This large and excellent exhibition also focuses on the life stories of enslaved Africans in Nantes, including a wall with their names (written and read aloud) and audio-visual displays involving visitors emotionally in the fates of trafficked people and their present-day descendants. It mentions the reestablishment of slavery by Napoleon Bonaparte and the indemnification of enslavers, Nantais included, in 1825. The exhibition refers extensively to racism as the legacy of enslavement and modern slavery.[35]

In the port towns whose involvement in Atlantic slavery has been proven,[36] the studies of Olivier Pétré-Grenouilleau have left their mark. He belongs to those insisting that the rise of capitalism in France had nothing to do with profits from slavery, often contradicting his own empirical findings.[37] Younger researchers are reversing this trend.[38] The material vestiges of the enslaving past have been documented for the French port towns.[39] The outcome of this research enables the three previously men-

35 16.10.2021–19.6.2022. Documented November 18 and 19, 2021. Krystel Gualdé, *L'Abîme. Nantes dans la traite atlantique et l'esclavage colonial 1707–1830* (Nantes: Presses Universitaires de Rennes, 2021); Interviews with Krystel Gualdé, scientific director of the *Musée d'Histoire*, Nantes, and curator of the exhibition "L'Abîme," 17.10.2019, 18.11.2021; Interview with Krystel Gualdé and Bertrand Guillet, director of the *Musée d'Histoire*, 05.11.2019. See also Ulrike Schmieder, Review of *Exhibition: L'Abîme. Nantes dans la traite atlantique et l'esclavage colonial 1707–1830/The Abyss. Nantes's Role in the Slave Trade and Colonial Slavery 1707–1830. Château des Ducs de Bretagne/Musée d'Histoire, Nantes, 16 October 2021–19 June 2022*, by Krystel Gualdé, *Comparativ. Zeitschrift für Globalgeschichte und vergleichende Gesellschaftsforschung* 32, no. 1 (2022).

36 Jean Mettas and Serge Daget, *Répertoire des expéditions négrières françaises au XVIIIe siècle* (Paris: Soc. Française d'Histoire d'Outre-Mer, 1978); Jean-Michel Deveau, *La traite rochelaise* (Paris: Karthala 1990); Éric Saugera, *Bordeaux, port négrier, chronologie, économie, idéologie, XVIIe-XIXe siècles* (Paris: Karthala, 2002); Olivier Jean- Pétré-Grenouilleau, *Nantes au temps de la traite des Noirs* (Paris: Hachette, 1998); Marc Masseaut, ed., *Les ports et la traite négrière, Nantes* [= *Cahiers des Anneaux de la Mémoire* 10 (2007)]; Mickaël Augeron and Olivier Caudron, "La Rochelle, l'Aunis et la Saintonge face à la traite, à l'esclavage et à leurs abolitions. Un état des lieux," in *La Rochelle, l'Aunis et la Saintonge face à l'esclavage*, ed. Mickaël Augeron and Olivier Caudron (Paris: Les Indes Savantes, 2012).

37 Olivier Pétré-Grenouilleau, *L'argent de la traite. Milieu négrier, capitalisme et développement: un modèle* (Paris: Aubier, 1996).

38 Yves Benot, *La modernité de l'esclavage. Essai sur la servitude au cœur du capitalisme* (Paris: La Découverte, 2003); Caroline Le Mao, "L'argent de la traite et de l'esclavage," in *Bordeaux, La Rochelle, Rochefort, Bayonne, Mémoire Noire. Histoire de l'Esclavage*, ed. Caroline Le Mao (Bordeaux: Mollat, 2020): 93–116.

39 For Nantes: Jean-Louis Bodinier, ed., *Les Anneaux de la Mémoire. Nantes-Europe, Afrique et Amériques* (Nantes: Château des Ducs de Bretagne, 1992); Jean Bretau, Jean Paul Cohen, Marion Touzé and Sébastien Chetanneau, *Les Anneaux de la Mémoire. Barbechat, Nantes, Paimboeuf: sur les traces de la traite négrière* (Nantes: Les Anneaux de la Mémoire, 2008); for Bordeaux: Danielle Pétrissans-Cavaillès, *Sur les traces de la traite des noirs à Bordeaux* (Paris: L'Harmattan, 2004); Éric Saugera, *Bordeaux et la traite des noirs* (La Crèche: Geste Éditions, 2018); for La Rochelle: Brice Martinetti, *La traite négrière á La Rochelle* (La Crèche: Geste Éditions, 2017).

tioned museums to refer to the tangible urban remains of enslavement. Surprisingly, there has been little research on the traces of slavery in Paris[40] and profits of enslavement that went to the capital of the French Empire, although the presidential palace, the Palais de l'Elysée, was built by the enslaver Antoine Crozat for his daughter and son-in-law in the eighteenth century.[41] French memory regimes in relation to enslavement have become an important object of study inside and outside France. However, for the most part they do not focus on the handling of the material vestiges of slavery, but on political and societal debates and conflicts about the remembrance of enslavement and its place in museums.[42]

Over the last few years, Dutch historians have made advances in a critical history of the role of the Netherlands in the enslavement and exploitation of Africans and Asians, including a critical view of post-slavery colonialism.[43] Thus, they overcame the older historiography, which minimized the influence of the commerce of African cap-

40 Marcel Dorigny, "Esclavage et première colonisation dans le paysage parisien d'aujourd'hui," in *La route de l'esclave. Des itinéraires pour réconcilier histoire et mémoire, Actes du colloque international. Guadeloupe 10–13 décembre 2014*, ed. Matthieu Dussauge, Le Conseil départemental de la Guadeloupe (Paris: L'Harmattan, 2016): 245–51.

41 Pierre Ménard, *Le Français qui possédait l'Amérique. La vie extraordinaire d'Antoine Crozat, milliardaire sous Louis XIV* (Paris: Tallandier, 2019); Benoît Grossien, "L'Élysée, le plus grand symbole à Paris du passé esclavagiste de la France," France Culture, 02.08.2020 [including an interview with Marcel Dorigny], https://www.franceculture.fr/histoire/lelysee-le-plus-grand-symbole-a-paris-du-passe-esclavagiste-de-la-france [accessed 28.03.2023].

42 Myriam Cottias, "'L'oubli du passé' contre la 'citoyenneté': troc et ressentiment à la Martinique (1848–1946)," in *1946–1996. Cinquante Ans de Départementalisation Outre-Mer*, ed. Fred Constant and Justin Daniel (Paris: L'Harmattan, 1997): 293–313; Françoise Vergès, "Les troubles de mémoire-Traite négrière, esclavage et écriture de l'histoire," *Cahiers d'études africaines* 3–4, no. 179–180 (2005): 1143–77; Charles Forsdick, "The Pantheon's Empty Plinth: Commemorating Slavery in Contemporary France," *Atlantic Studies: Global Currents* 9, no. 3 (2012): 279–97; Hourcade, *Les ports négriers face à leur histoire*; Nicola Frith and Kate Hodgson, eds., *At the Limits of Memory: Legacies of Slavery in the Francophone World* (Liverpool: Liverpool University Press, 2015); Michel, Devenir descendant d'esclave. Mickaël Augeron, "La mémoire de la traite des Noirs, de l'esclavage et de leurs abolitions á La Rochelle: les initiatives municipales (1979–2015)," *Philanthrop*e 7 (2018): 73–97; Krystel Gualdé, "Musée versus mémorial?" *Philanthrop*e 7 (2018): 99–109; François Hubert, "Traite, esclavage et enjeux patrimoniaux dans la Région Nouvelle-Aquitaine," in *Bordeaux, La Rochelle, Rochefort, Bayonne, Mémoire Noire. Histoire de l'Esclavage*, ed. Caroline Le Mao (Bordeaux: Mollat. 2020): 223–44.

43 Nimako and Willemsen, "The Legacy of Slavery"; Sandew Hira, "An Alternative Framework for the Study of Slavery and the Colonial Society in Suriname," in: Schalkwijk and Small, *New Perspectives on Slavery and Colonialism* (The Hague: Amrit/Ninsee, 2012): 225–45; Kwame Nimako, Amy Abdou and Glenn Willemsen, "Chattel Slavery and Racism: A Reflection on the Dutch Experience," in *Dutch Racism*, ed. Philomena Essel and Isabel Hoving (Amsterdam: Rodopi. 2014): 31–51; Matthias Van Rossum, "Labouring Transformations of Amphibious Monsters: Exploring Early Modern Globalization, Diversity, and Shifting Clusters of Labour Relations in the Context of the Dutch East India Company (1600–1800)," in *Free and Unfree Labor in Atlantic and Indian Ocean Port Cities (1700–1850)*, ed. Pepjin Brandon, Niklas Frykman and Pernille Røge (Cambridge: Cambridge University Press, 2019): 19–42; Alex Van Stipriaan, *Rotterdam in Slavernij* (Amsterdam: Boom, 2020).

tives and plantation slavery in Berbice, Demarara, Essequibo (lost to the British in 1814) Suriname, and the Dutch Antilles on Dutch economic development. The authors of earlier works denied its profitability, downplayed the negative effects of the deportations of Africans on African societies, and presented the enslaved as objects, not subjects, of history.[44]

It is highly controversial whether real progress has been made with respect to a critical remembrance of enslavement in Dutch society. The white historian Gert Oostindie insists that the past of slavery has been included in the general history of the Netherlands and is commemorated sufficiently, rejecting the more far-reaching demands of Afro-Suriname or Afro-Caribbean citizens, "migrants" whose actions he describes as driven by emotion.[45] Historians closely related to the Afro-Dutch movement do not share this optimistic view and emphasize that even the commemoration of enslavement is permeated with racist stereotypes.[46] Kwame Nimako and Glen Willemsen complain about racialized double standards: when white historians teach enslavement, this is considered history education, but when blacks talk about it, it is considered emotion.[47] In the worldview of mainstream academia criticized by Nimako and Willemsen, academics are always defined as white persons, whereas the pioneering works of black scholars who wrote serious studies on the history of enslavement decades before white historians[48] are overlooked. As always in the development of the critical remembrance of the enslaving past, there are advances and setbacks. The end of state financial support for the National Institute for the Study of Dutch Slavery and Its Legacy (NiNSee),

44 Cornelis Christiaan Goslinga, *The Dutch in the Caribbean and in the Guianas, 1680–1791* (Assen: Van Gorcum, 1985); Johannes M. Postma, *The Dutch Atlantic Slave Trade, 1600–1815* (Cambridge: Cambridge University Press, 1990); Henk den Heijer, *De geschiedenis van de WIC* (Zutphen: Walburg Pers, 1994); Piet Emmer, *The Dutch Slave Trade, 1500–1850* (New York: Berghahn, 2006). Postma changed his views: Johannes Postma and Victor Enthoven, *Riches from Atlantic Commerce: Dutch Transatlantic Trade and Shipping, 1585–1817* (Leiden: Brill, 2003).

45 Gert Oostindie, *Postcolonial Netherlands. Sixty-Five Years of Forgetting, Commemorating, Silencing* (Amsterdam: Amsterdam University Press, 2011): 155–59.

46 Johanna C. Kardux, "Monuments to Black Atlantic. Slavery Memorials in the United States and the Netherlands," in *Blackening Europe: The African American Presence*, ed. Heike Raphael-Hernandez (New York: Routledge, 2004): 87–105; Kwame Nimako and Stephen Small, "Collective Memory of Slavery in Great Britain and the Netherlands," in: Schalkwijk and Small, *New Perspectives on Slavery and Colonialism* (The Hague: Amrit/Ninsee, 2012): 92–115; Artwell Cain, "Slavery and Memory" *Journal of African Diaspora Archaeology and Heritage* 3 (2015): 227–42.

47 Nimako and Willemsen, "The Legacy of Slavery": 157.

48 William E.B. Du Bois, *The Suppression of the African Slave-Trade to the United States of America 1638–1870* (Mineola, NY: Kraus-Thomson, 1973 [1896]); Zola Neale Hurston, *Barracoon: The Story of the Last "Black Cargo"* (New York: Amistad, 2018 [1927], unpublished manuscript); Anton de Kom, *Wij slaven van Suriname* (Amsterdam: Contact, 2021 [1934]); Cyril Lionel Robert James, *The Black Jacobins: Toussaint L'Ouverture and the San Domingo Revolution* (New York: Random House, 1963 [1938]); Williams, *Capitalism and Slavery*; José Luciano Franco, *La conspiración de Aponte* (Havana: Consejo Nacional de Cultura, 1963); Armand Nicolas, *La Révolution antiesclavagiste de mai 1848 à la Martinique* (Fort-de-France: Imp. Populaire, 1967).

founded in 2002 and closed in 2013, was surely a backlash against the process of decolonizing minds and memorial cityscapes.[49] On the other hand, over the last ten years the tangible heritage of enslavement has been identified and described in slavery heritage guides, referring to the Netherlands in general[50] and to specific towns.[51] In 2020, the exhibition "Slavernij" in the Rijksmuseum narrated ten life stories of enslaved people in different Dutch colonies, as well as those of enslavers and profiteers from slavery in the Netherlands to explain enslavement in Dutch history.[52]

In the case of Spain, Martín Rodrigo has, for two decades, researched capital flows from the Spanish Caribbean, especially Cuba, to Catalonia and Barcelona in particular.[53] The investigation of the material vestiges of the illegal trade in enslaved Africans in nineteenth-century Barcelona, beyond the emblematic residences of the enslavers Josep Xifré i Casas and Antonio López y López, has recently begun as part of a collective project to research the traces of enslavement in Barcelona, Cadiz, Madrid, Bilbao, and smaller Catalan port towns.[54] Barcelona has taken some timid steps towards de-colonizing its memo-

49 Cain, "Slavery and Memory in the Netherlands: Who Needs Commemoration?". NiNSee was revitalized in 2018.

50 Dienke Hondius, Nancy Jouwe, Dineke Stam and Jennifer Tosh, *Slavery Heritage Guide: The Netherlands / Gids Slavernijverleden Nederland* (Volendam: LM Publishers, 2019).

51 See Esther Captain and Hans Visser, *Wandelsgids sporen van slavernij in Utrecht/ Hidden Traces of Slavery in Utrecht* (Utrecht: Utrecht Centre for Humanities, 2012), and Remco Raben, Mathijs Kuipers and Nancy Jowe. *Slavernij en de stad Utrecht* (Zutphen: Walburg Press, 2021) for Utrecht; Valika Smeulders, Haags Historisch Museum, *Den Haag en Slavernij* (The Hague: HHM, 2015) for The Hague; Gert Oostindie and Karwan Fatah-Black, *Sporen van de slavernij in Leiden* (Leiden: Leiden University Press, 2017) for Leiden; Magriet Fokken and Barbara Henkes, *Sporen van het slavernijverleden in Groningen* (Groningen: Uitgeverij Passage, 2016) for Groningen; Dienke Hondius, *Gids Slavernijverleden Amsterdam/Slavery Heritage Guide* (Amsterdam: LM Publishers, 2018) for Amsterdam; and Barbara Henkes, *Sporen van het slavernijverleden in Fryslân* (Groningen: Uitgeverij Passage, 2021) for Fryslân.

52 Rijksmuseum, "Slavery. Ten True Stories," 2021, https://www.rijksmuseum.nl/en/stories/slavery [accessed 28.03.2023]; Eveline Sint Nicolaas and Valika Smeulders, *Slavernij, het verhaal van João, Wally, Oopjen, Paulus, Van Bengalen, Surapati, Sapali, Tula, Dirk, Lohkay* (Amsterdam: Rijksmuseum, 2021); Jan Hüsgen, Review of "Slavery. Ten True Stories, 05.06.2021–29.08.2021 Amsterdam," *H-Soz-Kult*, 28.08.2021, www.hsozkult.de/exhibitionreview/id/rezausstellungen-386 [accessed 28.03.2023].

53 Martín Rodrigo, *Los marqueses de Comillas, 1817–1925: Antonio y Claudio López* (Madrid: Lid, 2000); Martín Rodrigo y Alharilla, *Indians a Catalunya: Capitals Cubans en l'economia catalana* (Barcelona: Fundació Noguera, 2007); Martín Rodrigo y Alharilla, "From Periphery to Centre: Transatlantic Capital Flows, 1830–1890," in *The Caribbean and the Atlantic World Economy. Circuits of Trade, Money and Knowledge, 1650–1914*, ed. Adrian Leonard and David Pretel (Basingstoke: Palgrave Macmillan, 2015): 217–37; Martín Rodrigo y Alharilla and Lizbeth Chaviano Pérez, eds., *Negreros y esclavos. Barcelona y la esclavitud atlántica (siglo XVI–XIX)* (Barcelona: Icaria, 2017); Martín Rodrigo y Alharilla. *Un hombre, mil negocios. La controvertida historia de Antonio López, marqués de Comillas* (Barcelona: Ariel, 2021).

54 The research network "Memoria y lugares de memoria de la esclavitud y el comercio de esclavos en la España contemporánea" is directed by Martín Rodrigo, Universitat Pompeu Fabra, Barcelona. The first results of the research in the traces of enslavers and enslaved are available in: Martín Rodrigo y Alharilla, ed., *Del Olvido a la memoria. La esclavitud en la España contemporánea* (Barcelona:

rial cityscape with the removal of the gigantic statue of Antonio López in 2018.[55] Explanatory plaques were difficult to find until they were put closer to the monument in 2022 (Fig. 2 a–c) after the renaming of the place under the pressure from the local Black Lives Matter movement.[56] However, the pedestal glorifying the enslaver remains and the renovation of its plaque was not used to transmit recent research on the enslaver: instead, the accusations of his brother-in-law of 1885 are repeated.[57]

Research on the politics of the memory of enslavement in Barcelona is highly focused on the monument and Antonio López Square,[58] exceptions being the works of Lisa Surwillo, Martín Rodrigo, and my own.[59] Research on capital flows from the nineteenth-century trade in enslaved Africans to the port town of Cadiz has begun only recently, as has the identification of the tangible heritage of enslavement in the town.[60] A representation of enslavement does not exist in the museums of Cadiz, and is too cursory, distorted, and marked by racist prejudice in Madrid's Museo de

Icaria, 2022). On Barcelona some information had already been published: Martín Rodrigo y Alharilla, ed. *Les bases colonials de Barcelona, 1765–1968* (Barcelona: MUHBA, 2012).

55 Rodrigo, *Un hombre, mil negocios*: 9–29.

56 Tanquem el CIE, "Memòria, justícia i reparació: Canvi de nom Plaça Antonio López per Plaça Idrissa Diallo," http://www.tanquemelscie.cat/p/campanya-placaidrissa.html [accessed 28.03.2023].

57 My observations in February 2020 and November 2021. I thank Alessandra Guhr for information and photos about the situation in July 2022.

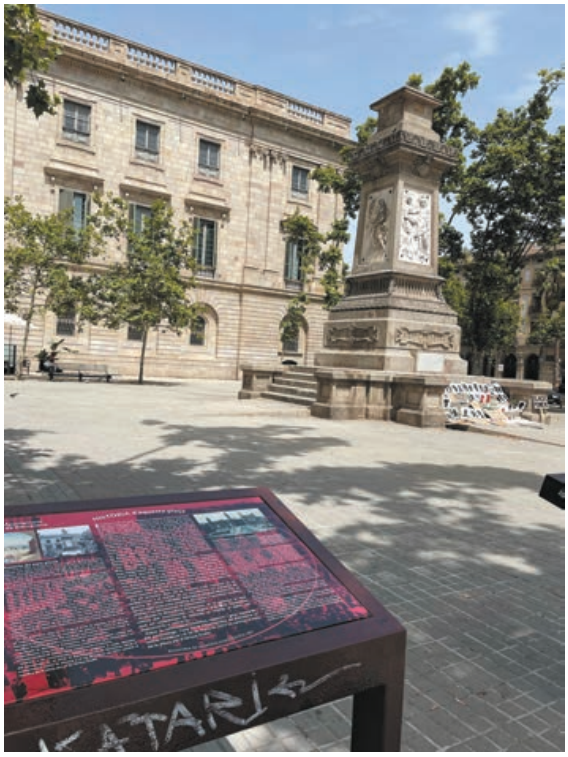
58 Oriol López Badell, "Guided Tour 'The Legacy of Slavery in Barcelona'. Public History as Reparation," *International Journal of Tourism Anthropology* 5, no. 3–4 (2016): 270–75; Akiko Tsuchiya, "Monuments and Public Memory: Antonio López y López, Slavery, and the Cuban-Catalan Connection," *Nineteenth-Century Contexts* 41, no. 5 (2019): 479–500; Jordi Guixé Coromines and Núria Ricart Ulldemolins, "A. López y López, quinto asalto. Memorias incómodas en el espacio público," *Rivista dell'Istituto di Storia dell'Europa mediterránea* 7, no 2 (2020): 139–67; Mahdis Azarmandi, "Monumentos coloniales, migración y memoria en la Barcelona (post)colonial," *Rivista dell'Istituto di Storia dell'Europa mediterránea* 7, no.2 (2020): 169–202.

59 Lisa Surwillo, *Monsters by Trade: Slave Traffickers in Modern Spanish Literature and Culture* (Stanford: Stanford University Press, 2014); Ulrike Schmieder, "Lugares de memoria, lugares de silencio: la esclavitud atlántica en museos españoles y cubanos desde una perspectiva comparada internacional," *Jangwa Pana* 20, no. 1 (2021): 52–80. Martín Rodrigo y Alharilla and Ulrike Schmieder, "Políticas de memoria sobre la esclavitud en España. Barcelona en perspectiva comparada," *Revista de la Fundación Instituto de Historia Social* 1, no. 105 (2023): 87–104.

60 María del Carmen Cózar Navarro and Martín Rodrigo y Alharilla, eds., *Cádiz y el tráfico de esclavos de la legalidad a la clandestinidad* (Madrid: Silex, 2018); María del Carmen Cózar Navarro, *La Orca del Atlántico. Pedro Martínez y su clan en la trata de esclavos (1817–1867)* (Madrid: Silex, 2020); Lidia Pastrana Jiménez, "El Patrimonio inmueble de los protagonistas de la trata negrera en el Cádiz decimónonico," in *Del Olvido a la memoria. La esclavitud en la España contemporánea*, ed. Martín Rodrigo y Alharilla (Barcelona: Icaria, 2022): 227–40.

a)

b)



c)

Fig. 2a–c: Pedestal of the removed statue of Antonio López: inaugurated 1884, destroyed 1936, rebuilt 1944, **a)** photographed from the small street Consolat del Mar with explanatory plaques, **b)** perspective from the avenue on the seafront, Passeig Isabel II, plaques not recognizable between the larger wall advertisements and the motorbikes (photos: Ulrike Schmieder, 03.11.2021), **c)** situation in July 2022 (photo: Alessandra Guhr, 03.07.2022).

América.[61] Capital flows from the enslavement of African captives to Madrid were researched in the late 1980s and early 1990s;[62] recently, the investigation has been taken up again by Lizbeth Chaviano, who publishes some of her results in this book. Herein, she proves that enslavers' money from Cuba and their concepts of urbanism marked the cityscape of nineteenth-century Madrid considerably.

With respect to Spain and Portugal, the presence of enslaved Africans on the Iberian Peninsula is better researched than the capital transfer by enslavers of Africans sold on Brazilian and Cuban markets in the eighteenth and nineteenth centuries.[63] The material vestiges left by the enslavers of that epoch have not been identified for the most part.[64]

In all of Portugal, there is only one small museum referring to slavery, in the town of Lagos.[65] Recent exhibitions have looked at Africans in Lisbon (Convivência/ Coexistence. Lisboa Plural, 1147–1910[66]) and slavery and its late abolition in Portuguese Africa in 1869 (O Direito sobre si mesmo – 150 anos da abolição da escravatura no império portugués). This was not a real emancipation of the enslaved, since they were forced into a system of different forms of coerced labor, which was abolished only in 1962.[67] In 2021, a guidebook about the historical sites connected with the presence of enslaved and free Africans in Lisbon was published, including maps that make it possible to follow their traces, district by district.[68] The installation of twenty

61 Schmieder, "Lugares de memoria": 57–58.

62 José Cayuela and Ángel Bahamonde, "Trasvase de capitales antillanos y estrategias inversoras. La fortuna del Marqués de Manzanedo (1823–1882)," *Revista internacional de sociología* 1 (1987): 125–47; Angel Bahamonde and José Cayuela, *Hacer las Américas: las élites españolas en el siglo XIX* (Madrid: Alianza, 1992).

63 See López García, *La esclavitud a finales del Antiguo Régimen*; Arturo Morgado García, *Una metrópoli esclavista. El Cádiz de la modernidad* (Granada: Universidad de Granada, 2013); Aurelia Martín Casares, *La esclavitud en Granada en el siglo XVI: género, raza y religión* (Granada: Universidad de Granada, 2000); Isidoro Moreno, *La Antigua hermandad de los negros de Sevilla. Etnicidad, Poder y Sociedad en 600 años de Historia* (Sevilla: Secr. de Publ. de la Universidad de Sevilla, 1997) for Spain; Arlindo Manuel Caldeira, *Escravos em Portugal: das origens ao século XIX, Histórias de vida de homens, mulheres e crianças sob cativeiro* (Lisbon: Esfera dos Livros, 2017), and Isabel Castro Henriques, *A presença africana em Portugal, uma história secular: preconceito, integração, reconhecimento (séculos XV–XX)* (Lisbon: Républica Portuguesa, 2019) for Portugal.

64 Except some examples in Arlindo Manoel Caldeira, *Escravos e traficantes no império português. O comercio negreiro português no Atlântico durante os séculos XV a XIX* (Lisbon: Esfera dos Livros, 2013): 268–69, 274–78, 307–11 (Fig. 3).

65 Mercado de Escravo – Núcleo Museológico Rota da Escravatura. My thanks go to Robert Schmieder for the documentation compiled in March 2017.

66 Paulo Almeida Fernandes and Ana Paula Antunes, eds., *Convivência/ Coexistence. Lisboa Plural, 1147–1910* (Lisbon: Museu de Lisboa, 2019).

67 Miguel Bandeira Jerónimo and José Pedro Monteiro, eds., *O Direito sobre si mesmo – 150 anos da abolição da escravatura no império portugués* (Lisbon: Assembleia da República, 2019).

68 Castro Henriques, *Roteiro histórico de uma Lisboa africana*.

Fig. 3: The Beau Séjour palace, the former residence of the enslaver José Leite de Guimarães, Barão da Glória, Lisbon-Benfica, today the Gabinete de Estudos Olisiponenses (photo: Ulrike Schmieder, 13.12.2019).

commemorative plaques dedicated to the African presence and the establishment of a big "Memorial to enslaved people", developed with the Djass, Associação dos Afrodescendentes, and conceptualized by Angolan artist Kiluanji Kia Henda, was planned.[69] The focus on sites of memory referring to the relations between Portugal and its African colonies, rather than the transatlantic commerce of African captives and enslavement in Brazil, is related to the historical recentness of colonial rule in Africa (until 1975) and the broad presence and strong activism of citizens with Angolan, Mozambican, Cape Verdian, and Guinean origins.

Cross-empire capital flows have been only partially investigated,[70] which is, of course, partly a result of the problem of financing such research (for chronically under-

69 Memorial de homenagem às pessoas escravizadas, https://www.memorialescravatura.com accessed [accessed 16.08.2023]. The new conservative mayor of Lisbon, Carlos Moedas, obstaculizes this project and it is not clear if it will come into beiing. Interview with João Figueiredo, member of the scientific board, 3.07.2023, via zoom.

70 For the interdependency of the UK cotton industry and cotton production by the enslaved in the US south until the nineteenth century, see Sven Beckert, *Empire of Cotton: A Global History* (London: Penguin Books, 2015): 98–122, 199–224. For capital transfer from Brazil (the gold mining and sugar

financed Spanish universities, for instance), as it requires longer stays in foreign archives. The material vestiges of these capital flows, such as the residences of Spanish-Cuban enslavers in Paris and British enslavers in Portugal, have still mostly not been identified. The topic is seldom reflected in museums: the Museum of Liverpool[71] and the International Slavery Museum inform visitors about the role of slavery-based cotton production in the US South for Liverpool's economy after abolition in British colonies, but not about the profits from Cuban and Brazilian second slavery transferred to port towns of the UK. The aforementioned French and Spanish museums in port towns focus on local commerce with the colonies of the French and Spanish empires, respectively, not on related global trade and business. Future research should look at the acquisitions of Spanish-Cuban enslavers beyond their country of origin, for instance in France, such as the purchase of the château of Candé by enslaver Carlos Drake Núñez de Castillo, count of Vegamar, in 1853 and the château of Chenonceau (Fig. 4) by the inheritors of the Cuban enslaver Tomás Terry Adán in 1891.[72]

production done by enslaved Africans) to Great Britain, France, the Netherlands, and Hamburg in Germany, see Barbara L. Solow, "Capitalism and Slavery in the Exceedingly Long Run," *Journal of Interdisciplinary History* 17, no. 4 (1987), and Felipa Ribeiro da Silva, "The Profits of the Portuguese-Brazilian Transatlantic Slave Trade: Challenges and Possibilities," *Slavery & Abolition* 42, no. 1 (2021). For capital transfer from Cuba to the UK, see Bahamonde and Cayuela, *Hacer las Américas: las élites españolas en el siglo XIX*: 53–85; for Cuba to all of Europe, see Cayuela and Bahamonde, "Trasvase de capitales antillanos y estrategias inversoras": 127 (1838–1879: 38.8% of the gains went to the UK, 22.7% to France, 20.3% to Spain, 7.9% to Germany, 3.1% to Belgium, 3% to the Netherlands, 4.1% to other European countries); for Cuba to France, see Martín Rodrigo y Alharilla, "De la esclavitud al cosmopolitismo. Tomás Terry Adán y su familia," in *Afroamérica. Espacios e identidades*, ed. Javier Laviña, Ricardo Piqueras and Cristina Mondéjar (Barcelona: Icaria, 2013); Martín Rodrigo y Alharilla. "Banqueros españoles en París (1820–1940)," *Investigaciones de Historia Económica / Economic History Research* 14, no. 3 (2018): 165–74.

71 Visited August 20, 2019.

72 Santiago Drake de Castillo, a trader of African captives and the owner of sugar plantations in Cuba, invested his enormous fortune in Spanish banks, factories, railways, and urban services (Bahamonde and Cayuela, *Hacer las Américas: las élites españolas en el siglo XIX*: 182–199). Tomás Terry, "the Cuban Croesus," human trafficker, and the owner of the world's biggest sugar center in Cienfuegos, transferred his profits to the United States, the UK, and France. He built up close relations with the French aristocracy: a great-granddaughter of Tomás Terry, Anne-Aymone Sauvage de Brantes (born 1933), daughter of his granddaughter Natividad Terry (1882–1960) who was married to Prince Guy Charles Marie François de Faucigny Lucinge (1875–1914), was the wife of the former French President Valéry Giscard d'Estaing (1926–2020, president 1974–1981). Rodrigo y Alharilla, "De la esclavitud al cosmopolitismo. Tomás Terry Adán y su familia"; Martín Rodrigo y Alharilla. "Introducción," in *Negreros y esclavos. Barcelona y la esclavitud atlántica (siglo XVI–XIX)*, ed. Martín Rodrigo and Lizbeth Chaviano (Barcelona: Icaria, 2017): 11. For the castles in the Loire Valley in enslaver hands, see Pierre Arizzoli-Clémentel, *Emilio Terry. Architecte et décorateur* (Montreuil: Gourcuff Gradenigo 2012): 12.

Fig. 4: The château of Chenonceau in the Loire Valley, from 1891 to 1913 the property of the heirs of the enslaver Tomás Terry Adán, who made his fortune in Cienfuegos, Cuba (Navarrete 2016) (photo: Ulrike Schmieder, 10.08.2016).

3 The Cultural Heritage of Enslavement in British, French, and Spanish Towns

This section deals with selected towns connected with the enslaving past in three of the four most important nations trafficking enslaved Africans.[73] In the case of Great Britain, it refers to the most important port town for trade in enslaved Africans, Liverpool,[74] and Lancaster, fourth place among the ports plying this hideous trade[75] and about whose poli-

73 Portugal was the most important colonial power in deporting Africans to the Americas (TSTD II). However, in contrast to research on and existing guides to the traces of Africans in Portugal, there is nearly no research and no guides about the material vestiges of human trafficking in the eighteenth and nineteenth centuries in Lisbon and Porto. Thus, I cannot deliver here a subchapter in the same form as for the three other subchapters: longer stays on site would have been necessary to find what is not published yet.

74 Kenneth Morgan, "Liverpool's Dominance in the British Slave Trade, 1740–1807," in *Liverpool and Transatlantic Slavery*, ed. David Richardson, Susanne Schwarz and Anthony Tibbles (Liverpool: Liverpool University Press 2007): 21.

75 Melinda Elder, *The Slave Trade and the Development of 18th-Century Lancaster* (Krumlin, Halifax: Ryburn Publ., 1992): 13–14.

tics of memory vis-a-vis the enslaving past there is scant historiography[76] and little public knowledge. For France, the most important port town in human trafficking, Nantes, will be analysed, along with the less well known case of La Rochelle, which came second place in the trade in African captives:[77] this is a role sometimes ascribed to Bordeaux, with which Nantes has been often compared with respect to the politics of memory and the intentional oblivion of the enslaving past.[78]

The question of which towns to choose in Spain was more complicated. The most important town from which ships set sail for the triangular trade was Cadiz, ahead of Barcelona.[79] The illegal trade in the nineteenth century was carried on mostly directly from Africa to Cuba.[80] In the illegal period (1821–1870), nearly 551,000 enslaved Africans were brought to Cuba, 541,000 directly from the coasts of Africa.[81] The importance of Barcelona lies in its role as "capital city of financial return"[82] from late eighteenth- and nineteenth-century enslavement, trade, and plantation slavery in Cuba (ahead of Madrid and Cadiz) and the importance of Catalan merchants for the trade in African captives.[83] Thus, both towns will be studied here, along with a little-

76 Alan J. Rice, *Creating Memorials, Building Identities: The Politics of Memory in the Black Atlantic* (Liverpool: Liverpool University Press, 2010): 24–54; Alan Rice and Johanna C. Kardux, "Confronting the Ghostly Legacies of Slavery: The Politics of Black Bodies, Embodied Memories and Memorial Landscapes," *Atlantic Studies* 9, no. 3 (2012); Lubaina Himid, "Monument Talk," *Atlantic Studies* 9, no. 3 (2012).

77 Jean-Michel Deveau, *La traite rochelaise* (Paris: Karthala 1990): 8; Augeron and Caudron, "La Rochelle, l'Aunis et la Saintonge face à la traite, à l'esclavage et à leurs abolitions": 7.

78 Saugera, *Bordeaux, port négrier, chronologie, économie, idéologie, XVIIe-XIXe siècles*: 13–27; Stéphane Valognes, "Slave-Trade Memory Politics in Nantes and Bordeaux: Urban Fabric Between Screen and Critical Landscape," *Journal of African Diaspora Archaeology and Heritage* 2, no. 2 (2013): 151–71; Hourcade, *Les ports négriers face à leur histoire*.

79 Lizbeth Chaviano, "Cádiz, capital de la trata negrera," in: Cózar and Rodrigo, *Cádiz y el tráfico de esclavos* (Madrid: Silex, 2018). On the ranking of capital transfer from the Spanish Antilles, see Cayuela and Bahamonde, "Trasvase de capitales antillanos y estrategias inversoras": 135. In pesetas: Barcelona 110,110,080; Madrid 108,605,646; Cádiz 43,604,329; Santander 41,589,197; Bilbao 20,162,883; Valencia 9,980,230.

80 Zeuske, Michael. "Cosmopolitas del Atlántico esclavista: los 'africanos' Daniel Botefeur y su esclavo de confianza. Robin Botefeur en Cuba," *Almanack* 12 (2016): 129–55; María del Carmen Barcia Zequeira, Miriam Herrera Jérez, Adriam Camacho Domínguez, and Oilda Hevia Lanier, *Una sociedad distinta: espacios del comercio negrero en el occidente de Cuba (1836–1866)* (Havana: Ed. UH, 2017).

81 David Eltis and Jorge Felipe-González, "Rise and Fall of the Cuban Slave Trade. New Data, New Paradigms," in *From the Galleons to the Highlands. Slave Trade Routes in the Spanish Americas*, ed. Alex Borucki, David Eltis and David Wheat (Albuquerque: University of New Mexico Press, 2020): 205.

82 Martín Rodrigo y Alharilla, Martín. "Barcelona, capital del retorn," in *Les bases colonials de Barcelona, 1765–1968*, ed. Martín Rodrigo y Alharilla (Barcelona: MUHBA, 2012): 79–92.

83 Michael Zeuske, "Capitanes y comerciantes catalanes de esclavos," in *Negreros y esclavos. Barcelona y la esclavitud atlántica (siglo XVI–XIX)*, ed. Martín Rodrigo and Lizbeth Chaviano (Barcelona: Icaria, 2017): 63–100; Rodrigo y Alharilla, Martín. "Cuatro capitanes negreros catalanes en tiempos de la trata ilegal: José Carbó, Pedro Manegat, Gaspar Roig y Esteban Gatell," in ibid.: 101–30. José Miguel Sanjuan, "El tráfico de eslavos y la élite barcelonesa. Los negocios de la Casa Vidal Ribas," in ibid.: 131–58; Xavier Juncosa i Gurguí, "Jaume Torrents Serramalera, el esclavista oculto," in ibid.: 159–88.

known case: the interior town of Vitoria-Gasteiz in the Basque province of Álava. As will be explained below, even that hinterland town became the site of capital transfer from Cuban slavery and a place of residence for enslavers and their immediate descendants, possessing a surviving material heritage.

3.1 Liverpool

Liverpool was the number one British and European port town with respect to trafficking human beings from Africa to the Americas, responsible for approximately 5,000 voyages and the deportation of more than 1.4 million African captives.[84] The town council apologized for the town's role in the enslavement of Africans in 1999.[85] Enslavement is remembered in Liverpool in various museums like the Museum of Liverpool, the Walker Art Gallery, and the World Museum, and not only in the International Slavery Museum. This was inaugurated in 2007 on the third floor of the Merseyside Maritime Museum, where the first exhibition "Against Human Dignity" was set up in 1994.[86] The annual commemoration of August 23 consists of a lecture in the museum on the evening of August 22, a remembrance walk through the city center to the museum on the morning of August 23, a libation ceremony in front of the museum, and various activities for adults and children in the museum.[87] The ISM displays refer to streets named after enslavers and the tangible cultural heritage connected with the enslavement past in the town and its surroundings. This includes the Liverpool Exchange, today Liverpool Town Hall (1749), built by the company of the enslaver Joseph Brookes with the participation of other enslaver families. A frieze showing the heads of African and Native American women and tropical animals evokes the colonial and enslaving past. All mayors between 1787 and 1810 were involved in the traffic of enslaved Africans.[88]

Eric Scott Lynch, a trade unionist and memorial activist, led guided tours on the traces of slavery in Liverpool for decades, while the historian and television presenter Laurence Westgaph offers such tours now. The Black History Studies group has developed, in cooperation with the ISM, the Liverpool Maafa Tour and the Black History Walking

84 Tibbles, *Liverpool and the Slave Trade*: 1.

85 Moody, *The Persistence of Memory:* 183–98.

86 Benjamin, "Museums and Sensitive Histories: The International Slavery Museum."

87 I visited the museum and attended the commemoration between August 19 and 25, 2019. I wish to thank Richard Forsdick (University of Liverpool) for the information given about the celebrations. An expansion and reform of the displays of the ISM are planned in the next years (Interview Jean-François Manicom, Lead Curator Transatlantic Slavery & Legacies [until November 2022], International Slavery Museum Liverpool, 21.10.2021, via zoom).

88 Laurence Westgaph, "Built on Slavery" *Context* 108 (2009), http://ihbconline.co.uk/context/108/#29/z [accessed 28.03.2023]; Tibbles, *Liverpool and the Slave Trade*; Ana Lucia Araujo, *Slavery in the Age of Memory. Engaging the Past* (London: Bloomsbury Academic, 2021): 83–84.

Tour.[89] Maafa is a Swahili word for "big catastrophe" and is used to refer to the annihilation of African lives through enslavement and colonialism. What is missing is a trail on the traces of enslavement made visible through plaques in public space. Steps in that direction have been taken with plaques explaining how street names are related to the town's enslavement past, an initiative of the Liverpool City Council under Mayor Joe Anderson, National Museums Liverpool, the Liverpool Black History Research Group, the Kuumba Imani Millenium Centre, the NGO Mandela 8, and the family of Eric Lynch in 2020.[90]

So many enslaver residences and charitable institutions financed by enslavers still remain in Liverpool that to explain them all would require a whole book.[91] That is why three examples will be given here, one of a critical and detailed remembrance of the past of enslavement, one of a short and superficial remembrance of this history, and one of the intentional oblivion of the role of former owners in the enslavement of Africans.

The Bluecoat Hospital for the Indigent Poor (a school for orphaned boys and girls) (Fig. 5) was founded in 1716 by Bryan Blundell, the trader in enslaved Africans and Liverpool mayor, and was partially financed by his gains from the trade in African captives, sugar, cotton, and tobacco.[92] Today it is the seat of an arts center with shops and cafés. A small exhibition tells the story of the building and institution, referring to its origins in Atlantic slavery. "Like much in Liverpool in the eighteenth and early nineteenth centuries, profits from the Transatlantic slave trade, and goods associated with it like sugar, cotton and tobacco, helped fund the school [. . .]."[93]

Blackburne House (1790) at Blackburne Place (Fig. 6) was built for John Blackburne, the owner of a salt factory, promoter and investor in the trade in enslaved Africans, and the son of John Blackburne, a salt merchant and enslaver. Both John Blackburnes were mayors of Liverpool (1760 and 1788).[94] In 1844, the building became the first girl's school in Liverpool, founded by the cotton broker, shipowner, and banker George Holt Senior.

89 Araujo, *Slavery in the Age of Memory*: 86–87; Liverpool Slavery Tour; Maafa Slavery Tour.

90 "REVEALED: The Liverpool Streets Considered for Slavery Memorial Plaques" LiverpoolExpress, 23.08.2020, https://liverpoolexpress.co.uk/revealed-liverpool-streets-considered-for-slavery-memorial-plaques/ [accessed 28.03.2023]. My thanks go to Jean-François Manicom for commenting on this initiative.

91 To name but a few: the Royal Institution building, the precursor of Liverpool University, at the corner of Colquitt Street/Seel Street, was the residence of the trader in enslaved Africans and banker Thomas Parr (1769–1847). Residences of enslavers are situated on Duke Street (Moses Benson, John Bolton), York Street (Thomas Leyland), and Rodney Street (John Gladstone, father of Prime Minister William Ewart Gladstone, who received an indemnification of £106,000 for the loss of "his" enslaved workers) (Westgaph, "Built on Slavery": 27; Information given by the ISM, John Hussey, *Liverpool. Forgotten Landscapes, Forgotten Lives* [Liverpool: Creative Dreams Publishing, 2016]: 57–58, 124–25: Tibbles, *Liverpool and the Slave Trade*: 65, 67, 91, 93).

92 Westgaph, "Built on Slavery": 27–28; Tibbles, *Liverpool and the Slave Trade*: 67; Wills and Dresser, *The Transatlantic Slave Economy*: 112.

93 Copied from the displays, 19.08.2019.

94 Westgaph, "Built on Slavery."

Fig. 5: Bluecoat Hospital for the Indigent Poor founded by the enslaver Bryan Blundell, 1716 (photo: Ulrike Schmieder, 19.08.2019).

On entering what is today the Women's Technology Training Centre, one is given the leaflet "Blackburne House. Past and Present," which includes a short reference to the trade in African captives by the father of the first owner. It overlooks the fact that the businesses of the "philanthropist" George Holt were also slavery-based economic activities (the cotton was picked by enslaved Africans in the US South).

Speke Hall (Fig. 6) was built in 1530 on a site where the noble Norris family had owned a house since 1314. The tobacco and sugar merchant Richard Norris (1670–1730) profited from two deportation voyages by his ship *The Blessing* in 1700 and 1701. The expeditions organized in association with Thomas Johnson transported 140 Africans from West Central Africa to Barbados and 150 Africans to Antigua. The house was bought in 1795 by the trafficker in human beings Richard Watt I (1724–1796), who had returned from Jamaica in 1782 with £97,000. He was proud of his crime, as is evidenced by his choice of coat of arms, "three negroes heads from the involvement with the slave

Fig. 6: Blackburne House (1790) at Blackburne Place belonged to enslaver John Blackburne: today, it is the Women's Technology Training Centre (photo: Ulrike Schmieder, 20.08.2019).

trade serving his sugar plantation in Jamaica."[95] His property, worth half a million pounds sterling, was inherited by the son of his nephew, Richard Watt II (1751–1803), with whom he had collaborated in the slavery-based economic activities. Richard Watt III (1786–1855) received £4,485 as compensation for 256 enslaved persons and made some repairs to the country house. Speke Hall was completely restored by the grandson of Richard Watt III, Richard Watt V (1835–1865), with profits from the St George's Plain Estate in Westmoreland, Jamaica, in the hands of that family until 1919.[96] Without the

95 Quoted from a folder in the museum. Documented September 24, 2019.

96 Tibbles, *Liverpool and the Slave Trade*: 6, 66, 69; Jane Longmore, "Rural Retreats: Liverpool Slave Traders and their Country Houses," in *Slavery and the British Country House*, ed. Madge Dresser and Andrew Hann (Swindon: English Heritage, 2013): 49; Huxtable, Fowler, Kefalas and Slocombe, *Interim Report on the Connections between Colonialism and Properties*: 39, 94.

Fig. 7: Speke Hall, from 1530 to 1730 the property of the Norris family; owned by the early enslaver Richard Norris, the enslaver Richard Watt I of Speke, and Richard Watt III, a profiteer from indemnification (photo: Ulrike Schmieder, 24.08.2019).

money of merchants and owners of enslaved Africans, this architectural heritage from Tudor times would no longer exist. The current exhibition focuses on the persecution of the Norris family as Catholics under Queen Elizabeth I and says nothing about the slavery connections of the family. To find out something about this past, for instance the arms of Richard Watt I of Speke, one has to read the additional information in folders on room desks. The guidebook by the National Trust mentions slavery, but only in respect of the parvenu Watt family, not the traditional noble Norris family.[97]

The extensive treatment of Liverpool's enslavement past in Liverpudlian museums[98] stands in stark contrast to the very scarce information at sites of the tangible heritage of enslavement and in public space in general. There is no monument remembering this past or the enslaved in the city.[99]

97 Richard Dean, *A Souvenir Guide. Speke Hall* (Liverpool: National Trust, 2017): 3, 12–14.

98 An account of these museums is beyond the scope of this contribution. Suffice it to say that in contrast to many other museums, the socio-economic and cultural achievements of African societies and the agency and resistance of the enslaved and their descendants are extensively dealt with in the ISM. Various sources are quoted which reflect their perspective. The legacy of the enslavement of people of African descent in racism and afro-phobia is also underlined, and a "Black Achievers Wall" is displayed.

99 The curator Jean-François Manicom thinks that an impressive site of memory, a big memorial or an eternal flame for the enslaved, should be established and the museum should push for a strong symbolic gesture of this type, but his senior officials are still reluctant to argue for this (Interview Manicom 2021).

3.2 Lancaster

In the fourth most important port town for the trade in African captives, Lancaster,[100] the Maritime Museum devotes some rooms to the involvement of local merchants in Atlantic slavery under the heading "THE TRIANGLE TRADE."[101] The museum is located in the former Customs House (Fig. 8), built by the architect Richard Gillow, a trafficker of human beings (as was his father Robert Gillow). Both also imported mahogany wood to produce furniture, which was re-exported to the Caribbean to refurbish masters' houses.[102]

Fig. 8: Maritime Museum in Lancaster, the former Customs House, whose architect was the enslaver Richard Gillow (photo: Ulrike Schmieder, 21.08.2019).

100 Elder, *The Slave Trade and the Development of 18th-Century Lancaster*.
101 Documented August 21, 2019.
102 Wills and Dresser, *The Transatlantic Slave Economy and England's Built Environment*: 117.

The museum's staff could not decide whether to condemn the traffickers of enslaved Africans or to admire the protagonists of the short "Golden Age" of the town, which today is poor. The conception of the gallery is not very innovative. A graphic of the ship "Brookes" is shown in the midst of other goods traded in the triangular commerce. Some commentaries are problematic, such as the following under the heading "Slavery": "From the early 18th century Lancaster merchants were involved in the slave trade either by buying and transporting slaves, or by trading goods made by slave labour. It was practically impossible to avoid goods which involved slavery. Many merchants did not care about the source of their goods. But why did otherwise honourable people do such things? We have to look at ourselves to see the nature of the problem. When we buy goods we may not know that they are the products of sweat-shops in third-world countries. Even if we do not condone such labour we may ignore it, or simply not be aware. To Georgian merchants it was all far away and, to their families, irrelevant apart from those who had experience of slave plantations themselves." This excuse omits the fact that the abolitionists invented consumer boycotts against goods produced by enslaved people: one can learn from them that consumers today should also be interested in the origin of merchandise. The only individualized story told is in the museum that of the enslaved African "Sambo" (without problematizing the slur of his name), who died in Sunderland Point and was buried there. His grave was marked by an epitaph by the local priest in 1796.

Referring to the model of Dalton Square, the explanation mentions two bankrupt West Indian merchants (John Shaw and his brother) who had houses there, but not other proprietors who were enslavers, such as Thomas Hinde and the Gillow family. To follow the traces of enslavement, one must buy the flyer "Lancaster SLAVE TRADE town trail" in the museum shop, because the museum's displays only offer some hints to the town's tangible architectural heritage of enslavement in town, although not the full information (as with the ISM's materials). The leaflet was produced by Lancastrian schoolchildren with the help of their teachers, the historian Melinda Elder (a pioneering researcher about Lancaster and the trade in African captives), and the artist Sue Flower. The trail mentions, for instance, the still extant houses of the enslavers Richard Gillow, Dodshon Foster, and William Lindow, the City Museum (formerly the Town Hall, where the enslaver Thomas Hinde governed as mayor), Gillows Warehouse, and the Sun Inn as the meeting point of merchants. It also comments on the Friends Meeting House of the Quakers, who were, contrary to their reputation, reluctant and inconsistent opponents of slavery in eighteenth-century Lancaster.

The history of the residence of the enslaver John Sattertwhite (Fig. 9) is connected with a nightmare tale representing the unlimited power of enslavers over the bodies of enslaved human beings, even beyond death. This enslaver, whose family left the abolitionist Quaker group and then joined the Church of England, which possessed enslaved people, defended slavery, and obtained compensation for its abolition, bought the enslaved woman Francis Elizabeth Johnson (Fanny), born in 1751 on the island St. Kitts, to Lancaster in 1778 as a maid for his wife. Presumably it was the amputated and mummi-

Fig. 9: The house of the enslaver John Sattertwhaite, 20 Castle Hill, Lancaster (photo: Ulrike Schmieder, 21.09.2019).

fied hand of Fanny Johnson which was bequeathed in this Lancastrian family from generation to generation and still used in the 1940s as toy for the children (!). A descendant of this enslaver family consulted the historian Melinda Elder about what to do with these human remains, which were buried in 1997 with the inscription "F.E.J., April 1778," the year of baptism. Nothing more was said about Fanny Johnson and no attempt was made to tell her life story in public space.[103]

In the early years of the twenty-first century, the Slave Trade Arts Memorial Project undertook some projects to shed light on the involvement of Lancaster in the enslavement of African people through the arts. The monument "Captured Africans" is (Fig. 10) located on the riverside, not far from the Customs House (now the Maritime Museum). Although the choosing of this site makes sense due to its historical connections, a monument in the city center would attract much more attention. In Lancaster, as at many other sites, different memory regimes co-exist, even in the museum with its older and newer plaques, the latter referring, for instance, to "enslaved Africans" instead of "slaves," the former focusing on the commerce, merchants, and goods rather than the enslaved as human beings. This in contrast to Kevin Dalton-Johnson's artwork, where the enslaved appear as small statuettes. In the City Museum, contradictory narratives are also to be found. On a placard under the heading "Lancaster's Golden Age," visitors are told: "Some Lancaster merchants were heavily involved in

103 Rice and Kardux, "Confronting the Ghostly Legacies of Slavery": 248–51.

Fig. 10: The monument "Captured Africans" (2005) by Kevin Dalton-Johnson (photo: Ulrike Schmieder, 21.08.2019).

the evil slave trade with West Africa, especially in the 1750s, and certainly the estates in the West Indies which produced the rum, sugar, and mahogany in which Lancaster traded were entirely run by slave labour."[104] Whereas here the problematic colonial past of the town is admitted, a section of the museum includes the King's Own Royal Regiment Museum which tells a glorifying story of colonial wars in Australia, India, and South Africa, of which Lancaster is supposed to be proud.

3.3 Nantes

Nantes defines itself as a precursor town in the critical remembrance of its involvement in Atlantic slavery because the exhibition "Les Anneaux de la Mémoire. Nantes-Europe,

104 Copied from a photograph taken on site, August 21, 2019.

Afrique et Amériques" from 1992 to 1994,[105] visited by 100,000–400,000 persons,[106] exposed the city's involvement in the trade in enslaved Africans. The city has a gallery dedicated to enslavement in the Museum of History, the Mémorial de l'Abolition de l'Esclavage, and an urban trail between the museum and the memorial following the traces of the history and memory of enslavement. In 2018, schoolchildren visited these sites of memory, about 35,000 per year the museum, and 10,000 the museum, the urban trail, and the memorial.[107]

A closer look demonstrates that the road to this was long and complicated. The Château des Ducs de Bretagne/ Musée d'Histoire opened its rooms exhibiting the participation of Nantes in the Atlantic slave trade as late as 2000. Antilleans had to fight 14 years (from 1998 to 2012) to get the memorial. The latter is also criticized because a monument to abolition is problematic in a town that staunchly defended the trade in enslaved Africans and from which merchants trafficked captives until the 1830s. Moreover, the historical information given on site is very scarce, referring only to the trade itself, but not to plantation slavery, the *Code Noir*, the liability of the French state, and local traffickers of African captives.[108] I share many aspects of these criticisms because a timeline of abolitions, maps of the trading routes, and uncontextualized quotations from historical figures and laws about freedom from different historical periods[109] will not transmit knowledge about enslavement, neither in general nor with particular reference to the role of Nantes. On the other hand, for local Antilleans this site has become a site of mourning for their deported ancestors, and this should be respected. Politicians sometimes ascribe these achievements to themselves and do not pay tribute to the Antilleans who had to fight for the sites of memory

105 Bodinier, ed., *Les Anneaux de la Mémoire. Nantes-Europe, Afrique et Amériques*.

106 400,000 visitors is the number always given by the organizing association Anneaux de la Mémoire and the town of Nantes. The study by Renaud Hourcade gives a lower estimate. Hourcade, *Les ports négriers face à leur histoire*: 208–9.

107 Château des ducs de Bretagne, *Chiffres clés*, 2018.

108 Comité National de la Mémoire et de l'Histoire de l'Esclavage (CNMHE), Secrétariat Général, Courrier sortant, letter of Peter Lema, Rosa-Amelia Pumelle-Uribe and Louis Sala-Molins to Patrick Rimbert, mayor of Nantes, 14.02.2014, with copy to Prime Minister Jean-Marc Ayrault, Minister of Justice Christiane Taubira, and President of the CNHME Myriam Cottias. I wish to thank to Frédéric Régent, president of the CNMHE, 2016–2019, who gave me access to this part of the archives. Stéphane Pajot. "Commémorations. Peter Lema relève des incohérences autour de la mémoire de l'esclavage 'Allions mémoire, histoire et justice'," *Presse Océan*, 12.05.2018; Interview with Jean Breteau,† historian, member of the association *Anneaux de la Mémoire*, 17.5.2016, Nantes; Interview with Bernard Michon, historian, Université de Nantes, member of the association *Anneaux de la Mémoire*, 18.10.2019, Nantes; Interview with Yvon Chotard, founder of the association *Les Anneaux de la Mémoire*, 22.10.2019, Nantes.

109 Françoise Vergès, *Liberté! Le Mémorial de l'abolition de l'esclavage* (Nantes: Château des ducs de Bretagne, 2015).

against strong opposition inside the administration and local politics. There were also conflicts between memorial associations.[110] Octave Cestor, founder of the NGO Mémoire d'Outremer, expressed a feeling of dispossession of the gains of his decades-long struggle in an interview on October 25, 2019.[111]

In addition, there is a deficit concerning the vestiges of enslavement in town. The plaques of the *parcours urbain* are small and difficult to find, and they are not fixed directly on the houses where enslavers had lived. The buildings on the île Feydeau are valuable architectural heritage from the eighteenth century, but various merchants and captains of the traffic in human beings resided there, and profits from enslavement co-financed the quarter. Visitors learn this in general terms, but there is no plaque indicating: "Here lived merchant X or captain Y. He was involved in the trade in African captives to the French Antilles." Obviously, the current owners are not bothered.

One plaque on the île Feydeau, 13 Rue Kervégan, (Fig. 11 a and b) is used to explain the problem of streets named after enslavers. It reads: "Rue Kervégan, île Feydeau quarter [. . .]. Christophe-Claire Danyel de Kervégan (1735–1817), merchant, ship owner, French politician, mayor of Nantes. His activity as shipowner and merchant identifies him, as it does the great majority of Nantes merchants of the time, as one of the actors in the slave trade in Nantes." Below this is an explanation that Nantes has chosen to retain the street names attributed to personalities who participated in the slave trade in order to acknowledge, without stigmatizing individuals, the heritage of its history.[112]

This means that town officials are rejecting demands to rename streets honoring enslavers. The argument is that the renaming of streets would stigmatize certain families, even though all people in Nantes profited from this trade. The officials insist that this plaque and one page of the website Patrimonia dedicated to a street named after Guillaume Grou, another enslaver and founder of an orphanage, is enough to come to terms with the colonial past.[113] Of course, there are contradictory opinions among local scholars and activists, who insist that critical remembrance must be visible in

110 Chérel and Brindis Alvárez, *Le Mémorial de l'abolition de l'esclavage de Nantes.* Hourcade, *Les ports négriers face à leur histoire*: 220–28, 389–407.

111 Cestor's successor as president of the NGO *Mémoire d Outremer*, Michel Cocotier, interviewed on October 23, 2019, is taking a pragmatic approach and is concentrating on making the *Espace Delgrès*, the seat of the NGO, into a site of memory of enslavement and colonialism, with exhibitions, lectures, book presentations, and the showing of documentaries.

112 Copied from a photograph: "Rue Kervégan (quartier île Feydeau [. . .]). Christophe-Claire Danyel de Kervégan (1735–1817), négociant, armateur et homme politique français, maire de Nantes. Son activité d'armateur et de négociant, tout comme celle de la grande majorité des négociants nantais de l'époque, le désigne aussi comme un des acteurs de la traite des Noirs à Nantes."

113 Interview with Olivier Absolon, Direction du Patrimoine et de l'Archéologie, Nantes, 21.10.2019, Nantes; Nantes et le commerce triangulaire. "Patrimonia," 12.07.2021, https://patrimonia.nantes.fr/home/decouvrir/les-parcours-du-patrimoine/nantes-et-le-commerce-triangulai.html [accessed 28.03.2023].

a) b)

Fig. 11a and b: The commemorative plaque of the itinerary "Nantes et la traite négrière" on Rue de Kervégan, Nantes, and a building decorated with *mascarons* with African traits situated on the opposite side of the street without a plaque explaining the historical context of enslavement (photos: Ulrike Schmieder, 19.11.2021).

public space, not on a website known only to people with a special interest in heritage politics.[114]

The impressive building of the Hôtel de la La Villestreux (Fig. 12) at the eastern end of the île Feydeau was built in 1743–1754 for the shipowner and enslaver Marquis Nicolas Perrée de la Villestreux. The passer-by cannot easily recognize it as the architectural heritage of enslavement because there is no plaque attached, and the information tables for the urban trail along the traces of enslavement are some corners away.[115] To identify this house as the tangible heritage of enslavement, you have to buy a brochure or flyer of the memorial organization Les Anneaux de la Mémoire. Other enslavers' residences in this district, the Hôtel Berrouette,[116] Allée Turenne,[117] the Immeuble Grou (erected for Guil-

114 Interview with Michel Cocotier, president of the NGO *Mémoire d'Outremer*, 23.10.2019, 18.11.2019, Nantes; Interview with Krystel Gualdé, scientific director of the *Musée d'Histoire*, Nantes, and curator of the exhibition "L'Abîme," 17.10.2019, 18.11.2021, Krystel Gualdé and Bertrand Guillet, director of the *Musée d'Histoire*, 5 11.2019.

115 Jean Breteau, Jean Paul Cohen, Marion Touzé and Sébastien Chetanneau, *Les Anneaux de la Mémoire. Barbechat, Nantes, Paimboeuf: sur les traces de la traite négrière* (Nantes: Les Anneaux de la Mémoire, 2008): 9.

116 Established in 1752 for the lawyer and shareholder in the *Compagnie de l'Île Feydeau* Jacques Berrouette (1682–1763), who organized a slave voyage from Amabou to Martinique deporting 272 Africans, of whom 46 died. Three of them threw themselves overboard and a woman who went mad from desperation had to be taken back to the coast.

117 Breteau, et al., *Les Anneaux de la Mémoire. Barbechat, Nantes, Paimboeuf*: 10.

Fig. 12: Hôtel de la La Villestreux, once owned by the enslaver de la Villestreux, Place de la Petite Hollande, île Feydeau, Nantes (photo: Ulrike Schmieder, 17.10.2019).

laume Grou, 1747–1752), Place de la Petite Hollande,[118] the gigantic Hôtel Deurbroucq (1769) ("*armateurs-négriers*" of Flemish background), Allée Glorieuse,[119] the Hôtel O'Riordan, 70 Quai de la Fosse (residence of the Irish enslaver O'Riordan), the Hôtel Durbé, built for the *armateurs* Durbé, and Collin 86, Quai de la Fosse,[120] are not explained on site. This is also true of the mansion of the Montaudoin and Dulac enslaver families[121] and that of the owner of enslaved people Réné Louis d'Aux, situated on the Place Maréchal Foch, to name but two of the various buildings in other quarters of Nantes. Many enslaver mansions remain in other parts of the town and its outskirts. The mansions La Balinière[122] and Le Grand Blottereau are today situated in the conurbation of Nantes, in

118 Breteau, et al., *Les Anneaux de la Mémoire. Barbechat, Nantes, Paimboeuf*: 9.

119 Breteau, et al., *Les Anneaux de la Mémoire. Barbechat, Nantes, Paimboeuf*: 11; Krystel Gualdé, "Marguerite Urbana Deurbroucq, née Sengstack, et son esclave", in *Femmes et négoce dans les ports européens. Fin du Moyen Age – XIX siècle*, ed. Bernard Michon and Nicole Dufournaud (Brussels: Peter Lang, 2018).

120 Breteau, et al., *Les Anneaux de la Mémoire. Barbechat, Nantes, Paimboeuf*: 12.

121 Breteau, et al., *Les Anneaux de la Mémoire. Barbechat, Nantes, Paimboeuf*: 6; Olivier Pétré-Grenouilleau, *Nantes au temps de la traite des Noirs*: 110–11.

122 La Balinière, today the seat of a music school, belonged to the merchant family of Bourgault-Ducoudray. The family was responsible for two deportation voyages, one in 1787 transporting 350 Afri-

Rezé and Doulon. In the eighteenth century, they were rural residences for recreational purposes.

Fig. 13: The mansion Le Grand Blottereau in Nantes-Doulon, built for the enslaver Gabriel Michel (photo: Ulrike Schmieder, 27.10.2019).

Le Grand Blottereau (Fig. 13) was built for Gabriel Michel (1702–1765), an ennobled enslaver who bought the Seigneurie Blottereau in 1741. Gabriel Michel was director of the Compagnie des Indes and a shareholder of the Compagnie de Guinée and Société d'Angola, with its seat in Paris and involved in the trade in African captives.[123] His ship *Le Père de Famille* travelled from Nantes to Senegal, then to Léogâne (Saint-Domingue), and back to Nantes. It deported 450 Africans, of whom 50 were killed during a revolt on board on April 8, 1743, or died during the Middle Passage. 400 enslaved

cans from the Gold Coast to Saint-Domingue, one in 1789, which was forcibly ended in Cayes. A plaque explaining the history of the mansion does not explain this historical context (Breteau, et al., *Les Anneaux de la Mémoire. Barbechat, Nantes, Paimboeuf*: 15).

123 Macé, François. "Grand Blotterau »; Nantes Patrimonia, 2018, https://patrimonia.nantes.fr/home/decouvrir/ themes-et-quartiers/grand-blottereau.html [accessed 28.03.2023]. Breteau, et al., *Les Anneaux de la Mémoire. Barbechat, Nantes, Paimboeuf*: 6; Bernard Michon, "La traite négrière nantaise au milieu du XVIIIe siècle (1748–1751)," *Cahiers des Anneaux de la Mémoire* 10 (2007): 50–53.

persons were sold in Léogâne.[124] Gabriel Michel also owned, with his brother François-Augustin Michel (1713–1778) and Jean-Baptiste Grou (1708–1756), the Société Grou & Michel, devoted to the enslavement of Africans. This company, later associated with Guillaume Grou (1698–1774), the older brother of Jean-Baptiste, deported 10,055 enslaved Africans to the Caribbean, of whom 1,533 died during the Middle Passage.[125] The building, from 1905 to 1917 the seat of the École coloniale (empty in 2019), is not recognizable as the tangible heritage of enslavement for passers-by; a plaque refers to the later use of the house as a home for orphans, victims of the Second World War and the Nazi dictatorship and occupation (1945–1961).

3.4 La Rochelle

The historical center of the town, resembling an open-air museum, would not exist without an economic boom in the eighteenth century, the result of the trade in enslaved Africans. The municipality produced the brochure *Mémoires rochelaises du commerce triangulaire*. It is out of print, but still accessible on the Internet. One can also buy a booklet about this past in tourist bookshops,[126] but passing by nobody would be aware that mansions like the Hôtel Garesché (Fig. 14) and the Hôtel Poupet (Fig. 15) on the Rue Réaumur (formerly Rue Porte-Neuve) belonged previously, as did six other houses in this street alone, to the so-called *armateurs-négriers*, owners of ships deporting enslaved Africans to the Antilles.

The Protestant merchant Daniel Garesché (1737–1811), married to Marie-Anne Sara Carayon, a descendant of the enslaver families of Carayon and Rasteau, was president of the Chamber of Commerce of La Rochelle in 1777 and mayor in 1791. He commissioned 35 voyages trafficking enslaved Africans to the Antilles and owned two of the biggest ships of this hideous commerce, each with a tonnage of more than 1,500 tons, the *Comte de Forcalquier* and the *Prévost de Langristin*. The *Comte de Forcalquier* crossed the Atlantic in 1785 with 779 African captives from Angola on board. Gabriel Garesché also organized the last deportation trip from La Rochelle in 1792 with the ship *Saint-Jacques*, destined for Saint-Domingue but captured by a British vessel before it reached the island.[127] Daniel Garesché's brother Jean owned a sugar plantation

124 Mettas and Daget, *Répertoire des expéditions négrières françaises au XVIIIe siècle*.

125 Didier Guyvarc'h, "Grou (Guillaume, Nantes, 1698–Nantes, 1774)," in *Dictionnaire de Nantes* (Rennes: Presses Universitaires de Rennes, 2013).

126 Martinetti, *La traite négrière á La Rochelle*: 43–44.

127 Jean-Michel Deveau, *La traite rochelaise*: 35; Augeron, Mickaël and Olivier Caudron. "La Rochelle, l'Aunis et la Saintonge face à la traite, à l'esclavage et à leurs abolitions": 23; Jullien Benoît and Alain Morgat, "Médiation et valorisation des patrimoines liés à l'esclavage. Chairs noires et pierres blanches, une année de manifestations en Charente-Maritime," *In Situ* 20 (2013): 2–3, 7, http://journals.openedition.org/insitu/10221 [accessed 28.03.2023].

Fig. 14: Hôtel Garesché, 18 Rue Réaumur, La Rochelle, once owned by the enslaver Daniel Garesché (photo: Ulrike Schmieder, 07.11.2019).

in Boucassin, L'Arcahaye, on Saint-Domingue. Their brother Pierre-Isaac founded a trading house in Port-au-Prince in 1763, co-owned by Jean. This business was directed from 1778 to 1783 by the fourth brother, Pierre.[128]

Michel Poupet (1745–1813) was a Catholic enslaver, president of the Chamber of Commerce of La Rochelle in 1786, and owner of a plantation in Saint-Domingue. Poupet lost a court case in 1770 in which "his" enslaved man Roc argued for and obtained his freedom on the grounds of the legal principle that "there are no slaves in France."[129] Poupet had to pay the wages of Roc due since his arrival in France. Roc, whose parents came from Guinea and had obtained their liberty on the île de Cayenne, was born a free man. He was captured by the captain of a Spanish ship who sold him in Louisiana. There he was resold to various enslavers over a period of eight years, and then finally to Poupet. The latter brought him to La Rochelle as his personal servant. In August 1808, Emperor Napoleon Bonaparte stayed in Poupet's sumptuous house, built in 1784–1785 with the profits from enslavement.[130] Napoleon's first wife, Joséphine de Beauharnais (Marie Josèphe Rose de Tascher de la Pagerie, 1763–1814), born in Trois-Îlets (Martini-

128 Fleuriau Cauna, *La Rochelle et l'esclavage. Trente-cinq ans de mémoire et d'histoire* (Paris: Les Indes savantes, 2017): 67.

129 Sue Peabody, *There Are No Slaves in France: The Political Culture of Race and Slavery in the Ancien Régime* (Oxford: Oxford University Press, 1996): 97–102.

130 Pierre-Paul-Nicolas Henrion Pansey, *Mémoire pour un nègre qui réclame sa liberté* (Paris: J.-T. Hérissant, 1770); Brice Martinetti, *Les Négociants de La Rochelle au XVIII siècle* (Rennes: Presses Universitaires de Rennes, 2013): XVI, 273, 351; Olivier Caudron, "Roc, Michel Poupet et le Mémoire pour un nègre qui réclame sa liberté (1770)," in *La Rochelle, l'Aunis et la Saintonge face à l'esclavage*, ed. Mickaël Augeron and Olivier Caudron (Paris: Les Indes Savantes, 2012): 207–14.

Fig. 15: Hôtel Poupet, 40 Rue de Réaumur, once owned by the enslaver Michel Poupet (Mémoires rochelaises 15), today the seat of the préfecture of the department of Charente-Maritime (photo: Ulrike Schmieder, 07.11.2019).

que), was the daughter of the owner of the sugar plantation La Pagerie from 1761 (Gaspard Joseph de Tascher de la Pagerie). This estate had 115 enslaved workers in 1815, according to the inventory compiled after Joséphine's death, who inherited the plantation together with 123 enslaved workers from her mother in 1807.[131] Joséphine's first marriage to Alexandre François Marie de Beauharnais (1760–1794) made her the daughter-in-law and sister-in-law of the planter and enslaver in Saint-Domingue François VII, marquis de La Ferté-Beauharnais (1714–1800), born in La Rochelle (his second wife was

131 Domaine de la Pagerie, information plaques in the former kitchen, the section of the museum devoted to the enslaved in La Pagerie. My thanks go to Valérie-Ann Edmond-Mariette (Co. Oliwon Listwa), who took the photographs on October 26, 2021, and director Manuella Yung-Hing for information during my own visit on May 24, 2022. The site was completely transformed in 2020 on the basis of the work of historians Dominique Rogers and Jessica Pierre-Louis (Université des Antilles): the information given has been proven by archival and archaeological evidence (Jessica Pierre-Louis, *Revisiter le Domaine de La Pagerie*, 12.01.2021, https://tanlistwa.com/2021/01/12/revisiter-le-domaine-de-la-pagerie/ [accessed 28.03.2023]; Dominique Rogers, "La Martinique face à son passé esclavagiste et servile: initiatives individuelles et silences institutionnels," in *Des Patrimoines transatlantiques en miroir. Mémoires du premier empire colonial français*, ed. Mickaël Augeron [La Crèche: Geste éditions, 2023, forthcoming]).

Josephine's older half-sister). The Beauharnais family owned the plantation of La Ravine in Sainte-Rose (Saint-Domingue) and 138 enslaved workers in 1785.[132] The house of Claude Beauharnais II, the uncle of Josephine's first husband, the Hôtel de Beauharnais, is still to be found in La Rochelle on 22 Rue Admyrauld.

Fig. 16: Statue of Toussaint Louverture by Ousmane Sow (2015) in the courtyard of the Hôtel Fleuriau. the mansion of the owner of enslaved workers Aimé-Benjamin Fleuriau, now Musée du Nouveau Monde (photo: Ulrike Schmieder, 07.11.2019).

The Musée du Nouveau Monde is in a former mansion of the enslaver Aimé-Benjamim Fleuriau (1709–1787), married to Marie-Anne-Suzanne Liège from the enslaver family of Bernon. He bought the house in 1772 with a fortune made in Saint-Domingue, where he resided from 1729 to 1755. A model of Aimé-Benjamim Fleuriau's sugar plantation (Bellevue, later habitation Fleuriau, in Cul-de-Sac) is exhibited in the museum. He acquired it in 1743 with the inheritance he received from his uncle Paul, a plantation owner in

132 Érick Noël, *Les Beauharnais: une fortune antillaise, 1756–1796* (Geneva: Droz, 2003): 12–13, 65–66, 352, 382, 387–89.

Saint-Domingue. Aimé-Benjamin Fleuriau exploited 300 enslaved laborers there. At his death, he was worth four million livres.[133]

Some information about La Rochelle's connections to the Caribbean and its role in the traffic of African captives has been provided in this museum since the 1980s. A far-reaching renovation in 2009 under Mayor Maxime Bono and the curator Annick Notter resulted in various rooms being devoted to the history of enslavement and exploitation of Africans by merchants and landowners from La Rochelle and to the history of the first and second abolitions of slavery.[134] There is also some information about the resistance of the enslaved aboard deportation ships and the context of the Haitian Revolution. What is missing, as in all museums in French port towns, is a reference to post-slavery colonial forced labor and the indemnification of enslavers, as well as the exhibiting of sources reflecting the perspectives of the enslaved themselves.[135] In 2015, a monument to Toussaint Louverture made by the Senegalese sculptor Ousmane Sow (Fig. 16) was inaugurated in the museum's courtyard. Sites of memory for Toussaint Louverture have become very common in France, with monuments and squares also present in Bordeaux, Nantes, and Paris. This is a very one-sided focus on a man who was also a French general and can be appropriated as a hero of the French Revolution: other formerly enslaved leaders, from Biassou, Jean-François, and Belair (these three once-enslaved warriors are at least mentioned as freedom fighters at the Abolition Memorial in Nantes) to Jean-Jacques Dessalines, who is honored in Haiti as the father of the nation because of his leadership in the victorious war of independence,[136] appear less acceptable as personalities to commemorate because of their fierce war against French whites, who were killed or forced to leave Saint-Domingue-Haiti.

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133 Information given in the museum on a digital display under the heading: "Sur les traces de Aimé-Benjamim Fleuriau . . . . . de La Rochelle à Saint-Domingue" (Annick Notter, *Guide de visite* (La Rochelle: Musée de Nouveau Monde, 2016): 4–6, 21.

134 Mickaël Augeron, "La mémoire de la traite des Noirs, de l'esclavage et de leurs abolitions á La Rochelle": 74–76; Interview with Maxime Bono, former mayor of La Rochelle, 13.11.2019, La Rochelle; Interview with Annick Notter, former director of the *Musée du Nouveau Monde*, responsable for the enlargement of the displays about slavery, 06.11.2019, La Rochelle. There is a debate about whether the museums had a display case about slavery as early as 1982 on its inauguration or only at some point in the 1980s (a question relevant for those who emphasize the precursor role of La Rochelle in the critical remembrance of slavery). After having seen the documentation in the municipal archive, the latter seems more likely to me. For details, see Ulrike Schmieder, "Lieux de mémoire et lieux d'oubli de la traite et l'esclavage: une comparaison entre les villes portuaires espagnoles et françaises," in *Des patrimoines transatlantiques en miroir. Mémoires du premier empire colonial français*, ed. Mickaël Augeron (La Crèche: Geste éditions, 2023, forthcoming).

135 Documented November 14, 2019.

136 Conversation with Pierre Buteau, historian and former minister of education in Haiti, 15.11.2019, La Rochelle. The life and work of Dessalines were presented at a temporary exhibition in Nantes (Mémoires libérées 2016), in Port-au-Prince in 2017 and in Yaoundé in 2018. The exhibition was the result of collaboration between historians and artists from Senegal, Cameroun, Haiti, Bermuda, Antigua, and Louisiana, organized with EU funding by the memorial association Les Anneaux de la Mémoire.

There is controversy about the memorial site: not about the statue as such, but its location. Whereas the artist, Mayor Jean-François Fountaine, and the museum's staff point to the powerful statement that the presence of the formerly enslaved warrior in the house of the enslaver implies, the local memorial organization *Memoria* wishes to place the monument in a more visible place in the city center, near the old port.[137] The origin of this demand lies in the location of existing sites of memory in the public space: a plaque dedicated to the remembrance of the triangular trade, installed in 2008, and another honoring Toussaint Louverture inaugurated in 2012.[138] They are not situated in the tourist heart of La Rochelle, but further away on the sea front. They are difficult to find, especially the small and inconspicuous plaque for Toussaint Louverture, fixed on a wall at waist height. Neither plaque refers to the role of La Rochelle in the deportation of African captives to the Americas.

To a certain degree the town has responded to the demand for more visibility of the past of enslavement and to the long conflict about street names by fixing in May 2021 seven plaques on streets named after enslavers, ships in the Middle Passage, descendants of the enslavers, and a reluctant abolitionist.[139] This certainly represents some progress with respect to a visible and decolonial critical remembrance of the town's connections to enslavement, but some explanations on the plaques and the related website show an overly narrow focus on the eighteenth-century trade in African captives and the ownership of plantations and enslaved workers in Saint-Domingue. There is little recognition of the fact that nineteenth-century careers in politics, trade and business, science, and welfare in the port towns were based on the fortunes acquired by enslaver ancestors. In contrast to Great Britain, it is overlooked that trade in sugar, coffee, and cotton in the nineteenth century was still based on the labor of the enslaved in the French Antilles, Cuba, Brazil, and the United States. It may be that the aforementioned database about the indemnifications of enslavers in 1825 and 1849, in which of course the names of members of Rochelais merchant families (Rasteau, Admyrauld, Belin) also appear, will encourage people to look more closely at later enrichment from Atlantic slavery.

137 Mickaël Augeron, "La mémoire de la traite des Noirs, de l'esclavage et de leurs abolitions á La Rochelle": 93; Interview with Annick Notter, 06.11.2019, La Rochelle; Interview with Mélanie Moreau, director of the *Musée du Nouveau Monde*, 12.11.2019, La Rochelle.

138 Martinetti, *La traite négrière á La Rochelle*: 49–50.

139 L'histoire négrière au coin de la rue, 21.04.2021, https://www.larochelle.fr/actualites/les-actualites/memoire-esclavage/lhistoire-negriere-au-coin-de-la-rue [accessed 28.03.2023].

3.5 Barcelona

As shown above, a decolonial remembrance of enslavement does exist in France and the UK, but has its limits in the interests of the current owners of former residences of enslavers, whose buildings are not marked as the heritage of enslavement in public space. In contrast, the deliberate forgetting of the slave past in most Spanish towns is almost total, with the exception, to a certain degree, of Barcelona. The existing memorial trails there concerning slavery and abolition or *indianos* (poor Spaniards who migrated to Spanish America, particularly Cuba, and came back as wealthy proprietors, their fortune gained often, though not always, from the trade in African captives or other slavery-based economic activities) indicate a very limited sample of former enslaver residences. They concern those connected to Antonio López y López, marqués de Comillas,[140] a trafficker of human beings, speculator, and owner of plantations and enslaved workers, and his residence, the *Palau Moya* on the main street (Rambla) and Hotel 1898 at no. 109 Rambla, the one-time seat of his companies Compañía Trasatlántica and Compañía de Tabacos de Filipinas. These trails pass the residence of the enslavers and bankers Manuel and Aleix Vidal-Quadras from Sitges,[141] amd a gigantic palace with representations of the conquest of the Americas and sugar production built for a merchant who had traded enslaved Africans, sugar, and leather, José Xifré I Casas (1777–1856), who resettled to Barcelona in 1830,[142] 14 Passeig Isabel II, and the *Palau Marc* of Tomás Ribalta (Fig. 17 a and b).[143]

Tomás Ribalta (1812–1887, resettled to Barcelona in 1869) was the owner of the sugar plantations Santa Teresa, Santo Tomás, and Santa Marta in Sagua La Grande, central Cuba, where several hundred enslaved workers were exploited. His nephew Pablo Freixas Ribalta directed a *factoría* on the island of Corisco in the Gulf of Guinea, from where African captives were sold. At his death Tomás Ribalta owned a fortune

140 Rodrigo, *Un hombre, mil negocios*: 63–90, 93–102.

141 Lluís Castañeda Peirón and Martín Rodrigo y Alharilla, "Los Vidal Quadras: familia y negocios, 1833–1871," *Barcelona, Quaderns d'història* 11 (2004): 115–44.

142 "Rodrigo, Barcelona, capital del retorn.": 84, 87–88; Carme Granda Sagarra, "Els indians i la contrucció de la ciutat," in *Les bases colonials de Barcelona, 1765–1968*, ed. Martín Rodrigo y Alharilla (Barcelona: MUHBA, 2012): 93–94.

143 Xifre's and Ribalta's residences are mentioned in the flyer Ralat Guzmán, Berenguer and Laviña. *Barcelona, Llegats de l'esclavatge i l'abolicionisme*. The Palau Moja and the Hotel 1898 have been mentioned during the guided tour organized since 2016 by the Asociació Coneixer Història, on which I was taken by Javier Laviña y Omar Guzmán on March 20, 2017, and can be followed up on the webpage: UN PASEO POR LA MEMORIA. The palace and the Hotel 1898, as well as the palaces of José Xifré and the Vidal Quadras brothers, are mentioned in the flyer by Arreaza and Bau (Arreaza and Bau, *Indians/BCN*). This flyer mentions Joan Güell i Ferrer as an industrialist and his house on the Rambla, but does not connect him with the business of slavery. In the description of the tour "Barcelona y América," Josep Xifré, the brothers Vidal-Quadras, and Antonio López are mentioned as members of the economic elite who plundered the ultramarine possessions.

a)

b)

Fig. 17a and b: Palau Marc with relief, the former residence of the owner of plantations and enslaved Africans Tomás Ribalta at 8 La Rambla, today the seat of the Departamento cultural de la Generalitat (photos: Ulrike Schmieder, 04.02.2020).

of approximately 14.6 million pesetas.[144] On the palace's portal, a relief shows the ship *Rosalia*, bundles of sugar cane, sugar plants, and the wheel of a sugar mill driven by steam power.[145] Ribalta was proud of the colonial/slavery-based origin of his wealth and did not feel the need to hide it.

A particular problem is how the town manages the fact that the works of Antoní Gaudí were partially financed by profiteers in Cuba's slavery economy. This refers to works for Joan Güell i Ferrer and his son Eusebí Güell i Bacigalupi in Barcelona: the Parc Güell, the Palau Güell, the crypt in Colonia Güell,[146] and Finca

144 Tate Cabré, "Rutes indianes per la Barcelona actual," in *Les bases colonials de Barcelona, 1765–1968*, ed. Martín Rodrigo y Alharilla (Barcelona: MUHBA, 2012): 108; Rodrigo, *Indians a Catalunya*: 146–67; "Rodrigo, Barcelona, capital del retorn": 84.

145 Documented February 4, 2020.

146 The crypt of the unfinished church (1895–1914) belonged to a textile factory with the workers' colony of Eusebí Güell (Colònia Güell), a project of social reform between welfare and control intended to bind laborers to the factory and its patriarch, impeding the founding of independent trade unions (Raquel Lacuesta Contreras and Xavier González Toran, *Eusebi Güell y Bacigalupi, patrici de la Renaixença. En el centenari de la seva mort (1918–2018)* (Barcelona: Palau Güell, 2018): 35, 66–67).

Güell,[147] the first three of which have been classified as world heritage sites[148] and are major tourist attractions.

That Joan Güell i Ferrer participated directly in the trade in enslaved Africans is not proven, but there is no doubt that he profited from slavery-based economic activities as an important merchant in Havana and the owner of enslaved persons in Cuba, where he acquired a fortune between 1818 and 1835. In addition, he was a staunch defender of slavery and colonial rule in Cuba through his activities in the Círculo Hispano-Ultramarino (he was the first president of that institution), in the Liga Nacional,[149] and as the author of a booklet defending slavery.[150] His son Eusebí Güell i Bacigalupi (1846–1918) married the daughter of Antonio López, Isabel López Bru, in 1871, five years before slavery was abolished in Cuba. He profited from her dowry of 250,000 pesos. Isabel López Bru signed in 1873 a manifesto against the abolition of slavery, as did her mother-in-law and 238 enslavers' widows, wives, and daughters in Barcelona,[151] who knew very well where the money for their luxurious mansions, furniture, robes, and jewels came from.

Eusebí Güell was the business partner of his father-in-law in various enterprises of the Comillas holding, which had its origin in Antonio López's business of enslavement of Africans, their deportation to Cuba where they were sold at a profit, and his speculation in plantations. The steam-shipping company Antonio López y Compañía acquired profits through the privileged transporting of mail to the Antilles and of soldiers to Cuba to combat Cubans who had abolished slavery in 1869 in their fight for independence. The Banco Hispano-Colonial, set up and presided over by Antonio

147 Documented March 22, 2017. The pavilions and gardens of the Finca Güell (1883–1887) were among the early works of Antoní Gaudi for Eusebí Güell, who inherited the land from his father. The Finca became famous because of its "dragon gate," named after a figure in the poem Atlántida (1877) by Jacinto Verdaguer (1845–1902). This was dedicated by the priest to Antonio López, whom he heroized. The cleric worked for López on the ships of the Compañía Trasatlántica on the Cadiz-Havana route from 1874 and became the personal chaplain of the López-Brú family (Cabré "Rutes indianes per la Barcelona actual": 113; Martín Rodrigo y Alharilla, "Memories in Dispute. Statues in Honour of Enslavers and Conquerors in Barcelona," *Comparativ. Zeitschrift für Globalgeschichte und vergleichende Gesellschaftsforschung* 31, no. 3–4 (2021): 377.

148 Works of Antoni Gaudí in UNESCO, World Heritage List (http://whc.unesco.org/en/list/320 [accessed 28.03.2023]), 07.05.2021: "Seven properties built by the architect Antoni Gaudí (1852–1926) in or near Barcelona testify to Gaudí's exceptional creative contribution to the development of architecture and building technology in the late 19th and early 20th centuries. These monuments represent an eclectic, as well as a very personal, style which was given free rein in the design of gardens, sculpture and all decorative arts, as well as architecture. The seven buildings are: Parque Güell; Palacio Güell; Casa Mila; Casa Vicens; Gaudí's work on the Nativity façade and Crypt of La Sagrada Familia; Casa Batlló; Crypt in Colonia Güell."

149 Rodrigo, *Un hombre, mil negocios*; Rodrigo, *Los marqueses de Comillas*: 72–74; Lacuesta and González, *Eusebi Güell y Bacigalupi, patrici de la Renaixença*: 11, 89.

150 Juan Güell i Ferrer, *La rebelión cubana* (Barcelona: Ramírez, 1871).

151 Rodrigo, *Un hombre, mil negocios*: 187, 195–96, 236–37.

López, benefitted highly from a high-interest loan to the Spanish state to finance the Ten Years' War against Cuba.[152] Eusebí Güell was the director and/or shareholder of 15 businesses belonging to his father-in-law. He was a member of the board of directors of Banco Hispano Colonial, Crédito Mercantil, Compañía General del Tabaco de Filipinas, Compañía Trasatlántica (the successor of A. López y Cía, a profitable steamship enterprise in the form of a joint-stock company), the railway company Norte, the insurance company La Previsión, and the Sociedad Hullera Española, engaged in coal mining.[153] Apart from these economic relations, the family bonds between Eusebí Güell and his father-in-law strengthened after the death of his father Joan Güell (1872). The Palau Güell, built for Eusebí Güell and Isabel López Bru, is situated very close to the Palau Moja, the residence of Antonio López where the marriage was celebrated. The couple also spent their summer holidays in Comillas, where Antonio López and his brother had their summer residences. There, Eusebí Güell received King Alfonso XII when the monarch spent his second vacation in Comillas in 1882 and stayed in Antonio López's Casa de Ocejo.[154]

Antoni Gaudí designed the Palau Güell on Nou de Rambla (Fig. 18), connected with the architecturally traditional town house of Joan Güell i Ferrer on the Rambla for his son Eusebí Güell i Bacigalupi between 1886 and 1890. Visiting the palace, one is given information almost exclusively about Gaudí's modernist architecture and interior decorations. A short documentary presents the family, including the father-in-law Antonio López y López and his businesses, but nothing about his past as an enslaver.[155] The bookshop has a book referring to a past exhibition "Eusebí Güell i Bacigalupi, patrixi de la Renaixença," organized on the occasion of the centenary of his death in 2018. It mentions that Joan Güell i Ferrer came back from Cuba in 1835 with a fortune. One sentence explains that the father of Eusebí Güell's wife, Antonio López, made his fortune from the "sale of farm holdings" and as "slave trader" in Cuba.[156]

The Park Güell (Fig. 19), the last work Gaudí produced for Eusebí Güell i Bacigalupi, was originally planned as a residential park. Construction work began in 1900. As a building project, it failed and became a private park, in which Gaudí himself lived from 1906 in one of the two houses built there. After Eusebí Güell's death, the municipality bought the land in 1922 and opened a public park in 1926. Gaudí created a fantastic world of fairy tales which became one of the most important tourist attractions of Barcelona. The official website and the private Gaudí House Museum, managed by the Fundación

152 Rodrigo, *Los marqueses de Comillas, 1817–1925*: 30–50; Rodrigo, *Un hombre, mil negocios*: 131–66, 172–73, 209–33.

153 Lacuesta and González, *Eusebi Güell y Bacigalupi, patrici de la Renaixença*: 32, 94; Rodrigo, *Los marqueses de Comillas, 1817–1925*: 140; Rodrigo, *Un hombre, mil negocios*: 304, 377.

154 Rodrigo, *Un hombre, mil negocios*: 288–95, 380.

155 Documented on February 4, 2020.

156 Lacuesta and González, *Eusebi Güell y Bacigalupi, patrici de la Renaixença*: 11, 16, 89, 90.

Fig. 18: Palau Güell, Nou de Rambla, designed by Antoní Gaudí and built for Eusebí Güell i Bacigalupi, son of the indiano Joan Güell i Ferrer, enriched in Cuba; son-in-law and business partner of the enslaver Antonio López y López (photo: Ulrike Schmieder, 03.11.2021).

Junta Constructora del Temple Expiatori de la Sagrada Família, makes no mention of the colonial origins of Eusebí Güell's fortune as a patron and financier.[157]

Barcelona's politics of memory follows a double standard with regards to the heritage of Antonio López and the Güells, from 1871 one family. The statue of the foreigner from Cantabria, Antonio López, was removed, but Joan Güell's statue remains untouched and unexplained. Eusebí Güell i Bagacilupi is still seen as the admirable promoter of modernist architecture and Catalan arts.[158] Of course, the double standard is also criticized by committed scholars and in the press.[159] This duality can be explained by the interests of

157 "Park Güell," https://parkguell.barcelona/en/park-guell/over-hundred-years-history [accessed 28.03.2023].

158 Lacuesta and González, *Eusebi Güell y Bacigalupi, patrici de la Renaixença*: 45–53.

159 Rodrigo, "Memories in dispute": 370–71; Sílvia Marimon Molas, "L'espai públic de Catalunya encara mostra l'empremta de l'esclavisme. Estàtues, edificis, noms de carrers. i elements de la cultura popular reflecteixen un passat esclavista de molts segles i colors de pell," *Ara*, 14.06.2020, https://www.

Fig. 19: Parc Güell, commissioned from Antoní Gaudí by Eusebí Güell i Bacigalupi in 1895, opened after Güell's death (photo: Alessandra Guhr, 30.08.2014, published with her consent).

the persons and institutions involved in tourism (including the municipality) and Catalan nationalism. This might also explain a comment by the Regidor de Memòria Democràtica of the left municipal government, Jordi Rabassa, who said that a critical account of the works of Gaudí financed by Antonio López and the Güells would not be necessary: "The works of Gaudí, to take this example, although they may have been financed as you say, in all truth do not praise colonialism [. . .]."[160] If this were the general criterion, most

ara.cat/cultura/passat-esclavista-barcelona-antonio-lopez-comillas-guell-catalunya_1_1120520.html [accessed 28.03.2023]; Interview with Javier Laviña, historian, expert in Caribbean history, *Universitat de Barcelona*, 11.02.2020, Barcelona; Interview with Josep Fradera, historian, expert in Spanish colonialism, *Universitat Pompeu Fabra*, 06.02.2020, Barcelona.

160 Interview with Jordi Rabassa and Angela Llorens, Regidoria da Memòria Democrática, 13.02.2020, Barcelona.

urban trails following the traces of enslavement would not exist. The decolonization of public space includes recalling that European wealth, expressed in sumptuous architecture, was partially acquired on the backs of enslaved Africans, whether this is revealed in the ornaments of these buildings or not. Catalan nationalism defines the Catalans as eternal victims of the Spanish state, considered as the sole entity responsible for colonialism, and it ignores or downplays the role of Catalans as colonizers and enslavers,[161] a discourse which excludes a critical examination of the city's dissonant heritage of enslavement.

This narrative about victimhood dominates the Museu d'Història de Catalunya,[162] whereas the Museu Marítim expresses pride in Catalan exploits as settlers and merchants in the Americas. In general, what the city's museums tell about enslavement is incomplete, inaccurate, racist, and not in the least decolonized. Enslaved Africans are mentioned as merchandise, visualized with chains (in both museums): the Maritime Museum uses a nineteenth-century abolitionist icon of an enslaved, kneeling, and suppliant man on a world map visualizing commercial routes and shows shadows of the captives in a dark compartment, suggesting a deportation ship. The enslaved are presented as anonymous "cargo," not as human beings with a name and life story.[163] The corresponding audio tells the history of slavery as a secret to be revealed (in the style of "dark tourism," like haunted castles or museums of "medieval torture"). It repeats the lie often heard in Spain that "in Europe almost everyone accepted, encouraged and defended slavery,"[164] even though Barcelona profited from the commerce and exploitation of African captives in the nineteenth century until the end of trafficking (1873) and the late abolition in Cuba (1886), while most European colonial powers and American states had abolished the traffic of African captives and slavery decades before. The museum is completely silent about individual enslavers, abolitionists, and enslaved persons. It does not link its explanations about the industrialization of Catalonia with capital transfer from enslavement. If the museums had consulted local Afro-Spanish as-

161 Gustau Nérin, "La cómoda memoria colonial española. El Imperio de ayer y la España de hoy, Monumentos coloniales, migración y memoria en la Barcelona (post)colonial," *Rivista dell'Istituto di Storia dell'Europa mediterránea* 7, no. 2 (2020).

162 Schmieder, "Lugares de memoria": 58.

163 Documented March 21, 2017, January 30, 2020 (Museum of the History of Catalonia), February 3, 2020, and November 4 and 5, 2021 (Maritime Museum). A renovation of the Museum of the History of Catalonia in 2022 (documented November 17, 2022) did not lead to a decolonization of its discourse or visualizations. There was, in fact, less information about enslavement and the investment of colonial profits in Catalan industrialization than before.

164 Interview with Enric Garcia i Domingo, Director of Collections and Research of the Maritime Museum (since May 2021 director of the museum), 11.2.2020, Barcelona; Interviews with Martín Rodrigo y Alharilla, historian, Universitat Pompeu Fabra, director of the research network Memoria y lugares de memoria de la esclavitud y el comercio de esclavos en la España contemporánea, 20.02.2020, 05.11.2021, Barcelona. Quoted from the audio "Slaves" recorded on 5.11.2021. A mysterious whispering voice says: "There is a type of cargo that nobody speaks about, that is spoken about in secret, a tremendous silence that still lives on: human traffic, the large exploitation of slaves, it was a very profitable business and one of the darkest moments in Western history [. . .]."

sociations or multi-ethnic anti-racist NGOs, their representatives would have told the museum staff that what they present are very old racist visual and textual narratives, which should be an absolute no-go area at the beginning of the century. A more comprehensive exhibition about the entanglements of Barcelona with enslavement in the Atlantic space in the Maritime Museum has been planned for years. The last time it was announced was in November 2021 for spring 2023.[165]

The political right in the city and the descendants of the (still influential) Güell-López family also campaigned against the removal of the statue of Antonio López, often without revealing their family origin, presenting themselves as the defenders of public art.[166] In June 2021, they suffered a new defeat as the city council finally decided to rename a part of the Plaça Antoni López as Plaça Idrissa Diallo after a refugee from Guinea who died in a Centre d'Internament d'Estrangers in 2012: the other part has been given the neutral name of Plaça de Correus.[167] As the town had rejected this renaming in 2020, which had been proposed by anti-racist activists for years, the decision is obviously a response to the Black Lives Matter movement, which was very active in Barcelona.[168] Thus, the gradual removal of sites dedicated to the memory of Antonio López continues, although the places where Joan and Eusebí Güell are honored remain untouched.

Besides known controversial sites in Barcelona connected with enslavers directly participating in the trade or exploitation of enslaved Africans, Martin Rodrigo has recently identified the residences, seats of companies, or town houses that were in the hands of other, in most cases Catalan, enslavers.[169] This shows once again that the focus

165 Interview with Martín Rodrigo y Alharilla, 20.02.2020, 05.11.2021, Barcelona. In an interview with Enric García, director of collections and research, a big exhibition with many artefacts borrowed from international museums was announced, but in November it became clear that there will be a very small space for the displays.

166 Rodrigo, *Un hombre, mil negocios*: 9–29; Akiko Tsuchiya, "Monuments and Public Memory," *Nineteenth-Century Contexts* 41, no. 5 (2019); Regidoria de Memòria Democràtica, Memòria Collectiva, *Mnemosina* 2018 (91) and 2020 (194–198), https://ajuntament.barcelona.cat/memoriademocratica/ca/recursos/ [accessed 28.03.2023].

167 La ponència del nomenclator 2021.

168 Regidoria de Memòria Democràtica, Memòria Collectiva, *Mnemosina* 2020 (194–198), https://ajuntament.barcelona.cat/memoriademocratica/ca/recursos/ [accessed 28.03.2023].

169 Pere Gil Babot, Isidro Inglada Marqués, Jaime Tintó Miralles, Agustín Irizar Declouet, José Canela Raventós, Manuel Flacquer Lluch, Cristóbal Roig i Vidal, José Mataró Doménech, Juan Roig Jacas, Jaime Torrents Serramalera, Esteban Gatell Roig, José Carbó Cantó, the Biada and Collaso Gil families, Manuela Xiqués de Llopart, "daughter, wife, sister and sister-in-law of slave traders," one of the most important landowners in the historic center and the Eixample quarter (Martín Rodrigo y Alharilla. "Material Vestiges of Colonial Slavery: Palaces and Residences of Slave Traders and Slave Owners in Barcelona," *International workshop Cultural Heritage and Slavery. Perspectives from Europe*, Bonn 1.7.2021, quotation), Martín Rodrigo y Alharilla, "Comerciante con esclavos africanos desde Barcelona, Jaime Tintó Miralles (1770–1839)," *Hispania* 81, no. 267 (2021): 78–100. Rodrigo y Alharilla. "Introducción." The same and additionally: José Martorell Alsina, Pedro Nicolás Chopitea, Mariano Serra Soler, Onofre Biada Balanzó, Jaime Badia Padrines, Pedro Mas Roig, 'el Pigat,' Pedro Sotolongo Alcántara, Antonio and Claudio López. Martín Rodrigo y Alharilla, Vestigios materiales de la esclavitud colonial:

on Antonio López, an outsider, hides Catalan involvement in the businesses surrounding slavery. The research on the traces of these enslavers in the cityscape aims to result in a comprehensive guide to the architectural heritage left by enslavers, built, bought, or restored with capital from enslavement transferred to the Catalan capital.

Finally, it should be mentioned that there is also a conflict about the gigantic memorial to Christopher Columbus,[170] which represents Spanish American colonialism in a broader sense, the annihilation and exploitation of native populations included. This might be more unpleasant to many citizens of Latin American origin in Barcelona than the statues of López and Güell.

3.6 Cadiz

The trade in enslaved Africans within the asiento system in the hands of a local company (Compañía Gaditana de Negros between 1765 and 1779), the leading role of Cadiz and its merchants and seamen in the "legal" and "illegal" period of the commerce with African captives (1789–1819 and 1820–1873, respectively),[171] and as a site attracting profits from enslavement[172] have seldom appeared in the media.[173] However, through the presentation of academic studies about the role of Cadiz in human trafficking from Africa, local and American enslavement, and the most important enslaver in the late illegal commerce with African captives (Pedro Martínez), some information was given on local media.[174] The topic is not mentioned anywhere in public space or in the museums Museo de Cádiz, Museo de Historia Municipal/ Museo de las Cortes, Centro Cultural El Doce, and Torre Tavira. This does not mean that the town has forgotten its commercial relations with the Americas in the eighteenth century. The Casa de Contratación, the institution which gov-

palacios, residencias y despachos de los comerciantes de esclavos en Barcelona," in *Del Olvido a la memoria. La esclavitud en la España contemporánea*, ed. Martín Rodrigo y Alharilla (Barcelona: Icaria, 2022): 63–95.

170 Rodrigo, "Memories in Dispute": 363–70, 373.

171 Bibiano Torres Ramírez, *La Compañía Gaditana de Negros* (Sevilla: CSIC, 1973); Enrique Sosa Rodríguez, *Negreros catalanes y gaditanos en la trata cubana, 1827–1833* (Havana: Fund. Fernando Ortiz. 1997); Lizbeth Chaviano, "Cádiz, capital de la trata negrera," in: Cózar and Rodrigo,*Cádiz y el tráfico de esclavos* (Madrid: Silex, 2018).

172 Cayuela and Bahamonde, "Trasvase de capitales antillanos y estrategias inversoras": 135.

173 Zona Historia, "Historia de una calle. Manuel Rancés *ONDA CÁDIZ TV,*" 15.03.2021, https://www.youtube.com/watch?v=7abKl-WrEKI&t=2s [accessed 28.03.2023].

174 José Antonio López, "Cuando Cádiz fue puerto esclavista. La Academia Hispano Americana presenta hoy en el Casino Gaditano el libro 'Cádiz y el tráfico de esclavos. De la legalidad a la clandestinidad', de Carmen Cózar y Martín Rodrigo," *Diario de Cádiz*, 15.11.2018, https://www.diariodecadiz.es/ocio/Cadiz-esclavos-carmen-cozar_0_1300370557.html [accessed 28.03.2023]; "La Real Academia Hispano Americana presenta el libro 'La Orca del Atlántico' de la profesora Mª Carmen Cózar," Universidad de Cádiz, 27.05.2021, https://www.uca.es/noticia/la-real-academia-hispano-americana-presenta-el-libro-la-orca-del-atlantico-de-la-profesora-ma-carmen-cozar/ [accessed 28.03.2023].

erned trade with the American colonies and controlled the Spanish monopoly, was located in Cadiz from 1717 to 1790. The tricentenary of the transfer of the monopoly with America to Cadiz in 2017 was celebrated with great pomp, but without a hint of decolonial thinking. It is simply that these colonial connections are not related to enslavement and colonial forced labor in the town's memory. They are presented in museums, plaques on street walls, and the touristic Ruta de los Cargadores a Indias, the route of monopoly traders with America, as a glorious, golden age past of commerce and acquisition of geographical and nautical knowledge that enabled, amongst other monuments of architectural heritage, the building of the gigantic Catedral de las Ámericas.[175]

The town possesses two large monuments, one recalling the liberal constitution of 1812 discussed by the liberal Cortes that met in the town. The bicentenary of the promulgation of that constitution was celebrated in 2012 with many events presenting the constitutional monarchy as the liberation of the Spaniards of "both hemispheres," meaning Europe and Spanish America. This ignores the fact that the subsequent wars of independence showed that Spanish-American citizens obviously did not feel freed. The fact that this "liberal" constitution did not end slavery nor the deportation of Africans to the Americas, and gave in paragraph 22 free men of African origin citizenship only in exceptional cases, was not debated.[176] The liberals of 1812 who proposed the abolition of the trade in enslaved Africans and the gradual abolition of slavery are forgotten, such as Isidoro de Antillón, who spoke out in favor of abolition as early as 1802 and died of wounds inflicted by a counter-revolutionary mob on the streets of Cadiz in 1813, or José Miguel Guridi Alcocer, who made an abolitionist proposal in the Cortes.[177] No street name or plaque pays homage to them. There are two statues for later abolitionists in town, Segismundo Moret, author of the free womb law in Cuba in 1870, and Emilio Castelar, as Ministro de Estado responsible for the abolition of

175 All the museums and sites mentioned were visited between September 10 and 23, 2018. According to Fernando Osuna García, historian (interview in the Fundación Municipal de Cultura of the town, 18.09.2019, Cadiz), eighteenth-century slavery was thematized only once in the exhibition for young people called Las Murallas de Cádiz y el Comercio. 1717–2017, Casa de Iberoamérica, 2017. It was not mentioned in the large exhibition Cuando el mundo giró en torno a Cádiz. Trescientos años del traslado de la Casa de la Contratación, at the seat of the Diputación Provincial, 12.05.–10.09.2017.

176 Interview with Mabell Caballero Hernández, public relations and project manager, Casa de Iberoamérica, 19.09.2018, Cadiz. For a photo gallery about the official celebrations, see La Pepa celebra 2012. The speeches about the cortes of Cádiz and the constitution of 1812 (nicknamed "La Pepa") can still be consulted in the Centro Cultural El Doce, which has remained as a site of memory in the town and does not deal with debates about enslavement. The constitution can be found here: https://www.congreso.es/docu/constituciones/1812/ce1812_cd.pdf [accessed 28.03.2023].

177 Enriqueta Vila Vilar, "Las Cortes de Cadiz y el problema de la esclavitud," in: Cózar and Rodrigo-*Cádiz y el tráfico de esclavos* (Madrid: Silex, 2018); Emily Berquist Soule, "Early Spanish Antislavery and the Abolition of the Slave Trade to Spanish America," in *From the Galleons to the Highlands. Slave Trade Routes in the Spanish Americas*, ed. Alex Borucki, David Eltis and David Wheat (Albuquerque: University of New Mexico Press, 2020); Miguel Sarríés Griñó, *Aniversario de la Abolición de la esclavitud en España el 7 de octubre de 1886* (Barcelona: A.bis, 2006): 167.

slavery in Puerto Rico in 1873.[178] However, the men are honored as liberal/republican politicians, not for their commitment to the fight against slavery. The other massive monument in the city honors Claudio López Brú, the second marqués de Comillas (Fig. 20).

Fig. 20: Gigantic and intact: the memorial for Claudio López Bru, the second marqués de Comillas, heir of the enslaver Antonio López and a colonial entrepreneur in the Spanish colonies in Africa (photo: Ulrike Schmieder, 24.09.2018).

He was a benefactor of the town and the Church, using the slavery money of his father Antonio López, mentioned in the section about Barcelona. Claudio López Bru (1853–1925) directed the Cadiz branch of a steam ship company and co-directed his father's businesses after the death of his older brother. He implemented his father's

178 Schmieder, *Nach der Sklaverei*: 212–13; Christopher Schmidt-Nowara, *Empire and Antislavery. Spain, Cuba, and Puerto Rico 1833–1874* (Pittsburgh, PA: University of Pittsburgh Press, 1999): 126–60.

plan to establish a shipbuilding factory in Matagorda near Cadiz. Claudio López inherited the nobility title together with part of an immense slavery-based fortune: a commercial company worth more than 14 million pesetas, urban estates in Barcelona, Madrid, Santander, Comillas, Cadiz, Jerez, and Lebrija worth four million pesetas, and 22,000 hectares of land.[179] He became president of the Banco Hispano-Colonial, the bank Crédito Mercantil, the Compañia Trasatlántica, and the Compañía General de Tabacos de Filipinas. Bru bought mining companies in the Asturias and had business interests in the Spanish colonies of Tanger, Morocco, and Melilla in North Africa. Under his direction, the steamships of the Compañia Trasatlántica went from Cadiz to Havana, San Juan in Puerto Rico, and Manila via Barcelona, from 1887 onwards to New York, Vera-Cruz, Buenos Aires and Spanish-Guinea, lines supported by the state. In Morocco, various companies of the Comillas holding participated in the foundation of the mining company Sociedad Española de Minas del Rif. In Equatorial Guinea, on the island of Biokó, the Compañía Trasatlántica owned enslaved Africans on cacao plantations. Bru followed his father in exploiting colonized and enslaved populations, and like him he did everything he could to prevent the impending loss of Cuba.[180] Among his Spanish laborers, Bru did charitable work in order to prevent them from becoming socialists or anarchists, but only if they followed Catholic moral rules, meaning they were strictly controlled. Bru also promoted a special Catholic social policy towards the new working class beyond his own factories; he promoted the monarchist and clerical right and paramilitary armed forces against worker strikes and rebellions. He founded and financed the Universidad Pontificia de Comillas. The Catholic Church even considered canonizing him.[181] On his memorial in Cadiz (1922) is written under his bust: "Homage to the life-long supporter of the Hispanic-American Union" [my translation]. On the column, there is a plaque with a ship, under which is written "Cantabria," the region from where his family came. The figures of a lion and a condor symbolize Europe and America. A matron with a child represents Mother Spain and her child America.[182] Neither in 2020 nor in other years were there protests against this monument comparable to those against the statue of Antonio López in Barcelona, although the memorial for Claudio López honors a profiteer from enslavement and its symbols represent colonialist ideology.

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179 Martín Rodrigo y Alharilla, "Entre Barcelona, Cádiz y América, Claudio López Bru, segundo marqués de Comillas. Conferencia impartida en la Real Academia Hispano Americana de Ciencias, Artes y Letras el 25 de marzo de 2010," *Revista Hispanoamericana*, no. 1 (2011), https://revista.raha.es/bru.html [accessed 28.03.2023].

180 Rodrigo, *Los marqueses de Comillas, 1817–1925*: 184–92, 203–12, 236–40, 308–16; Enrique Martino, "Money, Indenture, and Neo-Slavery in the Spanish Gulf of Guinea, 1820s to 1890s," *Comparativ. Zeitschrift für Vergleichende Gesellschaftsforschung* 30, no. 5–6 (2020).

181 Rodrigo, *Los marqueses de Comillas, 1817–1925*: 269–92, 295; Enrique Faes Díaz, *Claudio López Bru, Marqués de Comillas* (Madrid: Marcial Pons, 2009): 60–390.

182 Monumento al Marqués de Comillas, https://www.guiadecadiz.com/es/turismo-cultural-detalle/monumento-al-marques-comillas [accessed 01.04.2023].

The historic city center of Cadiz is a predominantly intact jewel of eighteenth- and nineteenth-century architecture. Research to identify the residences and company seats of enslavers has begun only recently, so sites historically connected to the enslavement of Africans have not been brought to the knowledge of the public in any guide book, website, plaque, marked urban trail, or other similar way. Lydia Pastrana Jiménez has located the seat of a shipping company belonging to Antonio López (Vapores Correos de A. López y C.ª para Puerto Rico y Habana) at 3 Calle Isabel la Católica, on the corner of the Calle Antonio López, formerly Calle Cruz de la Madera.[183] María del Carmen Cozar has been able to identify the residence of the enslaver Pedro Martínez de Terán and his heirs at 73 Calle Ancha (since 1855 no. 29) (Fig. 21),[184] where the historic portal still exists.

Fig. 21: The former residence of the enslaver Pedro Martínez on Calle Ancha 29, Cadiz, today the Centro Universitario de Enfermería (photo: Ulrike Schmieder, 14.09.2018).

183 Interview with Lydia Pastrana Jiménez, historian, expert of the steam shipping companies of Cadiz, 19.09.2018, Cadiz, 28.05.2021, via zoom.

184 Rodrigo y Alharilla, "Cádiz y el tráfico ilegal de esclavos en el Atlántico (1817–1866),": 233.

Pedro Martinez (1792–1856) from the Cantabrian town of Soto de Campoo was the most important trader of enslaved Africans of Cadiz. He organized deportation voyages from 1817, some of them in collaboration with the infamous trafficker of human beings Pedro Blanco. His ships sailed directly between African and Cuban ports or the triangular route Cadiz – Gibraltar – Africa (the Old and New Calabar coast, the ports of Bonny, Ajuda, Lagos, the bight of Río Gallinas where he owned a depot for captives later destroyed by the British navy, São Tomé e Príncipe, the Cape Verde Islands) – Cuba – Cadiz. One of his commercial companies, Campo Labarrieta y Martínez, deported on five ships 3,104 enslaved Africans between 1827 and 1830, of whom 2,874 arrived alive in Cuba. In 1831, he moved from Havana to Cadiz, from where he continued the trade in enslaved Africans until his death. Pedro Martínez also acted as a banker (co-founder and first director of the Banco de Cádiz), insurer, and *refaccionista*, giving credit to planter-enslavers and being repaid with the harvest in the Cuban province of Matanzas. He made a million pounds sterling from the trade in African captives and was among the leading taxpayers of Cadiz in 1836. In his lifetime, he supported the Casa del Asilo de Mendicidad. At his death, he bequeathed legacies to the Casa de Misericordia, the Hospital San Juan de Dios, the orphanage, construction work at the cathedral, three nunneries, and selected poor families.[185] In contrast to the López family in Barcelona and Cadiz, Pedro Martínez did not get a monument in town, maybe because he was not born in Cadiz and did not marry a woman from a local patrician family. He left no children (his nephews inherited his fortune and enslavement businesses) and died before the impending loss of Cuba made necessary the political commitment of the *Indianos*. Thus, the most important enslaver who brought so much money to Cadiz fell into oblivion.

The local enslavers José and Fernando de Abarzuza Imbrechts have not been forgotten, but the origin of their wealth in the enslavement of Africans circulated for a long time only as a rumor. With its seat in Havana, the Abarzuza hermanos company dealt in enslaved persons, with the Abarzuzas maintaining a commercial base in the region of Gallinas, Sierra Leone. After their return to Cadiz in 1845, the brothers continued to trade in African captives and worked as bankers, insurers, and wine merchants. As late as 1860, they were transporting 1,250 enslaved Africans from Angola to Cuba with the modern steamship *Quevedo*. About 200 captives died at sea, 16%, an extremely high death rate for the Middle Passage in the nineteenth century. The Abarzuza brothers often changed residences and company seats. The house in Murgia Street 35 (Fig. 22) was the seat of the Banco de Cádiz,

185 Rodrigo y Alharilla, "Cádiz y el tráfico ilegal de esclavos en el Atlántico (1817–1866),"; 233–35, 239–40, 244.

Fig. 22: Headquarters of the Banco de Cádiz, mid-nineteenth century, the 1867 residence of the enslaver José de Abarzuza and seat of Abarzuza y Compañía, at 35 Calle Murguía, today Canóvas de Castillo, the Department of Tourism & Culture, Junta de Andalucía (photo: Ulrike Schmieder, 15.09.2018).

whose director José de Abarzuza became after the retirement of Pedro Martínez.[186] The bank collapsed in 1864 because of the failed enslavement expeditions of the shareholder Manuel Lloret and the failure of the commercial company of the widow Portilla.[187] The brothers' businesses survived that crisis. Murguia Street became the residence of José de Abarzuza, his family, and the company Abarzuza y Cía.[188]

The Abarzuzas are also remembered because the family remained in Cadiz and maintained its political influence. Two descendants were strongly connected with the dictatorship of Franco: Felipe Abarzuza y Rodriguez, minister of the navy from 1959 to 1964, and Fernando Abarzuza Oliva (1896–1970), a war hero of the Falange, in 1940 deputy chief of the general staff of the navy in 1940, and mayor of Cadiz in 1941–1942,

186 *Guía de Cádiz* (Cádiz: Imp. de D. Filomeno Fernández de Arjona, 1849): 76–78, 167 *Guía de Cádiz y su departamento para el año de 1854* (Cádiz: Imp. de D. Filomeno Fernández de Arjona, 1853): 94.

187 Martín Rodrigo y Alharilla, "Cádiz y el tráfico ilegal de esclavos en el Atlántico (1817–1866)," in: Cózar and Rodrigo,*Cádiz y el tráfico de esclavos* (Madrid: Silex, 2018): 208–11.

188 María Vázquez-Fariñas, "Los legados de la esclavitud en Cádiz: el patrimonio inmobiliario de los hermanos Abarzuza en el siglo XIX," in *Del Olvido a la memoria. La esclavitud en la España contemporánea*, ed. Martín Rodrigo y Alharilla (Barcelona: Icaria, 2022): 202, 216–17; José Rosetty, *Guía de Cádiz, el Puerto de Santa María, San Fernando y el Departamento para el año de 1867* (Cádiz: Imp. y Lit. de la Revista Médica, 1867): 368.

at the height of the Fascist terror against the Republicans.[189] Why is this important? Because it shows that a critical politics of memory that include the ugly sides of the town's history in the twentieth century should dig deeper and go beyond the time of the civil war and fascist dictatorship. Research may excavate more examples of elite continuities from enslavers to economic oligarchs, members of the military, and politicians serving the dictator Franco.

The residences and company seats of the enslavers Pedro Juan de Zulueta Ceballos and Antonio de Zulueta y Madariaga, father and son,[190] the enslaver and banker Antonio Vinent Vives, and the Americanized enslaver Peter Harmony from Galicia have been identified by Lydia Pastrana and Martín Rodrigo.[191] A cross-reading of the historiography about the trade in enslaved Africans and the Guías de Cádiz from the nineteenth century and municipal directories indicating private residences and company seats makes it possible to localize sites connected with about ten more enslavers. Most of the buildings are still there.

The traces of enslavers could easily be made part of an urban trail following the material heritage left by enslavers. Sites of the memory of the enslaved are rare. The Callejón de los Negros marks the small street in which newly arrived African captives were driven from port to town.[192] Statues of the black saints San Benito de Palermo and Santa Efigenia are to be found in the Rosario church. They belonged to the Catholic confraternity of Africans in Cadiz Cofradía de Ntra. Sra. de la Salud y S. Benito de Palermo, founded in 1593 and forcibly dissolved in 1767 under the pressure of white confraternities, who appropriated their religious objects and treasures.[193]

The timid post-colonial transformations of the memorial cityscape of Barcelona, obtained as a result of constant pressure from trade unions, human rights groups, and Pan-African associations, are highly selective and focus on one trafficker of African captives, Antonio López, and the Columbus monument. In Cadiz, there is no active movement for the removal of monuments and street names, the establishment of new memorial sites and urban trails on the traces of enslavement, museum reform, etc. Some demonstrations on the occasion of the murder of George Floyd also referred to

189 Galán Madueño, "José María Fernando Abarzuza Oliva," Real Academia de Historia, https://dbe.rah.es/biografias/65615/fernando-abarzuza-oliva [accessed 28.03.2023].

190 José Cayuela, "Transferencias de capitales antillanos a Europa. Los patrimonios de Pedro Juan de Zulueta y Ceballos y de Pedro José de Zulueta y Madariaga (1823–1877)," *Estudios de historia social* 44–47 (1988).

191 Interview with Lydia Pastrana Jiménez, historian, expert of the steam shipping companies of Cadiz, 19.09.2018, Cadiz, 28.05.2021, via zoom; Rodrigo, "Cádiz y el tráfico": 216; Martín Rodrigo y Alharilla, "From Slave Trade to Banking in Nineteenth-Century Spain," *Comparativ. Zeitschrift für Globalgeschichte und vergleichende Gesellschaftsforschung* 30, no. 5–6 (2020): 604–5.

192 "El Callejón de los Negros y la Casa de Contratación," 2014, https://cadizspain.wordpress.com/2014/06/05/el-callejon-de-los-negros-y-la-casa-de-contratacion/ [accessed 28.03.2023].

193 Ortiz Pedro Parrilla, *La esclavitud en Cádiz durante el siglo XVIII* (Cádiz: Diputación de Cádiz, 2001): 160–64.

racism and police violence against Africans in Spain, but references to the colonial and enslaving past of Cadiz were made only rarely[194] and were not connected with a program of change in the politics of memory.

3.7 Vitoria-Gasteiz

The cultural legacy of enslavement is not only located only in the port towns and capitals of empires, but can also be found in the hinterland. One example is Vitoria-Gasteiz, capital of the Basque Autonomous Community in the province of Álava, where Anúncita, the birthplace of the most notorious Spanish-Cuban enslaver Julián Zulueta Amondo (1814–1878) is situated. Although of humble origins, this man belonged to the enslaver clan mentioned in the chapter about Cadiz (he was the nephew of Pedro Juan Zulueta y Ceballos), became mayor of Havana, president of the influential Cuban Círculo de Hacendados, a Spanish senator for life, the marquis of Álava, and the viscount of Casa-Blanca. He cofinanced the paramilitary squad that defended colonial rule on the island. Julián Zulueta made a fortune in the trade and exploitation of enslaved Africans. He was responsible for the deportation of African captives from the 1820s to the 1850s. In later years, they were transported in big steamships (1,000–1,500 persons per voyage, among them many children). He also trafficked unfree Chinese contract laborers and *emancipados*, African captives "freed" on enslaver ships and taken to the Spanish island of Fernando Poo and then Cuba. In this way, he acquired a fortune invested into four plantations on Cuba, with 1,862 enslaved Africans and 264 semi-enslaved Chinese contract workers in 1864. In that year, he owned urban estates in Cuba and Spain, credits and stock in the stock markets of the United States, the United Kingdom, and France, and ships all over the world, although the main part of his fortune, 78.5%, remained in Cuba. One of his heirs, Salvador Zulueta y Samá, his son with his first wife, the niece of the enslaver Salvador Sama y Martí, invested 69.46% of his fortune in Europe in 1885, owning big haciendas all over Spain, a textile factory in Barcelona, a metallurgy factory in Bilbao, four large houses in Madrid, urban estates in Barcelona and Seville, a residence in Paris, a textile mill in Manchester, a commercial depot in London, ships, credits, and stock. Julián Zulueta became the richest Spanish-Cuban enslaver-indiano, owning 215 million reales at the time of his death. Although his inheritance had to be divided between eleven children and a widow, all the descendants received a fortune: the four offspring from his first marriage received the sugar plantation of España and the textile factory of La Gusada. Each child from his last marriage received properties worth 535,265.26 gold pesos,

194 Pilar Vera, "Minnesota, Almería, Cádiz. La solidaridad despertada por el caso de George Floyd contrasta con el poco eco de episodios más cercanos," Diario de Cádiz, 14.07.2020, https://www.diariodecadiz.es/noticias-provincia-cadiz/racismo-Minnesota-Almeria-Cadiz_0_1473452801.html [accessed 28.03.2023].

while the widow inherited 3,202,768.94 gold pesos; the inheritance of that side of the family included the sugar plantations of Álava, Zaza, Habana, and Vizcaya. They sold the *ingenios* in the Municipio Colón in 1916 to the North American Cuban Cane Sugar Corporation for 2,320,000 dollars.[195] Julián Zulueta's third wife and widow Juana María Ruiz de Gámiz and various children left Cuba and resettled in Vitoria-Gasteiz. This is the reason why the town possesses today an architectural heritage built with profits from Atlantic slavery.

The palace of his daughter Elvira Zulueta Ruiz de Gamiz (1871–1917) is still there, known as the Palacio Augustín-Zulueta, referring (Fig. 23) to her husband Ricardo Agustín Ortega (1875–1965), and today the seat of the Museum of Fine Arts.

Fig. 23: Palacio Augustín Zulueta, Vitoria-Gasteiz, Paseo de Fray Francisco, once residence of Elvira Zulueta Ruiz de Gámiz, daughter and heir of the most notorious Spanish-Cuban trafficker of African captives Julián Zulueta, today Museo de Bellas Artes (photo: Ulrike Schmieder, 10.08.2019).

195 Eduardo Marrero Cruz, *Julián de Zulueta y Amondo: Promotor del capitalismo en Cuba* (Havana: Ed. Unión, 2006): 9, 46–79, 149–58; Bahamonde and Cayuela, *Hacer las Américas*: 40, 228, 264–75; Hugh Thomas, *The Slave Trade. The History of the Atlantic Slave Trade, 1440–1870* (London: Macmillan, 1998): 9, 645–46, 780–81. His widow founded a school in Anúncita and participated in the creation of the Banco de Emisión y Descuento in Vitoria). One branch of the family, Enrique and Julián Zulueta Besson, sons Enrique Zulueta Ruiz de Gamiz, remained in Cuba until 1959 and profited from his grandfather's plantation Zaza and in the new acquired *ingenio* La Fe in Las Villas.

If you visit this museum, you receive a flyer saying that Julian Zulueta made his fortune in Cuba, no more.[196] You have to buy a book about the history of the building for 15 euros to read a few sentences about the origin of the wealth of Elvira's father in the trade of enslaved Africans and from Cuban sugar plantations. Elvira Zulueta died childless and bequeathed all her fortune, approximately 2.5 million pesetas, to the charitable institutions of the Catholic Church. The latter displayed her donated jewels in a casket in the cathedral as Elvira Zulueta wished and built the Seminario Diocesano in Vitoria with this donation. Ricardo Augustín obtained the title of Conde de Dávila for his eager support of this project.[197] Were these donations made out of Catholic charity or a guilty conscience? Because of her donations and the economic endeavors of her husband, you will find an Elvira Zulueta street in Vitoria-Gasteiz. In this street, her husband promoted the construction of a number of upper-class residences. The origin of the wealth of the Zuluetas is such an open secret in town that you find it in a detective novel about the descendants of Julián Zulueta, very flimsily disguised under the surname "Unzueta."[198] Maxime Toutain has researched the Basque and Cuban historiography about Julián Zulueta and the silences and memories his role in enslavement in Vitoria-Gasteiz. He points to activities in the Museum of Fine Arts in the decade of 2010 by museum staff, film maker Ángel Katarain, scriptwriter Alfonso Sueskun, and descendants of Julián Zulueta (an exhibition, conferences, a documentary, a theatre piece, etc.). He revealed a very ambiguous outcome: on one side the interested inhabitants of Vitoria-Gasteiz got to know that Julián Zulueta had been a trafficker of human beings, on the other side his participation in the illegal trade of African captives had been condemned, but the possession of enslaved persons had been declared as legal, licit and "normal" behavior of its time, the myth of him being a "good master" had been divulgated once more, his "merits" had been separated from his role as enslaver: "Historical relativism" defended a man whom his admirers regard as a great Basque personaliy. Only the group "Arte, Investigación y Feminismos (AIF)" of the Universidad del País Vasco with a leading role of artist Sandra González Donoso, alias Lola Duchamp, from Ecuador, approached the legacies of Zulueta from a critical de-colonial standpoint.[199]

The mansion of Julián Zulueta's son Alfredo Zulueta Ruiz de Gamiz (Fig. 24), married to the Condesa de la Puebla de Portugal, the second of five opulent residences of the Zulueta family in Vitoria-Gasteiz,[200] has been used by Fundación Sancho el Sabio, a founda-

196 Documented August 10, 2019.

197 Ana Arregui Barandiaran and Edurne Martín Ibarran, *El Palacio Augustín Zulueta. De residencia familiar a Museo de Bellas Artes de Álava* (Vitoria-Gasteiz: Museo de Bellas Artes de Álava, 2016): 20–43.

198 Eva Saénz de Urturi, *El silencio de la ciudad blanca* (Barcelona: Planeta, 2016).

199 Maxime Toutain, "Julián de Zulueta, ¿el rey de los negreros? Reflexión etnográfica en torno a la memoria de la esclavitud en el País Vasco," *Vasconia* 47 (2023): 101–44, here 121–34, https://ojs.euskoikaskuntza.eus/index.php/vasconia/issue/view/78 [accessed 24.05.2023].

200 The other houses were the first family residence after the death of Julián Zulueta at Portal de Barreras 1, today calle Independencia, the mansion of another brother of Elvira, Adolfo, also at the

tion to safeguard the Basque heritage created by the savings bank Caja de Ahorros Municipal. It was empty in 2018. In 2022 the restoration as seat the municipal entity of urban planning has begun.[201]

Fig. 24: The mansion of Alfredo Zulueta Ruiz de Gamiz, son and heir of enslaver Julián Zulueta, in Vitoria-Gasteiz, Paseo de la Senda (photo: Ulrike Schmieder, 10.08.2019).

Eneida Villegas Zulueta, a retired teacher and great-great-granddaughter of Ma Carlota, the enslaved wet nurse of the Zulueta children, and Ta Higienio, the herbal expert of the enslaved Africans, has created with her brother Anselmo in the sugar *central* Méjico (formerly Álava) the only Cuban museum dedicated to the voices and traditions of the enslaved, a unique initiative from below. The museum is located in what remains of the barracks where enslaved African and Chinese workers lived, besides the watch tower (Fig. 25).[202] According to Eneida Villegas Zulueta, some of the

Paseo de la Senda, and the first residence of Ricardo Augustín and Elvira Zulueta at Paseo de la Senda 8. Arregui and Martín, *El Palacio Augustín Zulueta*: 18, 25.

201 Toutain, "Julián de Zulueta, ¿el de Rey de los negreros?": 110.

202 Museum documented on February 22, 2019. Eneida Villegas Zulueta told me that 28.8% of the population had Zulueta as one or both of their surnames, which means that they are descendants of Zulueta's enslaved from one or both parents: with emancipation, former slaves took the surname of their former proprietor. Milena Annecchiarico, "Políticas y poéticas de la memoria y del patrimonio cultural afrocubano: el caso del Central Azucarero México," *Revista Colombiana de Antropología* 54, no. 2 (2018).

descendants of the Zulueta family, amongst others Enrique and Armando, went to the Méjico *central* with some gifts to ask the descendants of the enslaved for forgiveness.[203] According to Toutain the descendant who made the connection to the people of *Méjico*, was Enrique de Otazu. He used the encounter with the descendants of the victims during the visit in Cuba 2009 to excuse and belittle the crimes of his forefather and to overwrite the narrative of the of Eneida Villegas Zulueta, which focusses on suffering of her ancestors and the cruelties of Julián Zulueta, with an image of reconciliation of the white and Black Zuluetas as "relatives by milk.[204]

Fig. 25: The watch tower and remains of the *barracone*s of the *ingenio* Álava where 781 enslaved laborers lived during the harvest of 1878–1879,[205] today the Méjico *central*: the museum is located to the right of the gate (photo: Ulrike Schmieder, 22.02.2019).

203 Interview with Eneida Villegas Zulueta, descendant of the enslaved of Julián Zulueta, founder and director of the *Museo Ma Carlota*, Central Méjico, Cuba, 22.02.2019, Méjico (once Álava).

204 Toutain, "Julián de Zulueta, ¿el de Rey de los negreros?": 130–31. According to my judgement the documentary serves more as rehabilitation than as critique of the Spanish enslaver, as common project of the Cuban historians Eduardo Marrero Cruz and Augusto Pedroso (who justify everything with economic necessity), of the Basque historian Urko Apaolaza (who declares slavery as "normal" and the statements of cruelty "exaggerated") and the Enrique de Otazu, great-great-grandson of Julián Zulueta and his second wife Juliana Ruiz de Gamiz (who divulgates anecdotes which make his ancestor a sympathetic man and belittles the importance of the gains from enslavement for Zulueta´s immense fortune). The five male "experts", four white men and a "mestizo" according Cuban criteria, and the white filmmaker dismiss the testimony of the Black female descendant of Ma Carlota. Ángel Katarein, *Zulueta 'azúcar Moreno'*, Semillas en el tiempo, 2013.

205 Marrero Cruz, *Julián de Zulueta y Amondo*: 202.

In Europe, the number of the descendants of enslavers who have asked for pardon, opened up family archives, or otherwise accepted their responsibility for the past is very small. Apart from some members of the Zulueta family, the Balguerie and Bethmann families in Bordeaux and Jean Mosneron Dupin in Nantes have done so.[206] In contrast, the descendants of the López-Güell family in Barcelona deny or downplay their ancestors' role in Atlantic slavery, as mentioned above.

4 What about Germany? Remembrance and Silence about the Enslavement Past in Flensburg

Finally, this section is devoted to Flensburg, a north German port town. Its involvement in the economy of Atlantic slavery through trade with the Danish West Indies is under-researched, is little known beyond the town, and on site half-remembered and half-silenced in a very ambivalent discourse.

Recently, there has been an upsurge in research on the involvement of German towns, regions, merchants, and seamen in Atlantic slavery and abolitionism, the ownership of plantations and enslaved workers, the trading and processing of goods produced by the enslaved, and industries supplying African buyers with products to be exchanged for captives, like textiles, arms, and iron tools, on Caribbean markets, such as the linen for the clothing of enslaved workers and machetes for cane cutting.[207] This tendency is reflected in this volume with the article of Julia Roth about the memorialization of the Welsers and their commercial enterprises in Augsburg. She

206 "Bordeaux: esclavage, le long travail des mémoires, Retour sur l'histoire à Bordeaux et sur les traces que la traite des esclaves a laissées, avec Karfa Diallo, Axelle Balguerie et Pierre de Bethmann," *Sud-Ouest*, 05.05.2016, https://www.sudouest.fr/gironde/tresses/bordeaux-esclavage-le-long-travail-des-memoires-4667888.php [accessed 28.03.2023]; Olivier Pétré-Grénouilleau, "Les noires racines au grand jour: les confidences d'un armateur négrier nantais," L'Express, 17.04.2003, https://www.lexpress.fr/culture/livre/les-noires-racines-au-grand-jour-les-confidences-d-un-armateur-negrier-nantais_651273.html [accessed 28.03.2023].

207 Andrea Reikat, *Handelsstoffe. Grundzüge des europäisch-westafrikanischen Handels vor der Industriellen Revolution am Beispiel der Textilien* (Cologne: Köppe, 1997); Andrea Weindl, "The Slave Trade of Northern Germany from the Seventeenth to the Nineteenth Century," in *Extending the Frontiers: Essays on the New Slave Trade Database*, ed. David Eltis and David Richardson (New Haven, CT: Yale University Press, 2008); Klaus Weber, "Deutschland, der atlantische Sklavenhandel und die Plantagenwirtschaft der Neuen Welt (15.–19. Jahrhundert)," *Journal of Modern European History* 7, no. 1 (2009); Felix Brahm and Eve Rosenhaft, eds., *Slavery Hinterland: Transatlantic Slavery and Continental Europe, 1680–1850* (Woodbridge: The Boydell Press, 2016); Heike Raphael-Hernandez and Pia Wiegmink, eds., *German Entanglements in Transatlantic Slavery* (London: Routledge, 2020); Jutta Wimmler and Klaus Weber, eds., *Globalized Peripheries. Central Europe and the Atlantic World, 1680–1860* (Woodbridge: Boydell Press, 2020); Sarah Lentz, *'Wer helfen kann, der helfe!' Deutsche SklavereigegnerInnen und die atlantische Abolitionsbewegung 1780–1860* (Göttingen: Vandenhoeck & Ruprecht, 2020).

explains that the Fugger and Welser Adventure Museum does not include a postcolonial view on the role of the Welsers in the early traffic of African captives to their colony in Venezuela, but instead provides a success story about early German "global players." This historical narrative is contested by de-colonial activists, but still present. Annika Bärwald and Sarah Lentz refer to struggle of civil society groups against the glorification of German seafarer, "war hero" and enslaver Joachim Nettelbeck through the names of streets and places with the first achievement of street renaming. They show that there are not only blind spots in the critical remembrance of German profiteers from enslavement and the honoring commemoration of Black Germans and their fight for freedom and social advancement, but also gaps in in-depth knowledge about historical protagonists of enslavement on both sides of this crime against humanity.

In the museums, the colonial and enslaving past before the acquisition of German colonies in Africa and the Pacific does not play an important role at the moment. Thus, in the capital Berlin, the involvement of Brandenburg in Atlantic slavery has been mentioned only once. This occurred in the temporary exhibition "Deutscher Kolonialismus. Fragmente seiner Geschichte und Gegenwart" (German Historical Museum, October 2016–May 2017). A small section mentioned Brandenburg's forts on the African coast and seventeenth-century participation in the enslavement of Africans and their deportation to the Caribbean. Most of the displays referred to Germany's late colonialism in Africa, China, and the Pacific and the genocides committed in Namibia and Tanzania.[208] In addition, the Afro-German and postcolonial movement managed to change some street names connected with early German participation in the enslavement of Africans. For example, Gröbenufer, named in 1895 after Governor Friedrich von der Gröben (1657–1728), who ordered the construction of Fort Gross-Friedrichsburg, serving as a depot for captives on the coast of what is today Ghana, was renamed in 2010 as May-Ayim-Ufer after the poetess and co-founder of the Initiative Black People in Germany May Ayim, who died in 1996.[209]

If people do know anything about Germany and the enslavement of African people, they think of the port towns of Hamburg and Bremen. This is not wrong, as both towns, and nearby Altona, participated in the traffic of African captives via Denmark or the Netherlands, and Hamburg also sent its own ships for these purposes.[210] Merchants from the Hanseatic towns and the German interior owned plantations and en-

208 Visited by the author in December 2016. Sebastian Gottschalk, ed., *Deutscher Kolonialismus. Fragmente seiner Geschichte und Gegenwart* (Berlin: DHM, 2016).

209 Clara Ervedosa, "Das May-Anim-Ufer in Berlin," in *Kein Platz an der Sonne: Erinnerungsorte der deutschen Kolonialgeschichte*, ed. Jürgen Zimmerer (Frankfurt am Main: Campus, 2013).

210 Klaus Weber, "Mitteleuropa und der transatlantische Sklavenhandel: Eine lange Geschichte," *WerkstattGeschichte* 66–67 (2015); Magnus Ressel, "Hamburg und die Niederelbe im atlantischen Sklavenhandel der Frühen Neuzeit," *WerkstattGeschichte* 66–67 (2015).

slaved laborers in the Dutch colony of Suriname, Cuba, and Puerto Rico.[211] However, recently the exhibition "About Golden Carriages and Colonial Past. Hanover, England and Slavery" in Hanover (July–November 2022), on occasion of the seventy-fifth anniversary of the city's partnership with Bristol, has pointed to the historical involvement of the German hinterland town in the slave trade during the personal union of the United Kingdom and the Electorate of Hanover. The focus of the displays lies on the enslavers' side and the consumption of products made by enslaved workers, but there are also some, lamentably very perfunctory, references to the resistance of enslaved persons and African witnesses (Olaudah Equiano).

The enslavement past and its cultural legacy in the small port town of Flensburg is less familiar, compared to Hamburg or Bremen, to most Germans, and this is even more true abroad. Under Danish rule until 1864, the town's merchants traded with the Danish islands of St. Croix, St. John, and St. Thomas (today the US Virgin Islands), owned plantation and enslaved workers, produced goods for the Caribbean colonies, including bricks, copper products, and furniture, and developed new industries of sugar refining and rum distilling.[212] The permanent exhibition of the Maritime Museum in Flensburg (in the former Customs House) presents an ambivalent discourse. It refers to the suffering and exploitation of enslaved Africans while also representing local enslavers as brave adventurers and promoters of the local economy in the town's eighteenth-century golden age.

In front of the museum, a temporary commemorative plaque (Fig. 26) was set up on the pavement in memory of the "African victims, survivors and descendants of enslavement," but this referred to Danish colonialism in general, not to the specific role of Flensburg.

In 2017, on the occasion of the centenary of the sale of the Danish West Indies to the United States without any consultation of its inhabitants, a series of events and exhibitions excavated the silenced history of enslavement in Schleswig-Holstein on the German and Danish sides (Sonderjylland/Schleswig Kolonial). The temporary exhibition "Rum, Sweat and Tears," mounted in 2017 in Flensburg's Maritime Museum and curated by Dr. Imani Tafari-Ama, an expert in the Danish West Indies from the University of the West Indies, focused from a Pan-African standpoint on the enslaved as workers, vic-

211 Hermann Kellenbenz, "Deutsche Plantagenbesitzer und Kaufleute in Surinam vom Ende des 18. bis zur Mitte des 19. Jahrhunderts," *Jahrbuch für Geschichte Lateinamerikas* 3, no. 1 (1966); Zeuske, "Cosmopolitas del Atlántico esclavista"; see also Bärwald and Lentz in this volume.

212 Marco L. Petersen, "Introduction," in *Sønderjylland-Schleswig kolonial: kolonialismens kulturelle arv i regionen mellem Kongeåen og Ejderen: das kulturelle Erbe des Kolonialismus in der Region zwischen Eider und Königsau*, ed. Marco L. Petersen (Odense: Syddansk Universitetsforlag, 2018); Erik Gøbel, "Shipping from the Duchy of Schleswig to the West Indies and South America, 1650–1838," in ibid.; Torben A. Vestergaard and Jørgen G. Berthelsen, "Flensburg Bricks on the US Virgin Islands," in ibid.

Fig. 26: Plaque commemorating enslavement in front of the Schifffahrtsmuseum, Flensburg (photo: Ulrike Schmieder, 19.07.2017). The plaque has been removed (30.05.2023).

tims, and warriors, and referred to the legacies of enslavement in racism.[213] The curator conducted many interviews in Ghana, the US Virgin Islands, and Flensburg about a shared history with extremely different outcomes for the inhabitants of Flensburg, who have forgotten the roots of their current prosperity and post-colonial privileges, the people of the US Virgin Islands, who suffer from racialized social inequality and exclusion from full rights as US citizens, which makes the past of colonialism and enslavement a burden they still feel. Ghanaians remember better recent British colonialism than its older Danish antecedent, under whose rule their ancestors were deported to the Americas and exploited on local plantations.[214]

The decolonial efforts on the German side are not enduring. Flensburg still organizes an annual Rum Regatta and maintains a tourist Rum & Sugar Trail, celebrating rum as an exotic local brand. It remembers, steeped in colonial nostalgia, the glorious past of the overseas trade with its architectural heritage of manor houses and sugar refineries. The town does not point to the work of enslaved Africans as the basis of its eighteenth-

213 Imani M. Tafari-Ama, "Rum, Sweat and Tears: Denmark's Colonial History and Legacy in Flensburg and Ghana and the US Virgin Islands," in *Sønderjylland-Schleswig kolonial: kolonialismens kulturelle arv i regionen mellem Kongeåen og Ejderen: das kulturelle Erbe des Kolonialismus in der Region zwischen Eider und Königsau*, ed. Marco L. Petersen (Odense: Syddansk Universitetsforlag, 2018).
214 Museum and exhibition documented on July 19, 2017, visited with students November 24, 2017.

century opulence, without which Flensburg would not offer such an impressive historic city center to tourists today.[215] Panels 10 and 12 on the trail show this (Fig. 27 a and b):

a) b)

Fig. 27a and b: Sugar and Rum Trail, Flensburg. **a)** 19/20 Holm, the manor house of Peter Petersen Schmidt (1774–1844), a merchant of sugar and rum from the Danish West Indies and coffee from Brazil, married to a daughter of Andreas Christiansen (1743–1811), the owner of an opulent residence, a sugar refinery, and a warehouse for goods from the Caribbean. **b)** The plaque next to the manor house and the "Westindienspeicher" ("West Indies Storehouse") of Andreas Christiansen at 24 Große Straße explains everything about his commercial activities except the connections of his businesses with enslavement[216] (photos: Ulrike Schmieder, 19.07.2017.).

In Denmark, where in 2017 30 exhibitions about enslavement and Danish colonialism have been shown,[217] a monument dedicated to the resistance of the descendants of the enslaved against post-slavery coerced labor was set up, honoring Mary, one of the three rebel queens of the Fireburn Insurrection in St. Croix in 1878. The National Museum opened the permanent gallery "Voices from the Colonies"[218], which transmits an ambivalent narrative between colonial nostalgia and post-colonial self-critique. At least, some life stories of enslaved Africans are to be heard and read there. This is more than the permanent exhibition of the Maritime Museums of Flensburg offers.

The opulent residences of enslavers and former sugar refineries still mark cityscapes in Denmark, particularly Copenhagen, Christianshavn, and Schleswig-Holstein, but capital transfer from enslavement to urban cultural heritage is mostly not remem-

215 This is to be found on flyers, plaques at the sites, and a guidebook (Jutta Glüsing, *Rum & Zuckermeile – Rom & Sukker Ruten* [Flensburg: Flensburger Schifffahrtsmuseum, 2009], with the same ambivalent discourse as in the museum, admiring the adventurous ancestors of Flensburg's inhabitants and pitying the African victims. The concept and vocabulary are not decolonized at all.

216 Glüsing, *Rum & Zuckermeile*: 60–67, 73–76.

217 Nonbo Andersen, "Curating Enslavement and the Colonial History of Denmark."

218 Weiss in this volume. Museum and monument documented August 1, 2023. The pedestal of the monument for Queen Mary was empty then, the statue had to be removed because of weather damage end 2020.

bered permanently on site. There are no printed guides like the Dutch slavery heritage guides or the urban trails with plaques in Nantes, although walks have been organized by the civil society organization "Another Copenhagen."[219]

Gunvor Simonson refers in her chapter to the highly problematic evocation (in schoolbooks and the media) of the role of Denmark in the enslavement of African persons as "black slavery" and "dark history," expressing a lack of reflection on racist language. She also points to emotion-driven conflicts over memory that surround the West India Warehouse, which was misread as place where enslaved persons had been imprisoned, and the exclusion of historians of Danish colonial history from the planning a museum about that history. Holger Weiss refers to Danish-Norwegian and Swedish-Finnish history with respect to its entanglements with human trafficking across the Atlantic and initiatives to remember this history from a de-colonial and antiracist standpoint (far more advanced in Denmark than in Sweden). However, memorial sites have been identified and shown during walks by the Afro-Swedish National Association. Weiss also highlights the slow emergence of a public debate about Norwegian and Finnish involvement in the commerce of African captives and the identification of memorial sites like sugar refineries. In summary, Weiss seems more optimistic than Simsonsen about the current and future (de-colonial-critical) remembrance of the relations of Nordic states to enslavement.

5 Concluding Remarks

Since Swiss banks financed enslavement and the Bohemian glass industry and Silesian textile manufactures produced goods to be exchanged for African captives, one could also look at the traces of enslavement in the Atlantic space in Switzerland, the Czech Republic, and Poland. The cultural heritage of enslavement is a pan-European issue. There was complete silence on this matter in the European Year of Cultural Heritage in 2018.[220] This means that scholars have much work to do in order to disseminate knowledge about the material vestiges and societal legacies of the enslaving past. Without closer cooperation (or at least the beginning of collaboration) between historians, museum staff, town governments and councils, communities and associations of Afro-Europeans, memorial and anti-racist NGOs, and trade unions, this will not be achieved.

219 Weiss in this volume.

220 In June 2018, Michael Falser, then of the Centre André Chastel, Sorbonne Université, Paris, organized a critical conference about that year (The Cultural Heritage of Europe @ 2018 Re-Assessing a Concept – Re-Defining its Challenges). Contrary to what was announced, the papers (including mine, "The Cultural Heritage of Europe@2018 and the Legacy of the Slave Trade and Slavery") were regrettably never published. Thus, a chance to criticize the Eurocentric events was lost.

Therefore, starting from the premise that the dissonant cultural heritage of enslavement should be remembered from a critical, decolonial, and anti-racist perspective and that the forms of commemoration should be developed with communities of African descent, I would rank progress in this order: Britain-France-Spain-Portugal, in which list the politics of memory in the United Kingdom and France are close to each other, as are the politics of silence in Spain and Portugal. To analyze in depth the reasons for these differences is beyond the scope of this contribution, focused on the material vestiges of enslavement,[221] but it is obvious that there is a connection with the presence and level of the organization and political influence of Afro-Caribbean, Afro-(Latin)American, and African communities and the inclusion, or more often exclusion, of scholars from these communities from universities and municipal and regional cultural institutions, including the higher echelons of museum staff, city councils, and regional parliaments or assemblies.

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221 For a more detailed comparison between the politics of memory vs. the enslavement past in Spain and northwest Europe (and the causes and consequences of this), see Rodrigo y Alharilla and Schmieder, "Políticas de memoria sobre la esclavitud en España."

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2. Slaveries and Similar Dependencies

2.3. Cultural Heritage and Slavery

Ulrike Schmieder, Stephan Conermann and Michael Zeuske. "Introduction," in *Cultural Heritage and Slavery: A Perspective from the Caribbean* (Berlin: De Gruyter, 2025): 1–26.

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Ulrike Schmieder, Stephan Conermann, Michael Zeuske

Introduction

In the context of the global cultural heritage boom, community-based and national identity projects in the Caribbean intersect with the interest in cultural tourism to the region, including sites commemorating enslavement.[1] Questions about the historical guilt and the current responsibility of European states and elites and local descendants of enslavers, and the related the demands for reparations for the enslavement of African people are a source of political and social conflicts.[2] This applies particularly in former plantation slavery societies, in which descendants of enslavers and descendants of enslaved Africans live together, and power and property relations are

1 Mechelle N. Best and Winston F. Phulgence, "Interpretation of Contested Heritage at an Attraction in St. Lucia," *Journal of Heritage Tourism* 8, no. 1 (2013): 21–35, https://www.tandfonline.com/doi/abs/10.1080/1743873X.2013.765744; Kenneth Kelly and Benoît Bérard, eds., *Bitasion. Archéologie des habitations-plantations des Petites Antilles – Lesser Antilles Plantation Archaeology* (Leiden: Sidestone Press, 2014); Corinne L. Hofman and Jay B. Haviser, eds., *Managing our Past into the Future. Archaeological Heritage Management in the Dutch Caribbean* (Leiden: Sidestone Press, 2015); Winston F. Phulgence, "Monument Building, Memory Making and Remembering Slavery in the Contemporary Atlantic World" (PhD diss., York University, 2016); Patricia Afadé, "Mémoires libérées. Afrique-Caraïbe-Europe. Des origines aux héritages de l'esclavage," Museum Exhibition, Nantes, Hôtel du département de Loire-Atlantique, 2016; Brent R. Fortenberry, "Heritage Justice, Conservation, and Tourism in the Greater Caribbean," *Journal of Sustainable Tourism* 29, no. 2–3 (2020): 253–76, https://doi.org/10.1080/09669582.2020.1757684; Nilson Acosta Reyes, "El valor universal excepcional de los sitios de memoria de la esclavitud en Cuba," *Quiroga* 20 (2021): 10–26, https://doi.org/10.30827/quiroga.v0i20.0001; Isar P. Godreau, "Changing Space, Making Race: Distance, Nostalgia, and the Folklorization of Blackness in Puerto Rico," *Identities* 9, no. 3 (2022): 281–304, https://doi.org/10.1080/10702890213969; Alex Stipriaan, Luc Alofs and Francio Guadeloupe, *Caribbean Cultural Heritage and the Nation: Aruba, Bonaire and Curaçao in a Regional Context* (Leiden: Leiden University Press, 2023).

2 Comité Devoir de Mémoire, *De l'esclavage aux réparations: Le Comité Devoir de Mémoire – Martinique: 1998– 1999* (Paris: Karthala, 2000); Claudia Mosquera Rosero-Labbé and Luiz Claudio Barcelos, eds., *Afro-reparaciones. Memorias de la Esclavitud y Justicia Reparativa para Negros, Afrocolombianos y Raizales* (Bogotá: Universidad Nacional de Colombia, 2007); Hilary M. Beckles, *Britain's Black Debt: Reparation for Caribbean Slavery and Native Genocide* (Kingston: University of the West Indies Press, 2013); Ana Lucia Araujo, *Reparations for Slavery and the Slave Trade. A Transnational and Comparative History* (London: Bloomsbury Academic, 2018); Claudia Rauhut, "Caribbean Leaders in the Transnational Struggle for Slavery Reparations," in *Reshaping Glocal Dynamics of the Caribbean: Relaciones y Deconexiones – Relations et Déconnexions – Relations and Disconnections*, ed. Anja Bandau, Anne Brüske and Natascha Ueckmann (Heidelberg: heiup, 2018): 281–95, https://heiup.uni-heidelberg.de/catalog/book/314 [accessed 22.01.2025]; Hilary Beckles, *How Britain Underdeveloped the Caribbean: A Reparation Response to Europe's Legacy of Plunder and Poverty* (Mona: University of the West Indies Press, 2021).

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still marked by the slavery past;[3] but also in European former colonial powers whose economic progress and wealth was acquired through the exploitation of enslaved Africans and other colonized people.[4] In addition, some descendants of enslavers, members of European royal houses included, are still rich and influential people,[5] while at the same time anti-Black racism as a legacy of enslavement impairs the lives of Black people and People of Color everywhere, including in the Caribbean, and

3 Alejandro de la Fuente, *A Nation for All: Race, Inequality, and Politics in Twentieth-Century Cuba* (Chapel Hill: University of North Carolina Press, 2001); Zuleica Romay, *Cepos de la memoria. Impronta de la esclavitud en el imaginario social de Cuba* (Matanzas: Ed. Matanzas, 2015); Guy Cabort-Masson, *Les puissances d'argent en Martinique* (Fort-de-France: Edition la V.d.P, 1984); Ulrike Zander, "La hiérarchie 'socio-raciale' en Martinique. Entre persistances postcoloniales et évolution vers un désir de vivre ensemble," *Revue Asylon(s)* 11 (2013), http://www.reseau-terra.eu/article1288.html [accessed 23.01.2025]; Kristen Stromberg Childers, *Seeking Imperialism's Embrace. National Identity, Decolonization, and Assimilation in the French Caribbean* (Oxford: Oxford University Press, 2016); Verene Shepherd, *'I Want to Disturb my Neighbour': Lectures on Slavery, Emancipation and Postcolonial Jamaica* (Kingston: Randle, 2007).

4 Eric Williams, *Capitalism and Slavery* (Chapel Hill: University of North Carolina Press, 1994 [1944]); Joseph E. Inikori, *Africans and the Industrial Revolution in England. A Study in International Trade and Economic Development* (Cambridge: Cambridge University Press, 2002); Dale Tomich, *Through the Prism of Slavery: Labor, Capital, and World Economy* (Lanham: Rowman and Littlefield, 2004); William A. Pettigrew, "Free to Enslave: Politics and the Escalation of Britain's Transatlantic Slave Trade, 1688–1714," *The William and Mary Quarterly* 64, no. 1 (2007): 10, http://www.jstor.org/stable/4491595 [accessed 22.01.2025]; Caroline Le Mao, "L'argent de la traite et de l'esclavage," in *Bordeaux, La Rochelle, Rochefort, Bayonne, Mémoire Noire. Histoire de l'Esclavage*, by Caroline Le Mao (Bordeaux: Mollat, 2020): 93–116; Michael Zeuske and Stephan Conermann, eds., *The Slavery/Capitalism Debate Global: From 'Capitalism and Slavery' to Slavery as Capitalism* [= *Comparativ. Zeitschrift für Globalgeschichte und vergleichende Gesellschaftsforschung* 30, no. 5–6 (2020)]; Tamira Combrink and Matthias van Rossum, eds., *Europe and Slavery: Revisiting the Impact of Slave-Based Activities on European Economies, 1500– 1850* [= *Slavery & Abolition* 42, no. 1 (2021)]; Rose Mary Allen, Esther Captain, Matthias van Rossum and Urwent Vyent, eds., *Staat & Slavernij, Het Nederlandse koloniale slavernijverleden en zijn doorwerkingen* (Amsterdam: Athenaeum-Polak & van Gennep, 2023); José Miguel Sanjuan-Marroquin and Martín Rodrigo-Alharilla, "No Commercial Activity Leaves Greater Benefit': The Profitability of the Cuban-Based Slave Trade During the First Half of the Nineteenth Century," *Economic History Review* 77 (2024): 268–87, https://doi.org/10.1111/ehr.13272. For the "slavery and capitalism" debate, see also: Ulrike Schmieder, *Versklavung im Atlantischen Raum. Orte des Gedenkens, Orte des Verschweigens in Frankreich und Spanien, Martinique und Kuba* (Berlin: De Gruyter Oldenbourg, 2024): 127–39, https://doi.org/10.1515/9783111215334.

5 UCL, Centre for the Study of the Legacies of British Slavery. "Legacies of British Slave-Ownership," https://www.ucl.ac.uk/lbs/ [accessed 23.01.2025]; Catherine Hall et al., eds., *Legacies of British Slave Ownership. Colonial Slavery and the Formation of Victorian Britain* (Cambridge: Cambridge University Press, 2014); Alex Benton, *Blood Legacy: Reckoning with a Family's Story of Slavery* (Edinburgh: Canongate Books, 2021); Martín Rodrigo y Alharilla and Lizbeth Chaviano Pérez, eds., *Negreros y esclavos. Barcelona y la esclavitud atlántica (siglo XVI–XIX)* (Barcelona: Icaria, 2017); Schmieder, *Versklavung im Atlantischen Raum*: 155–59, 181–84.

among members of the Afro-Caribbean diaspora in Europe.[6] The midterm report of the United Nations "Decade of People of African Descent" (2015–2024) published in 2020 registered a global above-average worsening of the socio-economic and health situations of people of African descent during the COVID-19 pandemic.[7] The improvements achieved for Afro-descendant persons in the whole decade were so unimportant that the Permanent Forum on People of African Descent (PFPAD) demanded a second Decade with more engagement and the commitment of financial resources.[8] The United Nation proclaimed this second Decade on December, 17, 2024, arguing: "The first International Decade, while a significant milestone, fell short in delivering transformative change [. . .]". The Chair of PFPAD, June Soomer, a Saint Lucian historian, diplomat and Secretary General of CARICOM from 2016 to 2020, emphasized in this context the persistence of "structural inequalities in education, healthcare, housing, economic opportunities, and political representation" and "systemic racism" which "continues to deprive people of African descent of basic human rights, [. . .]".[9]

Racialized social tensions had become evident in the context of the Black Lives Matter movement in 2020, when statues of enslavers and colonizers were toppled, or officially removed following political discussions. This reignited controversial debates about streets and squares in Europe, the Americas and South Africa which had been named after enslavers.[10] Related debates focus on the question of whether and how

6 Philomena Essed and Isabel Hoving, eds., *Dutch Racism, Amsterdam* (Amsterdam: Rodopi, 2014); Michael McEachrane, ed., *Afro-Nordic Landscapes: Equality and Race in Northern Europe* (New York: Routledge, 2014); Marta Araújo and Silvia Rodríguez Maeso, *The Contours of Eurocentrism: Race, History, and Political Texts* (Lanham; MD: Lexington Books, 2016); Otávio Raposo et al., "Negro drama. Racismo, segregação e violência policial nas periferias de Lisboa," *Revista Crítica de Ciências Sociais* 119 (2019): 5–28, https://doi.org/10.4000/rccs.8937; Itxaso Domínguez de Olazábal and Elsa Aimé González, eds., *AFRICA REPORT 2020: Transformations, Mobilization and Continuities* (Madrid: Fundación Alternativas, 2020); Muna AnNisa Aikins et al., *Afrozensus 2020: Perspektiven, Anti-Schwarze Rassismuserfahrungen und Engagement Schwarzer, Afrikanischer und Afrodiasporischer Menschen in Deutschland* (Berlin: Each One Teach One e.V., 2021), https://afrozensus.de/ [accessed 21.01.2025].

7 United Nations. "Midterm Report of the United Nations High Commissioner for Human Rights on the Activities of her Office in Follow-Up to the Implementation of the Programme of Activities Within the Framework of the International Decade for People of African Descent," A8 HRC/45/47, 17.11.2020, https://www.ohchr.org/en/documents/reports/ahrc4547-2020-mid-term-report-un-high-commissioner-human-rights [accessed 27.01.2025].

8 United Nations. "Permanent Forum on People of African Descent," n.d., https://www.ohchr.org/en/permanent-forum-people-african-descent [accessed 27.01.2025].

9 United Nations. The Second International Decade for People of African Descent renews the call for recognition, justice, and development, 19.12.2024. June Soomer Bio, https://scm.oas.org/pdfs/2023/CP48684Bio.pdf [accessed 17.02.2025].

10 Ulrike Schmieder and Michael Zeuske, eds., *Falling Statues Around the Atlantic* [= *Comparativ. Zeitschrift für Globalgeschichte und vergleichende Gesellschaftsforschung* 31, no. 3–4 (2021)]; Ana Lucia Araujo and Ynaê Lopes dos Santos, eds., *Práticas da Historia* [= *Journal on Theory, Historiography and Uses of the Past* 15 (2022)]; Audrey Célestine, Nicholas Martin-Breteau and Charlotte Recoquillon, *Black Lives Matter, A Mouvement Transnational?* [= *Esclavages & Post-esclavages/Slaveries & Post~Slaveries*

museums should narrate the hidden past of enslavement and colonialism, including their own colonial origins;[11] what to do with remaining historical sites of the traffic of African captives, rural and urban slavery, the traces of enslaved persons and the transfer of capital from slavery;[12] the need to establish new monuments and memorial sites for the enslaved, their resistance, and abolitionists of African descent, and

6 (2022)], http://journals.openedition.org/slaveries/6655 [accessed 21.01.2025]; Juilee Decker, ed., *Fallen Monuments and Contested Memorials* (London: Routledge, 2023); Sarah Gensburger and Jenny Wüstenberg, eds., *De-Commemoration: Removing Statues and Renaming Places* (New York: Berghahn, 2024).

11 For Europe: Tony Bennett, *Pasts Beyond Memory: Evolution, Museums, Colonialism* (London: Routledge, 2004); Thomas Dominic, ed., *Museums in Postcolonial Europe* (Abingdon: Routledge, 2010); Laurajane Smith, Geoffrey Cubitt, Rose Wilson and Kalliopi Fouseki, eds., *Representing Enslavement and Abolition in Museums. Ambiguous Engagements* (New York: Routledge, 2011); Alice Procter, *The Whole Picture: The Colonial Story of the Art in Our Museums and why we Need to Talk About it* (London: Cassell, 2020). For the Caribbean: Alissandra Cummins, Kevin Farmer and Roslyn Russell, eds., *Plantation to Nation. Caribbean Museums and National Identity* (Champaign, IL: Common Ground, 2013); Jean Moomou, "Le Mémorial ACTe: Quai Branly de Guadeloupe, Louvre des Antilles-Guyane, Gorée des Amériques!" *Outre-Mers, Revue d'Histoire* 103, no. 388–89 (2015): 239–68, https://doi.org/10.3917/om.152.0239; Gaetano Ciarcia, "Instituer le souvenir de l'esclavage en Guadeloupe et à Nantes: les contentieux du don commémoratif," *Ethnologie française* 50, no. 1 (2020): 125–41, https://doi.org/10.3917/ethn.201.0125.

12 For Europe: Katie Donington, Ryan Hanley and Jessica Moody, eds., *Britain's History and Memory of Transatlantic Slavery: Local Nuances of a 'National Sin'* (Liverpool: Liverpool University Press 2016); Marta Lança and Carlos Garrido Castellano, "Notes on Curatorship, Cultural Programming and Coloniality Portugal," *Luso-Brazilian Review* 56, no. 2 (2019): 42–63; Mary Wills and Madge Dresser, *The Transatlantic Slave Economy and England's Built Environment: A Research Audit*, *Historic England, Research Report Series* 24 (Portsmouth: Historic England, 2020); Caroline Le Mao, *Bordeaux, La Rochelle, Rochefort, Bayonne, Mémoire Noire. Histoire de l'Esclavage* (Bordeaux: Mollat, 2020); Isabel Castro Henriques, *Roteiro histórico de uma Lisboa africana: séculos XV–XXI* (Lisbon: Colibri, 2021); Marianne Bechhaus-Gerst and Joachim Zeller, eds., *Deutschland Postkolonial. Die Gegenwart der imperialen Vergangenheit*, 2nd ed. (Berlin: Metropol, 2021); Martín Rodrigo y Alharilla, ed., *Del olvido a la memoria. La esclavitud en la España contemporánea* (Barcelona: Icaria 2022); Britta Timm Knudsen, John Oldfield, Elizabeth Buettner and Elvan Zabunyan, eds., *Decolonizing Colonial Heritage. New Agendas, Actors, and Practices in and Beyond Europe* (London: Routledge, 2022); Marcel Dorigny and Alain Ruscio, *Paris colonial et anticolonial. Promenades dans la capitale. Une histoire de l'esclavage et de la colonisation* (Paris: Hemisphères Editions 2024). For the Caribbean: Jorge Giovannetti, "Subverting the Master's Narrative: Public Histories of Slavery in Plantation America," *International Labor and Working-Class History* 76, no. 1 (2009): 105–26, https://doi.org/10.1017/S0147547909990111; Jean Ronald Augustin, "La mémoire de l'esclavage dans l'espace public. Initiatives pour sa patrimonialisation à Bordeaux (France) et à Port-au-Prince (Haïti)," *Ethnologies* 34, no. 1–2 (2012): 205–26, https://doi.org/10.7202/1026151ar; Mechelle Best, "'Freedom Footprints: The Barbados Story' – a Slavery Heritage Trail," *Journal of Heritage Tourism* 12, no. 5 (2016): 474–88, https://doi.org/10.1080/1743873X.2016.1255220; Jerry Michel, "Les habitations coloniales entre récits mémoriels, logiques patrimoniales et représentations sociales en Haïti," in *Práticas da Historia* [= *Journal on Theory, Historiography and Uses of the Past* 15 (2022)]: 23–65; Celia E. Naylor, *Unsilencing Slavery: Telling Truths about Rose Hall Plantation, Jamaica* (Athens: University of Georgia Press, 2022).

memorial activism to reach that aim.[13] The calls for a decolonization of cityscapes and museums met with strong resistance from the very first moment, both in European societies[14] and on the Latin American continent. The refusal to acknowledge the cultural heritage of slavery led in some cases to a backlash and the reversal of achieve-

13 For Europe: Alan J. Rice, *Creating Memorials, Building Identities: The Politics of Memory in the Black Atlantic* (Liverpool: Liverpool University Press, 2010); Antumi Toasije, "La memoria y el reconocimiento de la comunidad africana y africano-descendiente negra en España: el papel de la vanguardia panafricanista," *Nómadas. Revista Crítica de Ciencias Sociales y Jurídicas* 28, no. 4 (2014): 277–316, http://www.redalyc.org/articulo.oa?id=18118913014 [accessed 23.01.2025]; Kwame Nimako and Glen Willemsen, eds., *The Dutch Atlantic: Slavery, Abolition and Emancipation* (London: Pluto Press 2011): 149–83; Marcel Dorigny, *Arts & Lettres contre l'esclavage* (Paris: Cercle d'Arts, 2018); Natasha A. Kelly and Olive Vassell, eds., *Mapping Black Europe: Monuments, Markers, Memories* (Bielefeld: transcript, 2023). For the Caribbean: Lawrence Brown, "Monuments to Freedom, Monuments to Nation: The Politics of Emancipation and Remembrance in the Eastern Caribbean," *Slavery and Abolition*, 23, no. 3 (2002): 93–116, https://doi.org/10.1080/714005243; Dimitri Béchacq, "Les parcours du marronage dans l'histoire Haïtienne, Entre instrumentalisation politique et réinterprétation sociale," *Ethnologies, Folklore Studies Association of Canada, 2006, Haïti – Face au passé* 28, no. 1 (2006): 203–40, https://doi.org/10.7202/014155ar; Thierry Nicolas, "A la poursuite du patrimoine. Les lieux de mémoire de l'esclavage dans départements d'outremer (DOM)," *EchoGéo*, 09.07.2009, http://echogeo.revues.org/index11300.html [accessed 22.01.2025]; Winston F. Phulgence, "African Warriors, Insurgent Fighters, and the Memory of Slavery in the Anglophone Caribbean," *Journal of African Diaspora Archaeology and Heritage* 4, no. 3 (2015): 214–26, https://doi.org/10.1080/21619441.2015.1124593; Matthew J. Smith, "ROCKSTONE: On Race, Politics, and Public Memorials in Jamaica," *Slavery & Abolition* 42, no. 2 (2021): 219–39, https://doi.org/10.1080/21502552.2024.2372758; Ulrike Schmieder, "Género y monumentos a la resistencia de personas esclavizadas y sus descendientes en Martinica y Cuba dentro del contexto de las culturas memoriales de la esclavitud en el Caribe," in *Género e interseccionalidad en la historia y la cultura de Centroamérica y el Caribe (siglos XIX y XX)*, ed. Christine Hatzky, Anja Bandau and Lidia Becker (San José: CIHAC 2024): 35–94; for both regions: Ana Lucia Araujo, ed., *Politics of Memory: Making Slavery Visible in the Public Space* (New York: Routledge, 2012); Nicola Frith and Kate Hodgson, eds., *At the Limits of Memory: Legacies of Slavery in the Francophone World* (Liverpool: Liverpool University Press, 2015); Abdoulaye Gueye and Johann Michel, eds., *A Stain on our Past. Slavery and Memory* (Trenton: Africa World Press, 2018).

14 Renaud Hourcade, *Les ports négriers face à leur histoire: politique de la mémoire à Nantes, Bordeaux et Liverpool* (Paris: Dalloz, 2014); Artwell Cain, "Slavery and Memory in the Netherlands: Who Needs Commemoration?" *Journal of African Diaspora Archaeology and Heritage* 4, no. 3 (2015): 227–42; Marta Araújo and Anabela Rodrigues, "História e memoria em movimento: escravatura, educação e (anti)racismo em Portugal," *Revista história Hoje* 7, no. 14 (2018): 107–32, https://doi.org/10.20949/rhhj.v7i14.468; Henrik Holm, "A Big Splash in Shallow Waters: The Statue of Frederic V and the Danish Colonial Past," *1700-tal: Nordic Journal for Eighteenth-Century Studies* 18 (2021), https://doi.org/10.7557/4.5910; Edgar Straehle, "Melancolía imperial y leyenda negra en el paisaje español actual," in *Revista de Historia: Jerónimo Zurita* 99 (2021): 35–77; Tobias Hübinette, Peter Wikström and Johan Samuelsson, "Scientist or Racist? The Racialized Memory War Over Monuments to Carl Linnaeus in Sweden During the Black Lives Matter Summer of 2020," *Journal of Ethnic and Cultural Studies* 9, no. 3 (2022): 27–55, http://dx.doi.org/10.29333/ejecs/1095; Katie Donington, "Whose Heritage? Slavery, Country Houses, and the 'Culture Wars' in England," in *Cultural Heritage and Slavery: Perspectives from Europe*, ed. Stephan Conermann, Claudia Rauhut, Ulrike Schmieder and Michael Zeuske (Berlin: De Gruyter, 2023): 139–66.

ments. The most prominent example was Brazil under the extreme right-wing government of Jair Bolsonaro, who appointed an outspoken opponent of the public commemoration of slavery, the ultra-conservative Black journalist Sérgio Nascimento de Camargo, as the president of the Palmares Cultural Foundation, the institution responsible for preserving and promoting the cultural heritage of enslavement and resistance in Brazil. Camargo declared that the descendants of slaves should be glad to live in Brazil instead of Africa, denied the existence of anti-Black racism in Brazil, and led a permanent feud against the country's Black Movement.[15] Under the second leftist government of Luiz Inácio Lula da Silva, the committees of the closed-down Palmares Foundation were restored and the Black advocate and human rights defender João Jorge Rodrigues was appointed as its chairman. However, the Bolsonaro period had made visible the fragility and vulnerability of state-led decolonizing and anti-racist politics of memory. It is unlikely that the independent CARICOM states, the majority of whose population are descendants of enslaved Africans, will give up their politics of critical remembrance of enslavement or their demands for symbolic and material reparations, but it is probable that they will soon have to act in a more hostile environment. What a government of the far-right *Rassemblement National* in France would do with the Taubira Law, which recognizes both the trade in enslaved Africans and slavery as crimes against humanity and promotes sites of memory and commemorative events, including in the Overseas Departments, can be imagined from the declaration of RN's departmental secretary for La Réunion, Johnny Payet, in June 2024. He said that one should not speak about slavery today, or celebrate the day of liberation, but simply let the past let be the past.[16] In the United States many schools had already banned books about enslavement and the fight for the civil rights of African and Native Americans from their libraries (in addition to books concerning LGBTQ+ persons and sex education) before the second Presidency of Donald Trump whose Government aims at silencing the history of enslavement and its legacies, erasing Black history in general, via cutting federal funds of Universities and national museums and direct interventions in their work.[17] Against this background, it is more important than ever that universities and academics in the shrinking

15 David Treece, "The Challenges for Anti-Racists in Bolsonaro's Brazil," *Journal of Iberian and Latin American Studies* 27, no. 2 (2021): 213–33, https://doi.org/10.1080/14701847.2021.1944030; Simone Pondé Vassallo and Luz Stella Rodríguez Cáceres, "Conflitos, verdades e política no Museu da Escravidão e da Liberdade no Rio de Janeiro," *Horizontes Antropológicos* 25, no. 53 (2019): 47–80, http://dx.doi.org/10.1590/s0104-71832019000100003.

16 Laurenat Decloitre, "Négationnisme. Le patron du RN de la Réunion ne veut pas 'juger' l'esclavage, 'un mode de vie qu'on n'a pas vécu'," *La Libération*, 19.04.2024, https://www.liberation.fr/politique/le-patron-du-rn-de-la-reunion-ne-veut-pas-juger-lesclavage-un-mode-de-vie-quon-a-pas-connu-20240619_J2I3RSPR4BGQ3J3W2AT2OUBJOM/ [accessed 21.01.2025].

17 PEN America, "Banned in the USA. The Growing Movement to Censor Books in Schools," 19.09.2022, https://pen.org/report/banned-usa-growing-movement-to-censor-books-in-schools/ [accessed 23.01.2025]; Kit Maher, Piper Hudspeth Blackburn; Trump escalates attacks against Smithsonian museums, says

number of countries where academic freedoms still exist make the results of their work about enslavement and its legacies accessible to a broader public.

Scholars at the Bonn Center of Dependency and Slavery Studies (BCDSS) at the University of Bonn and the Centre for Atlantic and Global Studies (CEAGS) at Leibniz Universität Hannover discuss the memories, cultural heritage and political and socio-economic legacies, as well as current political implications of the historical processes on which their research focuses.[18] The present volume includes papers presented at a virtual international conference organized by the BCDSS on "Cultural Heritage and Slavery: Perspectives from the Caribbean" (held in March 2022),[19] by Alexa Voss and Olivia Gomes da Cunha, and by authors (Olga Isabel Sosa Amorós, Anabel García García and Orlando F. García Martínez, Sandra E. Taborda Parra, Valérie-Ann Edmond-Mariette, Trevor, Burnard, Ulrike Schmieder) who were later asked to contribute to that publication as not all conference participants were able to provide a chapter based on their oral presentation. The conference had given the floor to (circum-)Caribbean researchers working on the Caribbean. With the additional contributions, the focus of the volume now also includes the cultural heritage of enslavement in Cuba and the hispanophone (circum-)Caribbean as well as the French overseas departments, fields that are less researched than the remembrance and heritage sites of enslavement in the Anglophone Caribbean, and thus may be useful for scholars, students, teachers, staff of museums and heritage sites, journalists, and indeed for everybody interested in the cultures of memory of colonialism and enslavement.[20] The cultural heritage of enslavement in the former Dutch and Danish Caribbean are not addressed in this volume. On this topic, we suggest the works of Valika Smeulders, Alex van Stipriaan, Lucs Alofs, Francio Guadeloupe, Jean-

there's too much focus on 'how bad slavery was', CNN, 20.8.2025, https://edition.cnn.com/2025/08/19/politics/trump-slavery-museum-smithsonian, [accessed 15.9.2025].

18 Bonn Center of Dependency and Slavery Studies, https://www.dependency.uni-bonn.de/en; Centre for Atlantic and Global Studies, https://www.ceags.uni-hannover.de/en/.

19 Bonn Center for Dependency and Slavery Studies, "Cultural Heritage and Slavery: Perspectives from the Caribbean," https://www.dependency.uni-bonn.de/en/outreach/events/international-workshop [accessed 23.01.2025].

20 Karl Watson, "Barbados and the Bicentenary of the Abolition of the Slave Trade," *Slavery & Abolition* 30, no. 2 (2009): 179–95, https://doi.org/10.1080/01440390902818815; Annie Paul, "Do You Remember the Days of Slav'ry? Connecting the Present with the Past in Contemporary Jamaica," *Slavery and Abolition* 30, no. 2 (2009): 169–78, https://doi.org/10.1080/01440390902818757; Wayne Modest, "Slavery and the (Symbolic) Politics of Memory in Jamaica: Rethinking the Bicentenary," in *Representing Enslavement and Abolition in Museums. Ambiguous Engagements*, ed. Laurajane Smith, Geoffrey Cubitt, Rose Wilson and Kalliopi Fouseki (New York: Routledge, 2011): 75–94; Phulgence, "African Warriors, Insurgent Fighters"; Smith, "ROCKSTONE".

nette Bastian, Justyce Benette, William A. White, and Astrid Nonbo Anderson, among others.[21]

The conference about the Caribbean had been preceded by a symposium on "Cultural Heritage and Slavery: Perspectives from Europe", held in July 2021, the proceedings of which were published in 2023.[22] The organizers at the BCDSS (Stephan Conermann, Karoline Noack, Claudia Rauhut, and Michael Zeuske for the first, and Stephan Conermann, Claudia Rauhut, and Michael Zeuske for the second conference) asked Ulrike Schmieder from the CEAGS to become a co-convener and co-editor, because the topic of the second conference is at the core of her research project, "Memories of Atlantic Slavery. France and Spain, the French Caribbean and Cuba Compared in the Context of Global Debates about the Commemoration of Slave Trade and Slavery." Its results have been recently published in two volumes.[23]

Any debate on cultural heritage starts with the question of what words to use to describe historical phenomena, social and ethnic groups: "Enslavement" vs. "slavery," "traffic in enslaved Africans/African captives" vs. "slave trade," "(en)slavers" vs. "slave traders" and "slave owners," "(formerly/ once) enslaved persons" vs. "slaves," "people of African descent," combinations of "Afro-/Black, Indigenous and People of Color (BIPoC)" vs. "Blacks/Black persons, slaves," etc.[24] In 2019, French historians and anthropologists

21 Valika Smeulders, "New Perspectives in Heritage Presentations in Suriname and on Curaçao: From Dutch Colonial Museums to Diversifying Representations of Enslavement," in *Plantation to Nation. Caribbean Museums and National Identity*, ed. Alissandra Cummins, Kevin Farmer and Roslyn Russell (Champaign; IL: Common Ground, 2013): 153–68; Eveline Sint Nicolaas and Valika Smeulders, *Slavery: The Story of João, Wally, Oopjen, Paulus, van Bengalen, Surapati, Sapali, Tula, Dirk, Lohkay* (Amsterdam: Rijksmuseum, 2021); Stipriaan, Alofs and Guadeloupe, *Caribbean Cultural Heritage and the Nation*; Alex van Stipriaan, "July 1, Emancipation Day in Suriname: a Contested 'lieu de mémoire', 1863–2003," *New West Indian Guide/Nieuwe West-Indische Gids* 78, no. 3–4 (2004): 269–304; Jeannette A. Bastian, *Owning Memory. How a Caribbean Community Lost its Archives and Found its History* (Westport: Libraries Unlimited 2003); Justyce Bennett, "Crucian Confusion: Memory-Making on the Island of St. Croix" (PhD-diss., University of Delaware, 2021); William A. White, "Remembering Queen Mary: Heritage Conservation, Black People, Denmark, and St. Croix, U.S. Virgin Islands," *Journal of African Diaspora Archaeology and Heritage* 12, no. 1 (2022): 32–55, https://doi.org/10.1080/21619441.2022.2034365; Astrid Nonbo Andersen, "The Reparations Movement in the United States Virgin Islands," *The Journal of African American History* 103, no. 1–2 (2018): 104–32, https://doi.org/10.1086/696335.

22 Stephan Conermann, Claudia Rauhut, Ulrike Schmieder and Michael Zeuske, eds., *Cultural Heritage and Slavery: Perspectives from Europe* (Berlin: De Gruyter, 2023).

23 The research project with the short title "Memories of Atlantic Slavery" was funded by the Deutsche Forschungsgemeinschaft (DFG; German Research Foundation, reference: SCHM 1050/5-1, 2, project number 393718958), as was the publication: Schmieder, *Versklavung im Atlantischen Raum.*

24 Some contributions to this discussion include Susan Arndt and Nadja Ofuatey-Alazard, eds., *Wie Rassismus aus Wörtern spricht. (K)Erben des Kolonialismus im Wissensarchiv deutsche Sprache. Ein Kritisches Nachschlagewerk*, 4th ed. (Münster: Unrast, 2011); Kwame Nimako, "Conceptual Clarity, please! On the Uses and Abuses of the Concepts of 'Slave' and 'Trade' in the Study of the Transatlantic Slave Trade and Slavery," in *Eurocentrism and Knowledge. Debates on History and Power in Europe and the Americas*, ed. Marta Araujo and Silvia R. Maeso (New York: Palgrave Macmillan, 2015): 178–91; Annette Becker, Christine

signed an appeal calling for a reform of the language about enslavement and its resistant victims.[25] In 2022, UNESCO decided to rename the "Slave Route Project" to "Routes of Enslaved Peoples: Resistance, Liberty and Heritage Project" after consulting a large group of scholars and activists working on sites of memory of enslavement.[26] However, African American and Caribbean historians, who are not suspected of propagating colonial and racist worldviews, still use the word "slave" instead "enslaved person" or similar terms.[27] The debate becomes more complicated when we look at the traditions in Francophone and Hispanophone historiography, and the everyday use of language to describe enslavement and its legacies. For instance, the use of "eslavisé.es" (enslaved persons) or "Africain.es reduit.es en esclavage" (Africans reduced to slavery) is more recent and still not dominant in the historiography of the French overseas departments. Younger activists say "afrodescendants", while older ones insist on Aimé Césaire's "nègre." The terms "esclavizado"/ "persona esclavizada,"[28] and afro-venezolano/colombiano/costarricense etc. are used by most postcolonial academics and activists in the Spanish-speaking (circum-)Caribbean,[29] but not by most Cuban historians. However, most Black Cuban antiracial activists in the interviews with Ulrike Schmieder opted for "Afro-Cubanos" instead of "negros" (to be translated with "Black", not the English n*-word).[30] Readers of this vol-

Chivallon and Gaetano Ciarcia, "Les mots de l'esclavage : une vigilance nécessaire," La Libération, 27.06.2019, https://www.liberation.fr/debats/2019/06/27/les-mots-de-l-esclavage-une-vigilance-necessaire_1736562/ [accessed 23.01.2025]; Dean Baquet and Phil Corbett, "Uppercasing 'Black'," *The New York Times* 20.06.2020, https://www.nytco.com/press/uppercasing-black/ [accessed 23.01.2025]; Magali Bessone and Myriam Cottias, *Lexique des réparations de l'esclavage* (Paris: Karthala, 2021).

25 Becker, Chivallon, and Ciarcia, "Les mots de l'esclavage".

26 UNESCO, "Routes of Enslaved Peoples: Resistance, Liberty and Heritage," https://www.unesco.org/en/routes-enslaved-peoples [accessed 22.01.2025].

27 Hilary M. Beckles, *The First Black Slave Society: Britain's 'Barbarity Time' in Barbados, 1636–1876* (Mona: University of the West Indies Press, 2016); Selwyn R. Cudjoe, *The Slave Master of Trinidad: William Hardin Burnley and the Nineteenth-Century Atlantic World* (Amherst: University of Massachusetts Press, 2018); Vincent Brown, *Tacky's Revolt: The Story of an Atlantic Slave War* (Cambridge, MA: Harvard University Press, 2020).

28 Schmieder, *Versklavung im Atlantischen Raum*: 43–47.

29 Gladys Lechini de Alvarez, *Los estudios afroamericanos y africanos en América Latina: herencia, presencia y visiones del otro* (Buenos Aires: Consejo Latinoamericano de Ciencias Sociales, 2008); Rina Cáceres, ed., *Nuestra herencia afrocaribeña*, vol. 5, *Del olvido a la memoria* (San José: Unesco, 2011); Raúl Cortés Landázury and Mónica María Sinisterra Rodríguez, *Expectativas quebrantadas: la cuestión afro y la discriminación racial en Colombia* (Popayán: Editorial Universidad del Cauca, 2017); Celsa Albert Batista, *República Dominicana, primer pueblo afrodescendiente*, 2nd ed. (Santo Domingo: Editorial Búho, 2020); Diana Senior Angulo, "Los estudios afrocentroamericanos como espacio vital de materialización académica y reivindicación tangible," *Revista digital FILHA* 23 (2020): 1–12; Cristiano Rodrigues, *Afro-latinos em movimento: protesto negro e ativismo institucional no Brasil e na Colômbia* (Curitiba: Appris, 2020).

30 Schmieder, *Versklavung im Atlantischen Raum*: 414–51; Daisy Rubiera Castillo and Inés Martiatu Terry, eds., *Afrocubanas. Historia, pensamiento y prácticas culturales* (Havana: Edición de Ciencias Sociales 2011); Tomás Fernández Robaina, *Identidad afrocubana, cultura y nacionalidad* (Santiago de Cuba: Editorial Oriente, 2009). For a critique on the use of "afrocubano", especially in the Cuban context, by the racist anthro-

ume will detect a variety of terms employed by the contributors to describe enslavement and (descendants of) enslaved Africans. This variety reflects the unsolved question of how to describe racial slavery without reproducing racist stereotypes, and very different opinions on the part of the authors about this question and its importance.

This introduction will not duplicate the remarks on the approaches to heritage studies, memory studies and museum studies in the contribution by Ulrike Schmieder. Based on the – critically discussed – concepts of Laurajane Smith, Christine Chivallon, Ana Lucia Araujo, Stephen Small and Jennifer Eichstedt, Kristin Gallas and James DeWolf Perry, Catherine Reinhardt and Pierre Nora, Schmieder compares the representation of enslavement in the museums of Martinique and Cuba. The study is based on an oral history project during which different agents around the cultural heritage of enslavement were interviewed, ranging from scholars and scholarly activists, museum staff, members of memorial associations to descendants of enslaved persons living near the historical sites of enslavement converted to museums, such as the "Museo al esclavo rebelde" in Triunvirato (Cuba) or the "Musée de la Pagerie" in Trois-Îlets (Martinique). The chapter references public museums and privately initiated ones, museums dedicated entirely to the history of enslavement and resistance, such as the "Museo de la Ruta del Esclavo" in Matanzas, enslavement in municipal and regional museums; and museums of sugar production, such as the "Maison de la canne" in Trois-Îlets and the "Museo de la Industria Azucarera" in Comas. In her study, Schmieder found more commonalities than one might imagine in view of the various different political and socio-economic systems of the two islands. Those common features were particularly present in terms of a narrative about slavery which is focused on the technology of sugar production and objectifies the enslaved as the "workforce," using the language of owners and overseers and neglecting to narrate individual life stories. However, armed resistance by enslaved Africans plays a more important role in socialist Cuba. On the other hand, the limited democracy of Martinique offers more space for Black-centric memorial sites created and managed independently by descendants of enslaved persons, such as the open-air museum "La Savane des Esclaves" in Trois-Îlets or the ossuary at the burial ground of Anse Bellay. By contrast, the "Museo Ma Carlota" at the sugar mill "Méjico" was incorporated into state run institutions, though its creator, Eneida Villegas Zulueta, retains a certain amount of agency. This case study must be put in the general context of precariousness of museums in the Caribbean, where only a small number of museums focuses on enslavement and resistance (the Pompey Museum of Slavery and Emancipation in Nassau, Bahamas; the Kura Hulanda Museum in Willemstad and the Tula Museum in Kenepa, both in Curação; and the Musée Ogier-Fombrun in Montruis, Haiti).[31] However, it is less a lack of interest than a lack of financial means that explains why states in the Anglophone Caribbean such as

pologist Fernando Ortiz see Michael Zeuske, *Afro-latinidad e historia de las esclavitudes* (Guadalajara: CALAS, 2024), https://doi.org/10.32870/9786075812564.

31 For details see Schmieder, *Versklavung im Atlantischen Raum*: 968–82. Alex van Stipriaan, "Representations and Reparation of Slavery in the Caribbean," in *Caribbean Cultural Heritage and the Nation:*

Jamaica, Barbados, Bermuda, or Antigua & Barbuda do not have large museums that address enslavement and the African roots of Caribbean societies, but only individual galleries that refer to these topics in their national or otherwise important museums. That is why the CARICOM "10-Point Reparation Plan" demands "the establishment of cultural institutions and the return of cultural heritage" on behalf of descendants of indigenous peoples, enslaved Africans, and the indentured workers, arguing that "[t]he restoration of historical memory through community institutions such as museums and research centres will allow citizens to understand these crimes against humanity as well as other colonial harm and to memorialize their ancestors' contributions to modern disciplines such as health care and technology."[32] To compare the results of Schmieder's research on Martinique and Cuba with museums about enslavement in the United States, we point to the recent studies by Stephen Small and Amy Potter et al. with respect to plantation museums and sites in the US American South,[33] and articles about the National Museum of African American History and Culture (NMAAHC).[34] In the Caribbean, only the giant Memorial ACTe, "Centre caribéen d'expressions et de mémoire de la traite et de l'esclavage" in Guadeloupe,[35] an institution that combines elements of a museum, a monument, and an educational center, has a dimension comparable to the NMAAHC.

The chapter by Valérie-Ann Edmond-Mariette is also dedicated to the remembrance of enslavement and emancipation in Martinique, but from a different angle

Aruba, Bonaire and Curaçao in a Regional Context, ed. Alex Stipriaan, Luc Alofs and Francio Guadeloupe (Leiden: Leiden University Press, 2023): 83–101.

32 CARICOM. "10-Point Reparation Plan," https://caricomreparations.org/caricom/caricoms-10-point-reparation-plan/ [accessed 23.01.2025].

33 Amy Potter et al., *Remembering Enslavement: Reassembling the Southern Plantation Museum* (Athens: University of Georgia Press, 2022); Stephen Small, *In the Shadows of the Big House. Twenty-First-Century Antebellum Slave Cabins and Heritage Tourism in Louisiana* (Jackson: University Press of Mississippi, 2023); Short versions: Stephen Small, "Still Back of the Big House: Slave Cabins and Slavery in Southern Heritage Tourism," *Tourism Geographies: An International Journal of Tourism Space, Place and Environment* 15, no. 3 (2013): 405–23, https://doi.org/10.1080/14616688.2012.723042; E. Arnold Modlin et al., "Can Plantation Museums do Full Justice to the Story of the Enslaved? A Discussion of Problems, Possibilities, and the Place of Memory," *GeoHumanities* 4, no. 2 (2018): 335–59, https://doi.org/10.1080/2373566X.2018.1486723.

34 Timothy J. Brown, "Public Memory at a Contested Site. The Struggle for Existence at the National Museum of African American History and Culture," in *Upon the Ruins of Liberty. Slavery, the President's House at Independence National Historical Park, and Public Memory*, ed. Roger C. Aden (Philadelphia: Temple University Press, 2015): 155–70; Corinne A. Kratz, "Where Did you Cry? Crafting Categories, Narratives, and Affect through Exhibit Design," *Kronos, SPECIAL EDITION: Missing and Missed Subject Politics Memorialisation* 44 (2018): 229–52, https://www.jstor.org/stable/10.2307/26610867 [accessed 22.01.2025].

35 Thierry L'Étang, ed., *Mémorial ACTe, L'esclavage et la traite négrière dans la Caraïbe et le Monde* (Pointe-à-Pitre: Mémorial ACTe editions, Centre caribéen d'expressions et de mémoire de la traite et de l'esclavage, 2015).

than Schmieder's study of museums. Edmond-Mariette is active in Martinican memorial culture: she offers guided tours on the traces of colonial Fort-de-France based on her expertise as a historian; she thereby combines two forms of cultural heritage. She first looks at the tangible cultural heritage, the works of public art which represent the remembrance of White abolitionism through the heroization of the White "savior," Victor Schœlcher, a French abolitionist who as undersecretary for the colonies and the navy was responsible for the abolition decree of 1848. The dominance of the commemoration of the White hero to the detriment of the enslaved persons who rebelled in May 1848 and thereby managed to put an end to slavery, has been criticized for decades: this criticism culminated in 2020 with the toppling of his statues in Fort-de-France and the town of Schœlcher, which was named after him. Edmond-Mariette explains the actions of the activists, which do not do justice to the historical figure of Schœlcher but reflect past and present inequities, by the fact that most plantations, the historical sites of enslavement, remain in the hands of the descendants of enslavers and so cannot become sites of mourning for the enslaved ancestors. Secondly, Valérie-Ann Edmond-Mariette points to the intangible cultural heritage of enslavement, the remembrance of slavery and freedom in music, from the hymns dedicated to *Schœlcher* in *biguine* music to the chansons in honor of Maroons and enslaved rebels in Martinican *bèlè* music, both forms inspired to different degrees by African musical traditions.[36] Tracing the history of Martinique's commemorative culture in the last hundred years as reflected in the development of oral and musical traditions is an innovative and, in our volume, unique approach to the cultural heritage of enslavement from the perspective of the (Francophone and Creole-speaking) Caribbean.

Cuba is very present in this volume, which makes sense historically because this big island was the site of the Second – industrialized, mass – Slavery of the nineteenth century[37] and the destination of approximately 983.000 abducted captives from different African societies (whereas only 388.700 captives were deported to the much bigger territory of mainland North America).[38] In her chapter, Olga Isabel Sosa Amorós explores the legacy of a big enslaver of Venezuelan origin: Tomás Terry Adan, a trafficker of African captives to the town and province of Cienfuegos, a region that saw the expansion and modernization of mass slavery in the mid-nineteenth century. She

36 Valérie-Ann Edmond-Mariette, "Bèlè et biguine dans les ballets folkloriques à la Martinique: catégories d'identifications, danse et musique" (PhD diss., CIRESC, 2018).

37 Dale Tomich and Michael Zeuske, eds., "Introduction, the Second Slavery: Mass Slavery, World-Economy, and Comparative Micro Histories," *Review: A Journal of the Fernand Braudel Center for the Study of Economies, Historical Systems, and Civilizations* 31, no. 2 (2008): 91–100.

38 David Eltis and Felipe-González, "Rise and Fall of the Cuban Slave Trade. New Data, New Paradigms," in *From the Galleons to the Highlands. Slave Trade Routes in the Spanish Americas*, ed. Alex Borucki, David Eltis and David Wheat (Albuquerque: University of New Mexico Press 2020): 205; Alex Borucki, David Eltis and David Wheat, "Atlantic History and the Slave Trade to Spanish America," *The American Historical Review* 120, no. 2 (2015): 440, https://doi.org/10.1093/ahr/120.2.433.

deals first of all with a tangible heritage, financed by the fortune he made by exploiting the labor of enslaved Africans: historical buildings of architectural value in the town of Cienfuegos, his office, and his residence. His family also built the theater of Cienfuegos in his honor, which to this day is called "Teatro Tomás Terry" and contains a statue of the enslaver-patron. The chapter by Olga Isabel Sosa Amorós also alludes to the rural cultural heritage left by this enslaver (constructed by "his" enslaved workers, of course), the *central* (huge sugar factory) *Caracas* near the municipality of Santa Isabel de las Lajas (northwest of Cienfuegos), still today a sugar factory. She explicates the origin of his fortune in his activities as a merchant of different products, from food and domestic metalware to sugar and wood, and a trafficker of human beings; as "caregiver" to sick enslaved Africans in his "Ingenio Juraguá," who were sold after being cured; and later as a banker who appropriated heavily indebted sugar plantations, and as the owner of railway company shares. She describes his further investments in Cuba and the United States,[39] and ends by drawing a connection between the material or tangible cultural heritage left by Tomás Terry Adan and the status of Cienfuegos city center as a UNESCO World Heritage Site.

Anabel García García and Orlando F. García Martínez dedicate their chapter to the other side of the cultural heritage of enslavement, i.e. the memories or rather the silences in the Afro-Cuban family of the Stuart Sarrías, descendants of enslaved workers at the "Ingenio La Carolina," living today in the village of Abreus in the province of Cienfuegos. Their paper is based on interviews with family members, especially with Antonio Stuart Sarría, grandson of materfamilias Manuela Stuart;[40] and on archival sources. These sources relate to the "Ingenio La Carolina" and its enslaved African workers (particularly their baptismal records), and to French and North American immigrants to the settlement of Fernandina de Jagua, particularly a North American man named Guillermo (William) Hood Clement. He transformed himself from a colonist to a merchant and became the owner of a coffee plantation in the Sierra del Escambray which was worked by enslaved laborers. In 1835, he founded the "Ingenio La Carolina," and by 1843 he owned 156 enslaved persons. The sugar mill was inherited by his nephew, Guillermo Hood Stewart, who exploited 527 enslaved workers there in 1861. Manuela Stuart was the daughter of one of the formerly enslaved laborers, a field worker named Luisa Steward. When Manuela was baptized Luisa Steward was a *patrocinada*, meaning she had a status between an enslaved and a free person in the transformation period of *patronato* from 1880 to 1886. As an

39 For the properties in Europe of the descendants of Terry Adan and their connections to the French aristocracy see Ulrike Schmieder, "Dealing with Dissonant Cultural Heritage: Traces of Enslavers in European Cityscapes," in *Cultural Heritage and Slavery: Perspectives from Europe*, ed. Stephan Conermann, Claudia Rauhut, Ulrike Schmieder and Michael Zeuske (Berlin: De Gruyter, 2023): 19–20.

40 In Cuba, the freed persons received the surname of their former owner.

adult, she worked as a domestic employee and in the cane fields; she later lived with an immigrant from Navarra and acquired some urban and rural plots of land. She never spoke about the times of slavery and *patronato*. The memories of the big matrilineal family Stuart Sarría revolve around the fight against the dictatorship of Fulgencio Batista. The legacy of slavery is the striving for freedom, personal and economic independence and family cohesion.

The architectural cultural heritage left by Tomás Terry Adan and his family in Cuban Cienfuegos is a source of pride for the White and Black inhabitants of Cienfuegos (even though everybody knows that this fortune comes from the trade in African captives and knows that the buildings were not constructed by him, but by free and enslaved urban Afro-Cuban workers). We find a very different situation in Santo Domingo, the capital of the Dominican Republic, where the remembrance of forced labor carried out by indigenous and Afro-descent workers for its construction has been silenced completely. This wishful oblivion of slavery in the former Spanish colony of Hispaniola, which had both urban and rural slavery, stands in contrast to the pride in the colonial architectural heritage of the town, which is also a UNESCO World Heritage Site. Alexa Voss addresses the tangible colonial heritage of Santo Domingo, naming, for instance, the *Plaza de Armas*, today *Plaza de España*, as site of the market where enslaved Africans were sold and bought in the colonial period. During the restauration of the town in the twentieth century, its historical ties with Spain were accentuated, the Spanish conquistadors glorified; and the later defenders of Native Americans, Antonio Montesinos and Bartolomé de las Casas, were honored. The Africanity of Dominican culture remained as hidden as its indigenous roots. Official participation in the UNESCO Routes of Enslaved Peoples projects had little impact: An inventory listed three historical sites related to the sale and the torture of enslaved rebels and Maroons in Santo Domingo. None of them is marked by commemorative plaques. The same applies for the sugar plantations in the inventory, which were not converted into sites of commemoration, not even the "Ingenio Boca de Nigua," the site of the important rebellion of 1796. Voss explains the concealment with the distancing of hispanized Dominicans from French Saint-Domingue, which already began during colonial times; and later, particularly under the dictator Trujillo, from Haiti, the state of self-liberated Africans and their descendants, who were and are discriminated against (on several occasions even killed) by racist Dominicans who self-identify as Whites or as *Mestizos* of Spanish and Native American heritage, and by Catholics who are opposed to Haitian voodoo. The denial of colonial slavery and its intangible African cultural heritage is a trait of Dominican national identity which the Dominican Republic has in common with the Spanish-speaking Circum-Caribbean, although in

very different degrees from country to country.[41] Mexico will serve as an example. Although there is a longer tradition of studies about the history of enslaved Africans in Mexico, from the sugar plantations on the Golf coast (in the state of Veracruz) via urban slavery in Mexican towns to cattle haciendas on the Pacific coast (in the state of Guerrero), the recognition of the cultural heritage of enslavement and a population of African descent (*afromestizos*, *afro-descendientes*, *afromexicanos*, *afrooaxaqueños*, *indios negros*, *morenos y negros*) who belong to Mexico is a recent phenomenon, and one that would not have been achieved without the agency and activism of Afro-Mexicans themselves against the national-identity narrative of White-indigenous *mestizaje*.[42]

Our volume includes two examples from the Hispanophone Circum-Caribbean, pointing to Colombia and Venezuela, two countries with a longer tradition of research on the history of slavery and an upswing of public remembrance of this past in the last two decades. Sandra Taborda's contribution refers to the tangible cultural heritage of enslavement in Cartagena de Indias, Colombia, to the impact of the trade with

41 Costa Rica always considered itself a White-*mestizo*, Catholic, hispanized nation with little cultural heritage from a supposedly extinct indigenous population and without an African heritage dating back to colonial times. Africanity has only been connected with the immigrant Black population from the Anglophone Caribbean, who were for decades excluded from Costa Rican citizenship. A short period during which the multiethnic origin of the Costa Rican nation was acknowledged, and government cultural politics commemorated colonial slavery and the country's diverse African roots, only lasted from 2014 to 2022. See Carlos Meléndez and Quince Duncan, *El negro en Costa Rica* (San José: Editorial Costa Rica 2011 [1976]); Karla Araya-Araya and Natascha Rempel, "Estrellas Negras 'en el flamante blanco, azul y rojo': poesía 'rotundamente negra' de los siglos XX y XXI – una perspectiva literaria conjunta del pensamiento afrofeminista en Costa Rica," in *Género e interseccionalidad en la historia y la cultura de Centroamérica y el Caribe (siglos XIX y XX). Gender and Intersectionality in the History and Culture of Central America and the Caribbean (19th and 20th Centuries)*, ed. Christine Hatzky, Anja Bandau and Lidia Becker (San José: CIHAC 2024): 125–74; Ulrike Schmieder, "Memorias y lugares de memoria de la esclavitud y de las raíces africanas en Martinica, Caribe insular, y en Costa Rica," accepted with modifications by *Cuadernos Inter.c.a.mbio sobre Centroamérica y el Caribe*. An example for the recent literary renaissance of an "afrocolonial" identity in Guanacaste is Milagro Matarrita Obando, *Noche sin luna* (Heredia: Abecedaria, 2022). On colonial slavery in Mexico and Central America and its long non-remembrance see Adriana Náveda Chávez-Hita, *Esclavos negros en las haciendas azucareras de Córdoba, Veracruz 1690–1830* (Xalapa: Universidad Veracruzana, 1987); Luz María Martínez Montiel, *Presencia Africana en México* (México: Consejo Nacional para la Cultura y las Artes, 1994); Hermann Lee Bennett, *Colonial Blackness. A History of Afro-Mexico* (Bloomington: Indiana University Press, 2009); Luz María Martínez Montiel, ed., *Presencia Africana en Centroamérica* (México: Consejo Nacional para la Cultura y las Artes, 1993); Rina Cáceres, *Del olvido a la memoria*, vol. 1–5 (San José: Oficina Regional de la UNESCO para Centroamérica y Panamá, 2008).

42 Citlali Quecha Reyna, "La movilización etnopolítica afrodescendiente en México y el patrimonio cultural inmaterial," *Anales de Antropología* 49, no. 2 (2015): 149–173, quotation 158, https://doi.org/10.1016/S0185-1225(15)30006-0; Talia Weltman-Cisneros, "From Objects to Subjects: the Museumification of Blackness in Mexico," *African and Black Diaspora: An International Journal* 13, no. 1 (2019): 80–97, https://doi.org/10.1080/17528631.2019.1637604; Theodore W. Cohen, *Finding Afro-Mexico: Race and Nation after the Revolution* (New York: Cambridge University Press, 2020).

enslaved Africans on the city, the material traces left by the enslaved in urban space, and to heritage connected with the plantations and Maroons in its surroundings. In contrast to the Dominican Republic, there have been more efforts to research and commemorate the urban cultural heritage of enslavement in Colombia, including a 2016 guidebook on the memorial sites of slavery in Cartagena, based on a study promoted fomented by the Ministry of Culture. Taborda's chapter includes a very helpful introduction to the trade in captive Africans and its historical protagonists, including a list of female buyers and vendors of enslaved persons. As there is still a research gap on the role of women as enslavers in the scholarly writing of enslavement in general, this part of her chapter is also innovative. Taborda describes the sites of slavery and places related to the enslaved in Cartagena de Indias, such as the warehouses for newly-arrived Africans, the houses and quarters where urban enslaved laborers lived, the sites of the cabildos, the socio-religious organizations of different ethnic groups of African origin; the urban institutions connected with enslaved workers or clients, and the cemeteries where free and enslaved Africans were buried. Cartagena was surrounded by haciendas where enslaved field laborers worked, and *palenques*, settlements of fugitive enslaved Africans, forming a rural landscape of slavery and resistance. In her conclusion she points to deficits, such as the absence of a museum about enslavement, but the achievements of the politics of memory, such as the memorialization of resistance in the "Palenque de Basilio" as a UNESCO-labeled intangible World Heritage Site (2008), and the "route of sites of memory and Afro awareness," established recently by the Instituto de Patrimonio y Cultura de Cartagena (IPCC).

Tomás Straka examines a process of heroization of Afro-Venezuelans, particularly leaders of rebellions and Maroons, in the politics of memory of the last years of the twentieth and the early twenty-first century under the socialist government of Hugo Chávez as part of the *Revolución Bolivariana*. He criticizes a simplification of history in official discourses about resistance, for instance overlooking cross-racial and cross-class alliances of the rebel movements, which in addition did not always aspire to overcome the system of slavery as such. However, Straka recognizes that some rebellions, such as that of José Leonardo Chirino in 1795, had a racial and anti-slavery character, were inspired by the revolution in Haiti and connected with the anti-slavery insurrection of Tula in Curação. Straka analyzes the "exaltation of Black African roots" of Venezuela and the resistance by many White Venezuelans against a more inclusive view of national history that had already been part of the Constitution of 1999 which recognized the multicultural and pluri-ethnic character of Venezuelan society. He addresses the prevalent idea in Venezuela that "we have no racism here," which hides a virulent anti-Black racism which had existed from the beginning of independence and continues to exist today, but which differed and differs from North American racism because of its gradualism and acceptance of interracial marriages. This ideology has a very familiar ring for everybody who works on racism in Latin America, where the idea dominates that with independence and its official banning of

colonial caste laws, the racism of colonial slavery had been overcome.[43] Straka describes how understandable rejections of the ideological simplifications in the national narrative of the authoritarian Chávez regime mix with the interest-biased refusal of White middle classes to accept the diversity of the Venezuelan nation and the valuable contributions made by persons of African (and indigenous) descent to the development of the country. Straka analyzes the politics of memory in relation to the heroization of four Black persons: Pedro Camejo, known as *El Negro Primero*; the nannies of the national hero and leader of the War of Independence, Simón Bolívar, Hipólita and Matea Bolívar, known as *La Negra* Hipólita and *La Negra* Matea; and Juana Ramírez, *La avanzadora* (i.e. "the female pioneer" of Venezuelan independence), who was of mixed ethnic origin and reinvented as Black woman. His discussion of gender and race which focuses on Bolívar's "Mammies," Hipólita and Matea Bolívar, is particularly important because Straka demonstrates how the romanticization and trivialization of slavery in the nineteenth-century narrative survive underneath the Chavist regime's enthusiasm for the two Black women. Straka closes his chapter with the wish that *Afro-Venezolanos* may become a part of national history and commemorations, independent of short-lived political booms.

The role of Maroons in history and the politics of memory in Suriname and French Guiana is even more important than that of Cuban, Colombian and Venezuelan Cimarrones, albeit more controversial, as Olivia Gomes da Cunha states in her article. Her chapter discusses Surinamese Maroons who sought shelter in French Guyana after being persecuted by the Surinamese army in the Interior (or Domestic) War of 1986–1992, when all Maroons were conceived of as guerrilla fighters of the so-called Jungle Commando and the guarantees of the 1760 Peace Treaty were no longer observed. Gomes da Cunha draws on monuments in stone to remember the massacre of the people of maroon village Moiwana in 1986 as part of transitional justice and reparative policies ordered by the Inter-American Court of Human Rights and their incorporation in the memory-making of displaced Ndyuka people other villages on the Cottica river. They tell stories of violence and war that in their world view affected the places (peesi) where they had lived, sentient environments, animals, rivers, soil and rocks, protected by local spirits. Ndyuka people have been inextricably tied to the ancestral lands inhabited by their deceased ancestors, the first Maroons who had escaped slavery, won their freedom, and were honored by later generations through offerings, libations and shrines, because only their commune with the beings they encountered in rivers and forests had made possible the life in the Maroon villages. To Ndyuka refugees, the massacre of the people of Moiwana and other villages, the subsequent uprooting and separation from their sacred sites, and the obstacles to burying their dead with adequate funerary rites in the refugee camps, felt like a return of the

43 George Reid Andrews, *Afro Latin America, 1800–2000* (New York: Oxford University Press, 2004): 85–116, 165–90.

unsafe times of enslavement. This insecurity could only be overcome by the creation of new peesi in French Guyana, not by going back to the disturbed and destroyed sites in Suriname.

The violence of enslavement whose remembrance haunted the survivors of the Moiwana massacre is the subject of the contribution by our recently deceased colleague, Trevor Burnard, a former fellow at the BCDSS. Originally from New Zealand, he held posts at the University of the West Indies, at US American and New Zealand as well as British institutions, and had been teaching and researching at the University of Hull at the time of his death. He was an outstanding expert of the history of slavery and abolition in the Atlantic World, particularly Jamaica, as well its effects on the United Kingdom and the British colonial Empire. In his chapter, he approached this topic through a historical source in which the infamous overseer and owner of a plantation and enslaved workers, Thomas Thistlewood, described the extreme violence exerted by Whites over Blacks not only to dominate and discipline the enslaved men and crush the slightest intent of resistance, but also to abuse the enslaved women on uncountable occasions with an unimaginable cruelty.[44] After discussing historical and current explanations for that extreme and unpunished violence by Whites who saw themselves as being in a permanent war against African warriors, Maroons and armed rebels – a war which justified every crime – Trevor Burnard addressed a thesis by Orlando Pattersons, who argued that the cultural heritage of violence in slavery, especially misogynist coercion, shaped Jamaican society, which was marked by high levels of violence and lawlessness into the twentieth century. Burnard himself was more interested in the question of how "Tacky's Revolt," called an Atlantic Slave War by its historian Vincent Brown, obliged White enslavers to organize collective warfare against Black resistance, and thus changed the social and cultural patterns of White colonists.

The cultural heritage of slavery in the Caribbean consists of very diverse phenomena: Omnipresent anti-Black racism, violence and misogyny in Caribbean societies, the remembrance of enslaved men and women as military heroes, the commemoration of enslavers as patrons of art and architecture; the tangible heritage of material remnants of enslavement in rural and urban spaces that were built by free and enslaved construction workers of African descent; the intangible heritage (religious beliefs and rites, music, art, forms of daily life) of different West and Central African cultures; surviving socio-economic power and property relations, cultural and memorial conflicts around statues, monuments, and museums which narrate different stories about enslavement and liberation in the national histories; the role of White and Black agents of history; and in many silences, enforced by former colonial and current semi-colonial authorities and the still-powerful descendants of enslavers, some-

44 Interpreted in his book: Trevor Burnard, *Mastery, Tyranny and Desire: Thomas Thistlewood and His Slaves in the Anglo-Jamaican World* (Chapel Hill: University of North Carolina Press, 2004).

times also originating by the wish of descendants of enslaved Africans to forget a terrible, haunting past. The chapters in this volume cannot, of course, address all related topics and all (Circum-)Caribbean places, but may spark deeper reflections of the legacies of enslavement, and its material and immaterial cultural heritage.

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2. Slaveries and Similar Dependencies

2.3. Cultural Heritage and Slavery

Andrea Gremels, Sinah Theres Kloß and Ulrike Schmieder. "Competing Memories: An Introduction to the Politics of Remembering Enslavement, Emancipation, and Indentureship in the Caribbean," in *Competing Memories of Enslavement, Emancipation and Indentureship: The Politics of Remembering in the Caribbean*, ed. Sinah Theres Kloß, Andrea Gremels and Ulrike Schmieder (Berlin: De Gruyter, 2025): 1–22.

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Andrea Gremels, Sinah Theres Kloß, Ulrike Schmieder

Competing Memories: An Introduction to the Politics of Remembering Enslavement, Emancipation, and Indentureship in the Caribbean

The Caribbean is a space of dynamic and ever-changing memories. When we consider memories not as possessions or containers but as an ongoing process, practices of memory-making invite us to reflect on the (a)symmetrical dependencies and power dynamics involved in processes of remembering, forgetting, memorizing, recollecting, and commemorating. Memories are constructed, expressed, and transmitted as specific narratives in art, literature and film, historiography, journalism, and other kinds of representation. Increasingly, they are digitized, globalized, and mediated multimodally. Sensory experiences facilitated by social and collective memories can also be constructed in ritual performances or in visual and material culture. Memory-making is present and represented in monuments, archives, and museums as well as material vestiges of the antagonistic lives of the enslaved and enslavers. As entangled *lieux de mémoire*,[1] these memory sites are implemented, removed, contested and remodeled all over the Caribbean,[2] its diasporas and in former colonizing countries.[3]

1 Pierre Nora, "Between Memory and History: Les Lieux De Mémoire," *Representations* 26 (1989), https://doi.org/10.2307/2928520.

2 Lawrence Brown, "Monuments to Freedom, Monuments to Nation: The Politics of Emancipation and Remembrance in the Eastern Caribbean," *Slavery & Abolition* 23, no. 3 (2002): 93–116, https://doi.org/10.1080/714005243. Catherine A. Reinhardt, *Claims to Memory, Beyond Slavery and Emancipation in the French Caribbean* (New York: Berghahn Books, 2008). Alissandra Cummins, Kevin Farmer and Roslyn Russell, eds., *Plantation to Nation.: Caribbean Museums and National Identity* (Champaign: Common Ground Publishing, 2013). Christine Chivallon, "Representing the Slave Past: The Limits of Museographical and Patrimonial Discourses," in *At the Limits of Memory: Legacies of Slavery in the Francophone World*, ed. Nicola Frith and Kate Hodgson (Liverpool: Liverpool University Press, 2015): 25–48. Jerry Michel, "Les habitations coloniales entre récits mémoriels, logiques patrimoniales et représentations sociales en Haïti," *Práticas da Historia: Journal on Theory, Historiography and Uses of the Past* 15 (2022): 23–65.

3 Laurajane Smith, Geoffrey Cubitt, Rose Wilson and Kalliopi Fouseki, eds., *Representing Enslavement and Abolition in Museums: Ambiguous Engagements* (New York: Routledge, 2011). Johann Michel, *Devenir descendant d'esclave: Enquête sur les régimes mémoriels* (Rennes: Presses Universitaires de Rennes, 2015). Abdoulaye Gueye and Johann Michel, eds., *A Stain on our Past: Slavery and Memory* (Trenton: Africa World Press, 2018). Caroline Le Mao, ed., *Bordeaux, La Rochelle, Rochefort, Bayonne, Mémoire Noire: Histoire de l'Esclavage* (Bordeaux: Mollat, 2020). Ana Lucia Araujo, *Slavery in the Age of*

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Here as elsewhere, socio-political disparities and power imbalances commonly impact the capacity and means to promote specific memories and historical narratives, through which the past is created, adapted, and negotiated. These dynamics influence which processes and memories are included or excluded in specific histories, and which versions of the past are reconstructed, selected, and interpreted. Paradigmatic for the Caribbean context is the Haitian Revolution, which – as an 'unthinkable' event – continues to be silenced in, and left out of, many accounts of global history.[4] However, even if the Haitian Revolution is now remembered in France, the memories are selective, as is shown by the inclusion of the 'French' General Toussaint Louverture in the monumental cityscapes of French towns, and the continuing exclusion from commemoration of Haitian national hero Jean-Jacques Dessalines. Memories of the Haitian Revolution in Haiti, the Antilles, and the diaspora remain irreconcilable with the White French majority's ideas about this historical epoch. Nick Nesbitt has analyzed the discourse, prevalent in European modernity, that considered the Haitian slave upheavals as the 'dark,' 'barbaric' side of the Enlightenment.[5] A full incorporation of the Haitian Revolution and war into the narrative of its national history would change the self-image of France as the nation which invented the human rights and topple many of its 'heroes,' including Napoleon Bonaparte, responsible for the reintroduction of slavery in the French colonies and the genocidal warfare against the Haitian population in 1802/1803. Instead, he was glorified in speeches by President Emmanuel Macron and exhibitions in 2021 on the occasion of the bicentenary of his death. Protests from the Antillean diaspora were widely ignored. The memorial conflicts around the Haitian Revolution, the history of enslavement, and Napoleon's glorification exemplify the narrowness of approaches which memorialize enslavement by juxtaposing it with the inherited discourse on national history, instead of rewriting it from a decolonizing point of view.[6]

Memory: Engaging the Past (London: Bloomsbury Academic, 2021). Stephan Conermann, Claudia Rauhut, Ulrike Schmieder and Michael Zeuske, eds., *Cultural Heritage and Slavery: Perspectives from Europe* (Berlin: De Gruyter, 2023).

4 Jeanette Ehrmann, "Haitian Revolution," *Krisis* 2 (2018): 69–72; Michel-Rolph Trouillot, *Silencing the Past*: *Power and the Production of History* (Boston: Beacon Press, 1995); Anja Bandau, "The Narrations of the Destruction of Saint-Domingue in the Late 18th Century and Their Reinterpretations After the Bicentennial of the Haitian Revolution," *L'Ordinaire des Amériques* 215 (2013), https://doi.org/10.4000/orda.688.

5 Nick Nesbitt, *Universal Emancipation: The Haitian Revolution and Radical Enlightenment* (Charlottesville: University of Virginia Press, 2018).

6 Jean-Pierre Le Glaunec, *L'armée indigène: La défaite de Napoléon en Haïti* (Montréal: Lux éditeur, 2014). Suzanne Dracius, ed., *La faute à Bonaparte? Monographie collective* (Fort-de-France: IDEM, 2021). Louis-Georges Tinnotio and Thierry Lentz, "Napoléon en procès," Radio France Culture, 29.5.2021, https://www.franceculture.fr/emissions/repliques/napoleon-en-proces [accessed 13.09.2024]. Ulrike Schmieder, *Versklavung im Atlantischen Raum. Orte des Gedenkens, Orte des Verschweigens in Frankreich und Spanien, Martinique und Kuba* (Berlin: De Gruyter Oldenbourg, 2024): 313–27, 398–99, 624–27, 754–56, https://doi.org/10.1515/9783111215334.

The wishful and willful oblivion of certain historical phenomena and personalities gives rise to tensions and conflicts concerning voiced and unvoiced claims to 'truthful' and 'authentic' memories and histories. In this context, practices of unsilencing, for instance, the lives and sufferings of enslaved people in the big houses of plantations converted into touristic sites, or the rewriting of slave narratives in fictional accounts, are means of claiming (historical) visibility and accessing resources otherwise denied.[7] The intention to unsilence history also drives the work of activists from the Caribbean or its diasporas who advocate for reparations related to the injustices of enslavement, pointing to the lasting legacies of European colonialism and transatlantic slavery. They identify evidence of the transfer of capital from slavery and coerced labor to Europe and track down the traces of enslavers and enslaved people in historical records, summarizing and promoting their demands on the former colonizing countries.[8] Historical compensation paid to enslavers in the French, British, Dutch, and Danish colonies as well as in Puerto Rico, in accordance with nineteenth-century notions of property, instead of to the enslaved, in accordance with twenty-first century ideas of human rights,[9] provides a strong argument for pro-reparation scholarly activists. Claims for reparations gained visibility since the early 2000s and

7 Celia E. Naylor, *Unsilencing Slavery: Telling Truths about Rose Hall Plantation, Jamaica* (Athens: University of Georgia Press, 2022).

8 Serge Chalons, ed., *De l'esclavage aux réparations*: *Le Comité Devoir de mémoire – Martinique: 1998–1999* (Paris: Karthala, 2000). Armand Zunder, "A New Look on the Economic History of Suriname including a Methodology to Calculate Reparations for Damage Caused by Dutch Colonial Rule," in *New Perspectives on Slavery and Colonialism in the Caribbean*, ed. Marten Schalkwijk and Stephen Small (Den Haag: Amrit/Ninsee, 2012): 149–82. Louis-Georges Tin, *Esclavages et réparations: Comment faire face aux crimes de l'histoire* (Paris: Stock, 2013). Anthony Gifford, "Formulating the Case for Reparations," in *Colonialism, Slavery, Reparations and Trade: Remedying the Past?* ed. Fernne Brennan and John Packer (Abingdon: Routledge, 2012). Hilary M. Beckles, *Britain's Black Debt*: *Reparations for Caribbean Slavery and Native Genocide* (Kingston: University of the West Indies Press, 2013); Verene A. Shepherd, "Jamaica and the Debate over Reparation for Slavery: An Overview," in *Emancipation and the Remaking of the British Imperial World*, ed. Catherine Hall, Keith McClelland and Nicholas Draper (Manchester: Manchester University Press, 2014); Astrid Nonbo Andersen, "The Reparations Movement in the United States Virgin Islands," *The Journal of African American History* 103, no. 1–2 (2018): 104–32, https://doi.org/10.1086/696335. Hilary Beckles, *How Britain Underdeveloped the Caribbean: A Reparation Response to Europe's Legacy of Plunder and Poverty* (Mona: University of the West Indies Press, 2021). Matthew Smith and Matthew J. Stallard, "Black Survivors: Unfreedom and the Collapse of Slavery in British Jamaica. New Research at the Centre for the Study of the Legacies of British Slavery," in *Cultural Heritage and Slavery: Perspectives from Europe*, ed. Stephan Conermann, Claudia Rauhut, Ulrike Schmieder and Michael Zeuske (Berlin: De Gruyter, 2023): 85–138. David Scott, *Irreparable Evil*: *An Essay in Moral and Reparatory History* (New York: Columbia University Press, 2024), https://doi.org/10.7312/scot21304.

9 Frédérique Beauvois, *Between Blood and Gold: The Debates over Compensation for Slavery in the Americas* (New York: Berghahn Books, 2017). See also databases which are digitalized sites of memory of their own: Centre for the Study of the Legacies of British Slavery, https://www.ucl.ac.uk/lbs/. Esclavage and Indemnités, https://esclavage-indemnites.fr/public/ [both accessed 20.09.2024].

were taken up by the Caribbean Community (CARICOM) in 2014, urging "European states to recognize slavery as a crime against humanity, to apologize officially and to undertake measures to repair the long-term damages of slavery."[10] Such attempts to engage European governments in a dialogue and to advocate for reparatory justice, however, can never be fully successful, David Scott argues, reminding us that "New World slavery" involved an "irreversible" devastation that is "irreparable."[11]

The title of this volume actively draws attention to the competitive politics of remembering and commemorative practices in and beyond the Caribbean. However, our point in addressing these competitive dynamics and placing them at the focus of our analysis should not be interpreted as an invitation to understand these processes as unavoidable or even positive; indeed, we argue that competition between (collective) memories is *not* inevitable. Similarly, during the conference from which this volume resulted, which took place in Bonn, Germany, in March 2023, Hanétha Vété-Congolo-Leibnitz poignantly stated that memories "are not meant to compete," but that instead they are "made to compete."[12] Nevertheless, commemorative practices and events are often instrumentalized by various social actors and groups (who may be individuals such as politicians, political activists, artists, scholars, and the like, or organizations such as governments). This may be done to achieve specific objectives, such as claiming visibility in national and international discourses, legitimizing political decisions, or acquiring cultural resources which may affect an individual's or organization's social status and access to different kinds of capital. By focusing on these tensions and dynamics, we therefore intend to stimulate reflection on competitive approaches to memory and commemorative practices.

Memory-making may affect the relationships between groups who were formerly colonizers and colonized; memories and representations related to the different systems of oppression and exploitation that have existed in the Caribbean – e.g. enslave-

10 Claudia Rauhut, "Caribbean Activism for Slavery Reparations: An Overview," in *Practices of Resistance in the Caribbean: Narratives, Aesthetics, Politics*, ed. Wiebke Beushausen et al. (London: Taylor and Francis, 2018): 137; Claudia Rauhut, "Caribbean Leaders in the Transnational Struggle for Slavery Reparations," in *Reshaping Glocal Dynamics of the Caribbean: Relaciones y Deconexiones – Relations et Déconnexions – Relations and Disconnections*, ed. Anja Bandau, Anne Brüske and Natascha Ueckmann (Heidelberg University Publishing, 2018); Mario Laarmann et al., "Reparation, Restitution, and the Politics of Memory: A Methodological and Historical Introduction," in *Reparation, Restitution, and the Politics of Memory: Perspectives from Literary, Historical, and Cultural Studies = Réparation, restitution et les politiques de la mémoire: Perspectives littéraitres, historiques et culturelles*, ed. Mario Laarmann et al. (Berlin: De Gruyter, 2023): 1–20.

11 Scott, *Irreparable Evil*: 60.

12 Hanétha Vété-Congolo-Leibnitz, "Sonjé sé Mabouya: A View on Memory and Remembrance in and from the Caribbean," presentation given at the coference "Competing Memories: The Politics of Remembering Enslavement, Emancipation, and Indentureship in the Caribbean," Bonn Center for Slavery and Dependency Studies, 29.03.2023. The conference was funded by the German Research Foundation (DFG) and the Bonn Center for Dependency and Slavery Studies (BCDSS), and co-hosted by the Society for Caribbean Research (Socare e.V.). It was focused on current approaches to remembrance and memory in and on the Caribbean.

ment and indentureship – may also compete. This type of competition, for example, recently surfaced at national and international levels in the discussions over reparatory justice, including recognition and monetary resources. Indeed, the idea of focusing on competitive processes and practices of memory-making regarding the Caribbean was sparked when one of the editors of the present volume attended a webinar entitled "Slavery and Indentureship: The Concept of Coolitude," hosted by the Ameena Gafoor Institute for the Study of Indentureship and its Legacies on March 21, 2021. The event was focused on the concept of coolitude discussed by poet and theorist Khal Torabully and historian Crispin Bates.[13] During the question-and-answer session, a member of the audience wanted to know why there is "not a single Indian, Amerindian, Chinese or Portuguese in the CARICOM Caribbean Reparations Committee," pointing out that "indentureship is systemically linked to slavery."[14] David Dabydeen, who was invited to respond to this question as co-organizer of the event, agreed that reparation discourse "should also try to be inclusive,"[15] and others responded that although they had heard "mumbles" about the inclusion of indentureship into the "issue" of reparations, "it seems like it's still early days yet before anything concrete happens"[16] and that it is an "ongoing, complex debate."[17]

Since at least the 1970s, academic and popular discussions about the system of indentureship raised the question whether indenture was a new form of enslavement, especially with regard to Indian indentured labor.[18] Hugh Tinker's *A New System of Slavery: The Export of Indian Labour Overseas 1830–1920* (1974) is usually considered to have sparked this discussion in academic circles, which is why the debate is sometimes referred to as the "Tinkerian paradigm."[19] The question whether or not indentureship met the conditions of enslavement has been discussed extensively and recurrently since then. Although the discussion and the (strategic) comparison has been acknowledged to have significantly contributed to raise awareness on indentureship and the multiple forms of colonial coercive systems and oppression, the continued focus on the question of comparability has also been criticized for fostering "a degree

13 Khal Torabully, David Dabydeen and Crispin Bates, "The Concept of Coolitude," conversation at the Ameena Gafoor Institute for the Study of Indentureship and its Legacies, Slavery and Indentureship, 22.03.2021, https://www.youtube.com/watch?v=aTYolQ_yBeE [accessed 08.02.2025].

14 Torabully, Dabydeen and Bates, 1:13:15.

15 Torabully, Dabydeen and Bates, 1:13:49.

16 Torabully, Dabydeen and Bates, 1:14:04.

17 Torabully, Dabydeen and Bates, 1:15:00.

18 Hugh Tinker, *A New System of Slavery*: *The Export of Indian Labour Overseas 1830–1920*, 2nd ed. (London: Hansib Publishing Limited, 1993 [1974]); Rosemarijn Hoefte, *In Place of Slavery*: *A Social History of British Indian and Javanese Laborers in Suriname* (Gainesville: University Press of Florida, 1998); Radjinder Bhagwanbali, *De nieuwe awatar van slavernij*: *Hindoestaanse migranten onder het indentured labour systeem naar Suriname, 1873–1916* (Den Haag: Amrit, 2010).

19 Richard B. Allen, "Re-Conceptualizing the 'New System of Slavery'," *Man in India* 92, no. 2 (2012): 225.

of conceptual complacency, if not parochialism, that hinders the development of a fuller and more sophisticated understanding of the indentured experience."[20]

Calling for inclusion and visibility of the indentureship experience in collective memory, historical narratives, and cultural production – including that of the African diaspora –, a similar dynamic can be traced regarding the concept of creolization. Theories of *creolité* and creolization have often been criticized for not integrating the Indian and Chinese presences and sociocultural components in the Caribbean. As is well-known, Khal Torabully famously promulgated the notion of coolitude in the early 1990s, which amongst other things interlinked indentureship with enslavement:[21] "Ma coolitude n'est pas une pierre [. . .]/ elle est corail," reads one of Torabully's poems in which he intertextually references Aimé Césaire's verses about the latter's négritude in *Cahier d'un retour au pays natal* (Notebook on a Return to the Native Land, 1956).[22]

Sinah Kloß and Jennifer Leetsch emphasize that despite the differences between the living conditions of slavery and of indentureship the experience of oppression and de-humanization within the plantation system is inscribed onto the bodies of Black and indentured workers alike, "bearing the marks of physical trauma such as fractures, punctures and brandings."[23] Labor was coerced not only from contract laborers arrived from Africa and Asia after the formal abolition of slavery, but also from the once-enslaved and their descendants, who did not achieve full freedom and equal citizenship in many Caribbean colonies. Memories of resistance against this post-slavery colonial violence, juridical and social discrimination, and racialized exploitation of dispossessed people of African and Asian descent (the Morant Bay War

20 Allen, "Re-Conceptualizing the 'New System of Slavery'": 226; Sinah T. Kloß, "Serving Toward Release: Tattoos, Religious Work, and Coercion in Post-Indenture Communities," *Journal of Global Slavery* 9 (2024): 17–42, https://doi.org/10.1163/2405836X-00901007.

21 Khal Torabully, *Cale D'étoiles: Coolitude* (Sainte-Marie, Réunion: Azalées, 1992); Marina Carter and Khaleel Torabully, *Coolitude*: *An Anthology of the Indian Labour Diaspora* (London: Anthem, 2002); Gesine Müller and Johanna Abel, "Cultural Forms of Representation of 'Coolies': Khal Torabully and His Concept of Coolitude," in *Bonded Labour*, ed. Sabine Damir-Geilsdorf et al. (Bielefeld: transcript Verlag, 2016): 219–28.

22 "My coolitude is not a stone [. . .] / it is coral." Khal Torabully, *Chair corail, fragments coolies: Poésie* (Petit-Bourg: Ibis Rouge, 1999): 82. The corresponding passage in Aimé Césaire's *Notebook* reads: "my negritude is not a stone, its deafness hurled against the clamor of the day/ [. . .] my negritude is neither tower nor cathedral." Aimé Césaire, *The Original 1939 Notebook of a Return to the Native Land: Bilingual Edition*, ed. Clayton Eshleman and A. James Arnold (Middletown, CT: Wesleyan University Press, 2013): 37, and 36 for the French original. For a further reading of Césaire's poetic appropriation of négritude in the context of unsilencing the trauma of slavery, see Andrea Gremels, *Die Weltkünste des Surrealismus: Netzwerke und Perspektiven aus dem Globalen Süden* (Konstanz: Konstanz University Press, 2022): 82–99.

23 Sinah Theres Kloß and Jennifer Leetsch, "Introduction: Indentured Bodies/Embodiments of Indenture," *Journal of Indentureship and its Legacies* 4, no. 2 (2024): 4, https://doi.org/10.13169/jofstudindentleg.4.2.0001.

in Jamaica 1865, the *Insurrection du Sud* in Martinique 1870, the Fireburn Insurrection in St. Croix 1876, etc.), have been crucial for the formation of national or island identities in some places – such as in Jamaica or St. Croix –, but only surfaced in recent decades in others, such as Martinique, where the myth of French Republican racial equality suppressed the remembrance of racial conflicts over a long time.[24]

It has been widely discussed that histories and memories can be declared official or unofficial; they may be sanctioned or suppressed. 'Official' histories can lead to the monopolization of particular historical narratives and the prioritization of specific memories over others. The Haitian American anthropologist Michel-Rolph Trouillot famously emphasized that humans "participate in history both as actors and as narrators" and that consequently "history means both the facts of the matter and a narrative of those facts, both 'what happened' and 'that which is said to have happened.'"[25] Literary and cultural studies have long considered collective memories as narratives that reconstruct, and thus re-write and reinvent, the past from a present-day perspective.[26] Commemorative narratives and interpretations are influenced by social dynamics, cultural positionings, and power negotiations, often leading to the silencing of specific versions of events, experiences, and memories. In this sense, history may be regarded as a "story about power, a story about those who won,"[27] influenced by "the historically situated evaluation of specific narratives."[28] This includes both individual and collective negotiations of identification with a specific memory culture, which helps foster a sense of belonging to a specific group.

In the Caribbean, this was the case when for example European colonizers and local elites descended from enslavers actively excluded voices and memories of subalternized or exiled descendants from the making of historical narratives. With regard to nation-building, different (Caribbean) social actors have made use of and selected specific historical memories to define their official histories after independence. In Jamaica, for example, the establishment of monuments and memorial sites for Sam

24 Hilary Beckles, *Great House Rules: Landless Emancipation and Workers Protest in Barbados, 1834–1938* (Kingston: Randle, 2004); Diana Paton, *No Bond but the Law: Punishment, Race, and Gender in Jamaican State Formation 1780–1870* (Durham, NC: Duke University Press, 2004); Nelly Schmidt, *La France a-t-elle aboli l'esclavage? Guadeloupe – Martinique – Guyane (1830–1935)* (Paris: Perrin, 2009); Chivallon, *L'esclavage*. Christine Chivallon and David Howard, "Colonial Violence and Civilising Utopias in the French and British Empires: The Morant Bay Rebellion (1865) and the Insurrection of the South (1870)," *Slavery & Abolition* 38, no. 3 (2017): 534–58, https://doi.org/10.1080/0144039X.2016.1267549; William A. White, "Remembering Queen Mary: Heritage Conservation, Black People, Denmark, and St. Croix, U.S. Virgin Islands," *Journal of African Diaspora Archaeology and Heritage* 12, no. 1 (2022): 32–55, https://doi.org/10.1080/21619441.2022.2034365; Schmieder, *Versklavung*: 193–95, 1090–99.

25 Trouillot, *Silencing the Past*: 2.

26 Astrid Erll, *Memory in Culture* (Houndmills: Palgrave Macmillan, 2011), https://doi.org/10.1057/9780230321670: 8.

27 Trouillot, *Silencing the Past*: 5.

28 Trouillot, *Silencing the Past*: 8.

Sharpe, who led the Baptist Rebellion of the enslaved in 1831, was "part of a broader project of self-assertion that emerged with the creation of the new nation."[29] The remembrance of this "iconic rebel" was later also used by Jamaican politicians for their own purposes, such as by the socialist Prime Minister Michael Norman Manley. Cuffy, the leader of the Berbice Rebellion of 1763; Bussa, who led the liberation war of 1816 which was named after him; and Prince Klaas, head of the 1736 insurrection of captives, fulfilled the same function in nation-building in British Guiana, Barbados, and Antigua respectively.[30] By such means, a suitable past – in the words of Eric Hobsbawm –, or a usable past – in Lois Parkinson Zamora's words – can be (re-)created and invented.[31] The idea of naming the Cuban intervention in Angola (1975–1991) after Carlota, the enslaved female warrior who supposedly led the emblematic slave insurrection in the Ingenio Triunvirato 1843, and utilize the historical resistance of enslaved Africans to legitimize military and political interventions in Africa under socialist rule, can be seen as examples of the creation of a suitable or usable past (see also Schmieder in this volume).[32] The same applies to the cult of Louis Delgrès, who led the war against the revocation of the rights of officers of color and the reintroduction of slavery 1802 in Guadeloupe; or the commemoration by Martinican politicians of the insurrection of May 22, 1848, which anticipated the emancipation of the enslaved announced by the revolutionary Government in Paris.[33]

Despite the existence of official histories, counter-memories and counter-histories may still circulate and form modes of resistance to dominant narratives.[34] However,

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29 Ana Lucia Araujo, *Shadows of the Slave Past: Memory, Heritage, and Slavery* (New York: Routledge 2014): 192.

30 The notion "Iconic Rebels" stems from chapter 6 of Araujo, *Shadows of the Slave Past*: 179–210, with mentions of Sharpe, Cuffy, and enslaved heroes from the hispanophone Circum-Caribbean. Matthew J. Smith, "ROCKSTONE: On Race, Politics, and Public Memorials in Jamaica," *Slavery & Abolition* 42, no. 2 (2021): 228–32, https://doi.org/10.1080/0144039X.2021.1896186. Winston F. Phulgence, "African Warriors, Insurgent Fighters, and the Memory of Slavery in the Anglophone Caribbean," *Journal of African Diaspora Archaeology and Heritage* 4, no. 3 (2015): 217–18, https://doi.org/10.1080/21619441.2015.1124593; Brown, "Monuments to Freedom": 104.

31 Eric J. Hobsbawm, "Introduction: Inventing Traditions," in *The Invention of Tradition*, ed. Eric J. Hobsbawm and T.O. Ranger (Cambridgeshire: Cambridge University Press, 1983); Lois Parkinson Zamora, *The Usable Past*: *The Imagination of History in Recent Fiction of the Americas* (Cambridge: Cambridge University Press, 1997), https://doi.org/10.1017/CBO9780511519581.

32 Myra Ann Houser, "Avenging Carlota in Africa: Angola and the Memory of Cuban Slavery," *Atlantic Studies* 12, no. 1 (2015): 50–66, https://doi.org/10.1080/14788810.2014.963788. Christine Hatzky, *Cubans in Angola: South-South Cooperation and Transfer of Knowledge, 1976–1991* (Madison: The University of Wisconsin Press, 2015): 11–12, 83–89. Schmieder, *Versklavung*: 1195–96, 1210–21.

33 Jean Moomou, "Le Mémorial ACTe: Quai Branly de Guadeloupe, Louvre des Antilles-Guyane, Gorée des Amériques!" *Outre-Mers, Revue d'Histoire* 103, no. 388–89 (2015): 239–68, https://doi.org/10.3917/om.152.0239; Schmieder, *Versklavung*: 369–414.

34 Christine Chivallon, "Rendre visible l'esclavage: Muséographie et hiatus de la mémoire aux Antilles françaises," *L'Homme* 180 (2006): 11–14, 19–20; Christine Chivallon, *L'esclavage, du souvenir à la mémoire: Contribution à une anthropologie de la Caraïbe* (Paris: Karthala, 2012). Zuleica Romay,

recent scholarship in Memory Studies has stressed the multidirectional and transcultural dynamics of collective memory formation as mediated through literatures and the arts. In this context, the binary of official vs. counter-memory is often interrogated by concepts such as Astrid Erll's "traveling memory" or "transcultural memory," which she defines as "the translocal, transnational, and global circulation of mnemonic contents, media, and practices," which "directs attention away from static 'sites' and towards the dynamic 'movement' of memory across time and space."[35] However, in the context of the memory of enslavement, the transcultural paradigm has to be considered carefully in the Caribbean. For example, in the context of nation-building narratives, intellectuals like Fernando Ortiz have used the image of the Cuban nation as an "ajiaco" (a stew of different ingredients) to describe the mixing of different cultures on the island.[36] Even though Ortiz mentions the notion of trauma and the culture shock suffered by enslaved Africans arriving in Cuba, his narrative of "transculturation" downplays the Middle Passage experience of enslaved subjects and accordingly impeded the formation of a Black memory culture in Cuba.[37] Given these persisting asymmetries, Ana Lucia Araujo, who studied the intertwining of memories of the slave past in the United States, Brazil, England, France, and the Republic of Benin, found similar elements of trivialization of slavery as official discourses continued "depicting slave traders and slave owners as benevolent individuals."[38]

Monument, statues, and public art as places and sites of memory-making also reflect the historicity and heterogeneity of public memories. However, the interpretation of monuments often changes over time and can become controversial: for example, in the context of the transformation of the dominant memorial culture from emphasizing creolization to accentuating the African roots of Caribbean societies. The artistic form is sometimes contested, such as when enslaved heroes are sculpted in the nude; controversies may arise about the question who is authorized to create those monuments. In those debates the skin color of artists may matter.[39] The "leonization" – as Winston Phulgence called it – of male warriors in the monumental land-

Cepos de la memoria: Impronta de la esclavitud en el imaginario social de Cuba (Matanzas: Ed. Matanzas, 2015).

35 Astrid Erll, *Memory in Culture* (Houndmills: Palgrave Macmillan, 2011): 61–62, https://doi.org/10.1057/9780230321670; Michael Rothberg, *Multidirectional Memory*: *Remembering the Holocaust in the Age of Decolonization* (Stanford: Stanford University Press, 2009), https://doi.org/10.1515/9780804783330.

36 Fernando Ortiz, "América es un ajiaco," *La nueva democracia* 40 (1940): 20–24; Fernando Ortiz, *Contrapunteo del tabaco y el azúcar* (Madrid: Cátedra, 2002): 254.

37 Reinier Pérez-Hernández, *Del reverso del vacío: Los trabajos de la memoria "negra"* (Madrid: Editorial Verbum, 2023).

38 Araujo, *Slavery in the Age of Memory*: 37.

39 Phulgence, "African Warriors": 217–21, Smith, "ROCKSTONE": 226–27, 233–34. Wayne Modest, "Slavery and the (Symbolic) Politics of Memory in Jamaica: Rethinking the Bicentenary," in *Representing Enslavement and Abolition in Museums: Ambiguous Engagements*, ed. Laura-Jane Smith, Geoffrey Cu-

scape to the detriment of women in public art has been only rarely criticized,[40] although local historians have pointed to the important role of women in resistance movements against slavery, in post-slavery colonialism, and Caribbean societies in general.[41] In contrast, the treatment of monuments from former epochs representing past memory schemes is highly conflictive. Particularly in 2020, the year of the Black Lives Matter movement, monuments which represent(ed) historical memory regimes which celebrated colonial conquerors or White abolitionists were contested, damaged, violently destroyed, or orderly removed. In some places, international influences proved to be less important than local iconoclastic traditions, such as in Martinique, where the statues of the White abolitionist Victor Schœlcher were toppled on the local commemorative day, May 22, before Georg Floyd was murdered; in others, they appeared to have no impact at all, such as in Cuba, where under the dictatorial regime the statues of enslavers, White abolitionists, and defenders of slavery as well as racist mass murderers remained untouched.[42] While controversies erupted around colonial monuments, there is little discussion about the lack of large monuments to commemorate the suffering of African captives drowned at sea and enslaved laborers worked to death on the plantations. Except for some small memorial sites at burial grounds cre-

bitt, Rose Wilson and Kalliopi Fouseki (New York: Routledge, 2011): 75–94. Petrina Dacres, "Monument and Meaning," *Small Axe* 8, no. 4 (2004): 141–44, 151. Brown, "Monuments to Freedom": 103–9.

40 Phulgence, "African Warriors": 222–24. Laura McGinnes, "Memorializing Masculinity? Gendering the Iconography of French Colonialism and Anticolonial Resistance in Martinique and Guadeloupe," *interventions* 24, no. 7 (2022): 1068–88, https://doi.org/10.1080/1369801X.2022.2054006; Ulrike Schmieder, "Género y monumentos a resistencia de personas esclavizadas y sus descendientes en Martinica y Cuba dentro del contexto de las culturas memoriales de la esclavitud en el Caribe," in *Género e interseccionalidad en la historia y la cultura de Centroamérica y el Caribe (siglos XIX y XX): Gender and Intersectionality in the History and Culture of Central America and the Caribbean (19th and 20th Centuries)*, ed. Christine Hatzky, Anja Bandau and Lidia Becker (San José: CIHAC, 2024): 35–94, https://cihac.fcs.ucr.ac.cr/e-books/ [accessed 13.09.2024].

41 Gilbert Pago, *Les femmes et la liquidation du système esclavagiste à la Martinique 1848–1852* (Matoury: Ibis Rouge, 1998). Brian Moore and Barry Higman, eds., *Slavery, Freedom and Gender: The Dynamics of Caribbean Society* (Kingston: University of the West Indies Press, 2003). Oilda Hevia Lanier and Daisy Rubiera Castillo, eds., *Emergiendo del silencio: mujeres negras en la historia de Cuba* (Havana: Editorial de Ciencias Sociales, 2016).

42 Audrey Célestine, Valérie-Ann Edmond-Mariette and Zaka Toto, "From Decapitation to Destruction: Making Sense of Toppling Statues in Contemporary Martinique," in *De-Commemoration: Removing Statues and Renaming Places*, ed. Sarah Gensburger and Jenny Wüstenberg (New York: Berghahn, 2023): 221–29; White, "Remembering Queen Mary." Claudia Rauhut, "Constructing Public History of Slavery and Dealing with Colonial Monuments within the Reparations Movement in Jamaica," in *Falling Statues Around the Atlantic*, ed. Ulrike Schmieder and Michael Zeuske [= *Comparativ, Zeitschrift für Globalgeschichte und vergleichende Gesellschaftsforschung* 31, no. 3–4 (2021)]: 394–410; Ulrike Schmieder, "Controversial Monuments for Enslavers, Enslaved Rebels and Abolitionists in Martinique and Cuba," in *Falling Statues Around the Atlantic*, ed. Ulrike Schmieder and Michael Zeuske [= *Comparativ, Zeitschrift für Globalgeschichte und vergleichende Gesellschaftsforschung* 31, no. 3–4 (2021)]: 374–93.

ated by local initiatives and the large memorial at the Newton Enslaved Burial Ground in Barbados (currently under construction), only the memorial *CAP 110, Mémoire et Fraternité* in Martinique, a sculpture in the Memorial ACTe in Guadeloupe, and an undersea memorial in Grenada, commemorate the victims of the Middle Passage.[43] Given the scarcity of memory sites that remember the traumas of the Middle Passage and the plantation system both for the enslavement and the indentureship experience, literary and film productions from the Caribbean and its diaspora can be seen as a way to comprehend, express, and revitalize these sites of collective trauma.

Taking into account the heterogeneity of the Caribbean, its cultures, languages, religions, peoples, and histories, it would be too simplistic to assume that there exist unified claims and unanimous endeavors. This edited volume therefore focuses on the politics of memory and the constructions and representations of plural and divergent memories in Caribbean contexts, especially but not exclusively in relation to enslavement, emancipation, and indentureship. As understandings of "history" and "memory" vary, contributors look at the different and strategic ways these concepts are used within and in relation to the Caribbean. Our aim is to draw attention to how such memories are negotiated, shared, and contested, and how they have been transformed over time.

Competing, Entangled, and Multidirectional Memories: An Outline of this Volume

In order to broaden the understanding of how competing, entangled, and multidirectional memory cultures shape the Caribbean and its diasporas today, the contributions in this volume discuss individual case studies that highlight literary, film, music, and intermedia representations and practices, as well as issues of memory politics and activist practices. The contributions address topics such as the potential of reparation inherent in cultural productions, the intersection of literature and law, the controversies around monuments and historic memory sites – including former plantations and places of Afro-Caribbean religious worship – as well as the scarcity of archives that characterize the formation of collective memories in the context of enslavement and indentureship across Caribbean cultures.

Zuleica Romay Guerra's chapter examines academic and literary works, music, and films as media that transmit Afro-Cuban memories of enslavement and of the re-

43 Kevin Farmer, "Who speaks for the Dead? Interpretation and Memorialization at the Enslaved Burial Ground at Newton, Barbados," presentation at the conference *Cultural Heritage and Slavery: Perspectives from the Caribbean*, Bonn Center for Dependency and Slavery Studies, 25.3.2022. Reinhardt, *Claims to Memory*: 167–68. Brown, "Monuments to Freedom": 111–12, Schmieder, *Versklavung*: 1078–86.

sistance of the enslaved. The latter is recognized as a contribution to nation-building in the Cuban constitution and thus has been extensively studied by Cuban historians. Romay explains how, alongside this inclusive discourse, the memory of enslavement appears like a "memoria fragmentada," because the long-term consequences of racialized slavery were underestimated. Racism against Black Cubans shaped early Cuban socialism marked by Eurocentric Marxism and reformist bourgeois nationalism. Also, many Cuban intellectuals refuted the ideas of the outstanding Black Marxist Walterio Carbonell and reduced the African cultural heritage to a "festival Caribbeanness" ("caribeñidad festivalera"). Romay also explicates the limits of the 2019 National Program against racism and discrimination, whose authors downplay racist attitudes declaring them to be mere "vestiges" of the colonial and neocolonial past, instead of seeking explanations for how current power relations are deeply rooted in and consistently reproduce racist world views in Cuba.

Francisca Marcela Andrade Lucena explains memory-making in Cuba concerning enslavement and African roots inside the *Efi* branch of the Abakuá Society, a religious brotherhood of enslaved Africans, named "Carabalís," referring to the Calabar River in Nigeria. Andrade looks at the mural paintings in the court of the Abakuá temple in Pocitos, a neighborhood of Marianao in Havana, and observes initiatory and funerary rituals in which the hispanized *Efik* language from the Bantu-Congolese branch is used. Andrade discusses how a mythical Africa, the cherished land of the ancestors, is re-created through visualizations of the foundational narrative, as well as in commemorative ceremonies in Abakuá spaces in which the dead are guided to a reencounter with the *íremes*, the spirits of the ancestors.

Andrea Gremels also addresses Afro-Caribbean spirituality in her analysis of the Guadeloupean writer Maryse Condé's *Moi, Tituba, sorcière . . . Noire de Salem* (1986), a historical novel about the Salem witch trials in seventeenth-century Massachusetts. Condé fictionally rewrites the (auto-)biography of the enslaved woman Tituba from a transcultural perspective. In her novel, Tituba is a hoodoo practitioner originally from Barbados, the only woman of color among the accused in the Salem witch trials. Gremels argues that Condé negotiates the poetics and politics of witchcraft through transcultural ambivalences. On the one hand, she questions postcolonial mystifications and idealizations that celebrate Afro-Caribbean religious practices such as voodoo as a means of resistance. In this context, Tituba can be read as a female version of François Mackandal, a voodoo priest and leader of slave unrest in mid-eighteenth-century Haiti, on whose life Alejo Carpentier draws in his 1949 novel on the Haitian Revolution, *El reino de este mundo*, in which he introduces his concept of 'marvelous real' (*lo real maravilloso*). On the other hand, Condé uses the historic background of the Salem witch trials to reverse the colonial discourse of Christian 'civilization' and hoodoo 'barbarism': She confronts the hysterical and superstitious frenzy of the Puritan community in Salem with Tituba's ideal of a hoodoo healer dedicated to charity and love. Ambivalence is inscribed in *Moi, Tituba,* through parody, which paradoxi-

cally uncovers the multiple and transcultural trauma of female enslavement, persecution, and sexual violence.

Competing memories within former plantation societies in Guadeloupe are addressed by Sandrine Soukaï, who explores the memory politics of slavery and indentureship. Discussing the concepts of *Indianité* and *Coolitude*, she emphasizes that the debates around the concept of *Créolité* often marginalize Indo-Caribbean experiences. Soukaï finds that commemorations of indentureship remain overshadowed by those of enslavement, leading to competition among different groups, especially given the unequal distributions of resources. People who define themselves as of Indian descent call for greater recognition in Guadeloupean memorial politics; however, public commemorations often remain static and univocal, and recent attempts to include Indo-Caribbean perspectives risk reproducing exclusionary approaches to *Indianité* and memories of indenture. Drawing on the poetic tropes of the "nasse de mémoire," the "fish trap" in the poetry of Ernest Moutoussamy, Soukaï suggests that artistic and literary interventions can challenge such competitive approaches to memory-making and provide more inclusive memory cultures that link both enslavement and indenture through "networks of memory."

Such 'networks of memory' are discussed by Mario Laarmann at the intersection of literature, photography, and the potential of reparation. In his contribution, he approaches the reparatory potential of literary and intermedial aesthetics, suggesting that it can foster decolonial critique, as it leads readers in their perception of literary texts and visual arts from an obscured to a conscious memory. The latter has the capacity to confront and overcome the traumatic experience of enslavement and colonialism and thus becomes a means of re-imagining the "many histories concealed beneath colonial History" (Laarmann, this volume). Laarmann argues that Patrick Chamoiseau's oeuvre has such reparatory potential, as it offers its audience future-oriented memory work and historical reflections that actively provide "access to a specific experience of society and thereby engage a dialectic process impacting the reader's views and actions" (Laarmann, this volume). His contribution focuses on the intermedial photo-texts Chamoiseau produced in collaboration with Martinican photographer Jean-Luc de Laguarigue since 1998, which usually juxtapose fiction with photographs. These photographs advance the reparatory potential and go beyond the potential of Chamoiseau's writing, Laarmann argues, as the photo-texts "offer a cognitive and an aesthetic understanding of the broken promise of *progress*" by pointing to the decay and ruins of colonial infrastructure and to absences, silences, and gaps in colonial history, ultimately developing conscious memory.

Karen Genschow approaches the French, Senegalese, and Martinican co-production *Passage du Milieu* (1999), a film by Martinican director Guy Deslauriers, with a screenplay by Patrick Chamoiseau and Claude Chonville. She emphasizes that this important but underdistributed film is one of the few cinematic representations of the memory of enslavement that exclusively addresses the Middle Passage from the sixteenth to the nineteenth centuries. Its release in 2001 coincided with the enactment

in France of the "Taubira Law," which recognizes slavery as a crime against humanity. Genschow classifies *Passage du Milieu* as docufiction, as the film draws on historical archives that – although scarce and precarious – form the documentary basis for the cinematic representation of the Middle Passage experience. As a filmic expression of the collective memory of enslavement, the film challenges an epistemic shift from historic to mnemonic representation. Genschow analyzes the film's audiovisual strategies and their unsettling effects on viewers, who – from the present – re-experience the violent and dehumanizing impact of slavery and the transatlantic slave trade on the individuals who were captured on West African shores and brought to the unknown territory of the Caribbean.

Using Christiane Taubira's *L'esclavage raconté à ma fille* (2002) as an example, Miriam Lay Brander analyzes the relationship between literature and law. The text, written by the woman behind the "Taubira Law," also intersects the politics of memory with the poetics of literature. By establishing a fictional dialogue between mother and daughter, Taubira follows the example of the Moroccan writer Tahar Ben Jelloun's *Le racisme expliqué à ma fille* (1998). As Lay Brander argues, Taubira intertwines her political commitment with literary creation to exemplify the silences around and lack of knowledge of the history of enslavement in French politics. For this reason, Taubira stresses the role of education and the responsibility of public institutions, particularly high schools, to transmit the memories that were long excluded from dominant historical narratives, and that she, as a writer and a politician, inscribes into the fictional dialogue with her daughter.

Ineke Phaf-Rheinberger uses the example of the novels and the political and educational projects of Frank Martinus Arion to approach the entanglement of literary production and language politics in Curaçao. For Arion, who together with Édouard Glissant and Derek Walcott is one of the most important writers of the Caribbean, the Creole language of the island, Papiamentu, plays a central role, as its use is deeply connected to the heritage of African enslavement on Curaçao. In his books, travels to West Africa, which Arion himself undertook and on which his characters also venture, and traces of African culture in the Caribbean and Europe are central subjects. With the appreciation of the African traits in the island's culture and the recognition and transformation of Papiamentu from a language of the lower classes to the language of Curação's schools, higher education institutions, and literary expression, and later to the official language of independent Curação, Arion and his fellow campaigners aspired to recognize the origin of Curação's society in the trauma of the slave trade, and at the same time to move beyond that painful past.

Monuments and museums play an important role in the public representation of the history of slavery, indentureship, resistance, and the commemoration of Maroons, insurrection leaders, and political leaders of the different socio-ethnic groups. Archeological excavations on plantations and within urban settlements bring out the material remains of the antagonistic lives of the enslaved and their enslavers, and the lives of those who sought freedom in the usually mountainous settings of Maroon settle-

ments.[44] Archives, on the other hand, contain not only the written records left by enslavers and colonial authorities, but also the documents that contain traces of the voices of the enslaved and coerced laborers and their descendants. Teresa Göltl highlights the importance of archives as valuable sources in the construction of memory, a tool of unsilencing the resistant victims of enslavement who fought the enslavers with words, not torches and machetes. On the basis of a close reading of the records of a historic court case from 1842, the "Affaire Vallentin," a case of the mistreatment of enslaved persons who took it to court, Göltl demonstrates that testimonies of enslaved persons in trials against enslavers challenge dominant narratives and reveal otherwise hidden information about their African culture and family relations.

The roles played by museums and monuments in the process of remembering enslavement and emancipation is addressed in the contributions of Jessica Pierre-Louis, Ulrike Schmieder, and Julia Nitz. The story told by Jessica Pierre-Louis about an emblematic site of memory in the history of Martinique and its recent reorganization also highlights the value of the voices of the enslaved, reconstructed from archived court records, for a memorial culture which remembers slavery from the perspective of the enslaved, not the enslavers or the colonial state. Thanks to the efforts of historians Dominique Rogers and Jessica Pierre-Louis, visitors to the Domaine de la Pagerie, the plantation on which the French empress Joséphine Beauharnais grew up, can now hear the voice of Emilie, executed in 1806 for attempting to poison her mistress, Joséphine's mother. Pierre-Louis unearthed information about the enslaved people who lived and worked on the site, and who are now honored on a wall of names. Many visitors reacted positively to the new museography, which includes information about the memorial conflict around Joséphine (who is supposed to have influenced Napoleon Bonaparte to reintroduce slavery in 1802), but some miss the old exhibit, which was dedicated exclusively to Joséphine, and had silenced slavery completely. Jessica Pierre-Louis analyzes the documents left by the museum's founder, Dr. Robert Rose-Rosette, whose writings represent the alienated memories of slavery by Afro-Martinicans who had internalized the racist stereotypes about enslaved Africans propagated under assimilation politics.

Ulrike Schmieder studies the architectural remains of plantations in her chapter: The residences of the enslavers as well as the huts, barracks and burial grounds of enslaved Africans. She organizes these sites according to the criteria of Stephen Small, Jennifer Eichstedt, and Christine Chivallon, and found more plantation sites where the categories developed by them, "symbolic annihilation," "trivialization and deflection," "segregation and marginalization of knowledge" dominated, than places of "relative" or "full incorporation" (of enslavement and the enslaved) in the visual and tex-

44 Lydia Wilson Marshall, ed., *The Archaeology of Slavery: A Comparative Approach to Captivity and Coercion* (Carbondale: Southern Illinois University Press, 2014). Kenneth Kelly and Benoît Bérard, eds., *Bitasion: Archéologie des habitations-plantations des Petites Antilles – Lesser Antilles Plantation Archaeology* (Leiden: Sidestone Press, 2014).

tual narrative about history. With the exception of La Pagerie, none of the sites made use of documents as described by Teresa Göltl and Jessica Pierre-Louis in this book; petitions, complaints, and testimonies in court as studied by García, Rogers, and Schmieder.[45] On each island there is exactly one Black-centric museum, products of private initiatives by Afro-Caribbean personalities, which focus the agency of the enslaved and the memories of their descendants.[46] Schmieder draws on interviews with these descendants as an important source. Their exclusion from shaping the discourse at memorial sites is one important aspect of the continued silence there.

Julia Nitz' contribution focusses on the remembrance of enslavement in the French port cities La Rochelle, Bordeaux, and Nantes. She analyzes the representation of enslavement in museums, but also in public space, using the Mémorial de l'abolition de l'esclavage, street names, statues, and busts as examples. She takes a closer look at how the images and voices of the enslaved are represented, finding that they tend to stand for collective suffering rather than individual agency. The fact that with the exception of Toussaint Louverture, the testimonies of enslaved persons featured in the memory sites do not originate in French colonies "runs the risk of suggesting that the experiences of enslaved people are interchangeable," according to Nitz. She concludes by pointing to a hopeful innovation, the statue of once-enslaved Adélaide Modeste Testas who is portrayed as a strong, independent woman with her specific biography, thus overcoming both the randomness of the representations of enslaved persons and the dominance of the male perspective.

Although this volume introduces and reflects on current shifts in the debates on competing memory cultures in the Caribbean and its diasporas, we consider the case studies of our contributors to be a starting point for further discussion. In order to gain an understanding of the complex dynamics of memory formations, contestations, and transformations in the context of colonial and postcolonial violence and trauma, we are aware of how remembering enslavement and indentureship changes over time, geographical locations as well as individual and collective positionings. In this regard, this volume seeks to actively expand debates into the future and to invite viewpoints that (re-)envision Caribbean memory cultures in multiple directions. We especially thank the contributors for enhancing the discussion on competing memories in the Caribbean and to the German-Trinidadian artist Richard Williams for providing the cover image for this volume.

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45 Gloria García Rodríguez, *Voices of the Enslaved in Nineteenth-Century Cuba: a Documentary History* (Chapel Hill: University of North Carolina Press, 2011). Dominique Rogers, ed., *Voix d'esclaves: Antilles, Guyane et Louisiane françaises, XVIIIe–XIXe siècle* (Paris: Karthala 2015). Ulrike Schmieder, *Nach der Sklaverei – Martinique und Kuba im Vergleich*, 2nd ed. (Berlin: Lit, 2017).

46 Jennifer Eichstedt and Stephen Small, *Representations of Slavery: Race and Ideology in Plantation Museums* (Washington: Smithonian Institution, 2002): 13, 203–4, 208, 255–66. Stephen Small, *In the Shadows of the Big House: Twenty-First-Century Antebellum Slave Cabins and Heritage Tourism in Louisiana* (Jackson: University Press of Mississippi, 2023): 202. Chivallon, "Rendre visible": 19.

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3. Research Lenses

Introduction

In the first funding period (2019–2025), the BCDSS has approached strong asymmetrical dependencies in different societies in five different research areas, i.e., from five different thematic and methodological angles. The first research area (Semantics, Lexical Fields, Narratives) focused on the semantics, lexical fields and narrative articulation of strong asymmetrical dependencies. The second one (Embodied Dependencies) examined strong asymmetrical dependencies that have been 'inscribed' in bodies and artefacts. The third research area (Institutions, Norms and Practices) studied strong asymmetrical dependency as produced at the crossroads of conflicting institutions, norms and practices, while the fourth one (Labor and Spatiality) was concerned with labor-related strong asymmetrical dependencies and spatial mobility. Finally, the fifth and last research area (Gender [and Intersectionality]) focused on the strong asymmetrical dependency that emerges at the intersections of gender, status, class, ethnicity, religion, and age. In each of these focus areas, relevant conceptual debates and approaches of the humanities were drawn upon and put to the test for arriving at a new social history of strong asymmetrical dependencies. While the first subfield of study made use of the new interest in historical semantics, the second one built on the 'material turn' and body history. The third subfield drew on the neo-institutional approach, and the fourth subfield engaged in current debates in global labor history. Finally, the fifth subfield used an intersectional approach and new debates in gender studies. Of course, individual research projects within the BCDSS touched upon several of these five research areas, and the BCDSS' researchers were involved in the activities of a number of subfields.

3.1. Semantics, Lexical Fields, Narratives

Introduction

In Research Area A, we approached the phenomenon of slavery and other types of strong asymmetrical dependencies from three methodologically and theoretically distinct perspectives. (1) Semantics. Our approach to the semantics of the many different languages focused on the word, i.e., the lexical dimension, as well as on pragmatics, in so far as meaning often turns out to be dependent on the contexts in which a word is used. We aimed at identifying inventories of linguistic items (and their usage) that are pertinent to our topic at a particular time and in a specific historical (con)text. Most of us adopted a synchronic approach and focused on a single text or a small set of texts. These case studies could of course not provide a comprehensive account of the semantics of slavery and strong asymmetrical dependencies, but they allowed us to compare different ways of conceptualizing strong asymmetrical dependencies linguistically, which are specific to particular regions or points in time. (2) Lexical Fields. Our understanding of lexical fields was based on an onomasiological approach – which linguistic items are used to refer to a concept? Which words are used to express a concept? This means that the concept is a semantic unit which is not directly accessible but may be manifested in different ways on the linguistic level. We were interested in single concepts such as 'wisdom' or 'fear', but also in more complex semantic units like 'strong asymmetrical dependencies'. We consider concepts to be abstract units that are manifested in a particular language. Yet, there are not necessarily one-to-one correspondences between concepts and individual words or other linguistic structures. In some cases, we could identify anthropological constants, which suggest that there are at least some universal concepts, i.e., concepts that can be expressed in all of the languages we examine. What provided deeper insight into the specific societies was an analysis of the concrete expressions of concepts, which may look similar, but usually are not identical for people in different cultural contexts and language communities. In comparative studies, which sought to examine different cultural contexts, the concept of lexical fields was enormously useful, since it was a tool that helped us reveal differences in terms of usage associated with otherwise similar concepts. Thus, it seemed reasonable to compare specific conceptual networks and their lexical manifestations in different languages as well as in different diachronic stages of the development of a society and a language. Generally, in each language (or diachronic stage), key terms emerged. (3) Narratives. Finally, the Research Area also focused on the analysis of narratives of slavery and other forms of strong asymmetrical dependencies. A narrative text is always a form of cultural self-perception and self-reflection. We define 'culture' as the interaction of material, social and mental phenomena. The analysis of selection processes with respect to what is addressed and to the literary forms that are characteristic of a particular genre or period provided insights into the mental disposition typical of a particular historical period. Studying the mental dimension of the culture of a society with the help of the methods supplied by literary studies, thus, means trying to reconstruct the system of values, norms, ideologies and collective concepts that is typical of a society, since this system (or at least segments thereof) manifests itself in condensed form in narratives. We were interested in the relations between narrative texts and the discourses and the knowledge of societies, seeking to trace how texts draw upon the sociocultural knowledge of the time they were produced in and incorporate this knowledge in media- and genre-specific ways, thus fulfilling diverse cultural functions. A transcultural narratological analysis of literary strategies provided insights into mental ways of making sense of reality and world-making. Nevertheless, with respect to their production and cultural reception, narratives of slavery and other forms of

strong asymmetrical dependencies – just like all other narratives – do not represent cultural realities mimetically; nor can they be accounted for in terms of straightforward relations of cause and effect. Instead, such narratives articulate individual and collective experiences, restructure these experiences and, last but not least, may have a significant impact on cultural symbolic inventories. In other words, these narratives of slavery and other forms of strong asymmetrical dependencies draw upon elements which are part of the imagination, experience and knowledge of a culture, even if these elements of the cultural archive are taken out of their original contexts and thus may be fundamentally changed in the process of narration.

3. Research Lenses

3.1. Semantics, Lexical Fields, Narratives

Jeannine Bischoff, Stephan Conermann and Marion Gymnich. "Naming, Defining, Phrasing Strong Asymmetrical Dependencies: Introduction," in *Naming, Defining, Phrasing Strong Asymmetrical Dependencies. A Textual Approach*, ed. Jeannine Bischoff, Stephan Conermann and Marion Gymnich (Berlin: De Gruyter, 2023): 1–12.

https://doi.org/10.1515/9783111210544-001

Jeannine Bischoff, Stephan Conermann and Marion Gymnich

Naming, Defining, Phrasing Strong Asymmetrical Dependencies: Introduction

1 Introduction

The concept of 'strong asymmetrical dependency' is proposed by the Bonn Center for Dependency and Slavery Studies (BCDSS) as an umbrella term for various social phenomena that have traditionally been referred to by terms such as 'slavery', 'serfdom' or 'unfree labour'. This new term is neither meant to replace established terminology, nor should it erase the manifold differences between historically specific conditions of enslavement or other forms of dependency. Instead, the term has been coined to break free from long-standing associations and to facilitate an interdisciplinary dialogue about the social conditions and the experience of a wide range of enduring coercive social structures. The study of strong asymmetrical dependencies requires paying attention to the terms used to talk about relevant historical phenomena as well as to the (cultural) narratives in which asymmetrical dependency is represented, affirmed, questioned or negotiated. In his influential monograph *The Problem of Slavery as History: A Global Approach*, Joseph C. Miller argued in favour of "understanding slaving as a historical strategy" rather than "only as an institution".[1] Approaching the history of slaveries across different regions and historical periods from this vantage point also implies that exploring the ways in which enslavement is talked about in historical (and historiographic) discourses is bound to produce interesting results.

The present volume, which brings together expertise from different disciplines, including Islamicate history, Scandinavian studies, theology, German medieval literary studies and law, is based on presentations and discussions in the context of the first Annual Conference of the BCDSS on October 1–2, 2020. This (online) conference marked the end of the first of five 'thematic years' that serve as milestones for the progress of research activities in the BCDSS over the period from 2020 to 2025. The conference was structured around the three key concepts 'semantics', 'lexical fields' and 'narratives', which were at the centre of the first 'thematic year'. The contributions during the two-day conference confirmed that studying the semantics of terms associated with asymmetrical dependency and the narratives in which these are embedded is crucial for overcoming the idea of a straightforward dichotomy of free vs. unfree that tends to inform discourses about enslavement in modern/post-Enlightenment societies. Such a binary opposition fails to do justice to the often highly complex situation in societies, in particular in pre-modern ones, but to some extent also in today's world.

1 Joseph C. Miller, *The Problem of Slavery as History: A Global Approach* (New Haven, CT/London: Yale University Press, 2012): x.

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2 Semantics of Dependency

In research on the global history of enslavement and other forms of asymmetrical dependency there is a certain tension between the use of umbrella terms, which partially derives from the necessity of having an academic 'meta-language', on the one hand and the plurality of actual, local, historical terms on the other hand. Using the term 'slavery' or the plural 'slaveries' as general terms for the very different kinds of asymmetrical dependencies that existed throughout human history cannot capture the enormous heterogeneity that informed social relationships involving dependency. While this critique of course holds true for *any* umbrella term, the more descriptive term 'strong asymmetrical dependency' proposed by the BCDSS arguably has the advantage of being comparatively free of the at times quite fixed associations older expressions have accumulated over the course of their history. Thus, the new term may help to remove obstacles for an academic comparison across very different regional and historical contexts and also facilitates the type of comparison that seeks to acknowledge local and historical differences. While umbrella terms are useful for generating dialogue, a thorough analysis of the history of asymmetrical dependencies requires studying the terms that actually existed in a particular context.

Drawing upon the expertise provided by historical semantics and etymology, semantic analyses of the terms used to refer to dependent people in a specific historical context offer an important method for gaining a better understanding of the complexity of asymmetrical dependencies.[2] Studying the terms that form part of one and the same lexical field (e.g., enslavement) in a particular society provides information on which social distinctions were deemed relevant. This approach may help, for instance, to grasp some of the fundamental differences between transatlantic slavery and enslavement in the Ottoman Empire.[3] As the renowned American linguist and anthropologist Edward Sapir put it, "[t]he complete vocabulary of a language may indeed be looked upon as a complex inventory of all the ideas, interests, and occupations that take up the attention of the community".[4] The social distinctions that can be identified by means of a semantic analysis of the lexical field of enslavement/dependency often go significantly beyond a simple binary opposition of 'free' vs. 'unfree' people. Semantic

2 Cf. the contributions in Jeannine Bischoff and Stephan Conermann, eds., *Slavery and Other Forms of Asymmetrical Dependencies: Semantics and Lexical Fields* (Berlin/Boston: De Gruyter, 2022).

3 On enslavement in the Ottoman Empire, cf., for example, Stephan Conermann and Gül Şen, "Slavery is Not Slavery: On Slaves and Slave Agency in the Ottoman Empire: Introduction," in *Slaves and Slave Agency in the Ottoman Empire*, ed. Stephan Conermann and Gül Şen, Ottoman Studies/Osmanistische Studien 7 (Göttingen: V&R unipress, 2020): 11–27 as well as the articles by Tolino and Czygan in this volume.

4 Edward Sapir, "Language and Environment [1912]," in *Selected Writings in Language, Culture, and Personality*, ed. David G. Mandelbaum (Berkeley/Los Angeles/London: University of California Press, 1985): 90–91. In his pathbreaking studies from the beginning of the twentieth century, Sapir, for instance, introduced the idea of linguistic relativity.

analyses confirm that the 'unfree' people in a society did not necessarily constitute a uniform group. Serena Tolino and Stefan Brink show in their contributions to this volume that texts from the Fatimid Empire and from medieval Scandinavia make use of terms that subdivide unfree people into categories that differ, for instance, in terms of their provenance, their rights or their social status. There is, however, not always a one-to-one relationship between social categories and words. As Hossein Sheikh stresses in his discussion of Old Persian and Middle Iranian terminology in this volume, polysemous words are among the factors that complicate the analysis to some extent.

A feature that sets the lexical field of enslavement apart from many other lexical fields (and simultaneously enhances the likelihood of one-to-one relationships between social categories and linguistic items) is the fact that the vocabulary referring to asymmetrical dependency typically includes terms that are defined in legal texts and whose use thus has legal implications. From the point of view of semantics, legal terms appear to have a somewhat special status in so far as they need to be defined precisely to serve their purposes within society. Many other words in languages, by contrast, correspond to semantic categories that defy clear definitions, involving blurred boundaries instead, which may at times make it difficult to assign a term to a phenomenon: "there is a focal range in which judgments are secure and consistent, but it shades into a borderline range in which there is conflict with a neighboring category, and in which judgments become less secure and more context-dependent".[5] A legal framework might be expected to preclude this kind of blurred semantic category, and the normative function of legal texts should thus give rise to a clearly structured lexical field as far as enslavement is concerned. Yet, even though laws are certainly apt to order and stabilise the structure of the lexical field of enslavement to some extent, jurisprudence is also an area where definitions continue to be debated and where borderline cases are far from uncommon, as the contribution by Barbara Herceg Pakšić illustrates.

3 Metaphors of Dependency

A semantic analysis of the (historical) repertoire of terms associated with asymmetrical dependency can be complemented by paying attention to the metaphorical usage of these terms and to diachronic changes in this respect. Especially the umbrella terms 'slave' and 'slavery' (as well as their counterparts in other languages) appear to have been used metaphorically for a long time. As Andrea Binsfeld shows, for instance the idea of being a 'slave of love' can already be found in ancient Greek

5 Ray Jackendoff, *Foundations of Language: Brain, Meaning, Grammar, Evolution* (Oxford: Oxford University Press, 2002): 351.

literature.[6] In nineteenth-century Britain, the terms 'slave' and 'slavery' occur in various contexts to refer to the experience of asymmetrical dependency in situations that were *not* defined as slavery from a legal perspective. A case in point is the emergence and dissemination of the concept of 'white slavery', which is discussed by Ruth Ennis in the present volume. Yet, a tendency towards using the term 'slave' metaphorically cannot only be observed in larger discourses, where the metaphor comes to be employed systematically. There are also isolated instances of metaphorical usage, i.e., passages in specific texts that use the term to establish a comparison. In Charlotte Brontë's novel *Jane Eyre* (1847), for example, the orphaned title character, who is treated very badly in the household of rich relatives and sees no way of escaping from this situation, compares herself to an enslaved person, when she describes her experience as follows: "like any other rebel slave I felt resolved, in my desperation, to go all lengths."[7] In a novel that was published only fourteen years after the Slavery Abolition Act had been passed in the United Kingdom and during ongoing efforts to abolish slavery in the United States, even a brief reference to slavery like the one quoted above can be expected to resonate strongly with many readers. The cultural and political context presumably motivates the metaphorical usage of the term 'slave' and simultaneously endows it with emotional intensity. Brontë's novel, however, also draws the readers' attention to another possible framework motivating the metaphorical usage of 'slave', i.e., Roman history, which is alluded to in the following passage, where Jane explains why she accused her cousin of being "like a slave-driver" and "like the Roman emperors" as follows: "I had read Goldsmith's *History of Rome*, and had formed my opinion of Nero, Caligula, &c."[8]

According to conceptual metaphor theory, "metaphors are deeply entrenched in the cultural discourses of their age",[9] which means that "people draw on their preexisting cultural knowledge when they use or process metaphors".[10] Moreover, metaphors can be "seen as underpinnings, even fundamental underpinnings, of culture".[11] This certainly also holds true for a metaphorical usage of the term 'slave', as the examples mentioned in the previous paragraph illustrate. In societies where slavery was part of everyday life and/or where its abolition was discussed, a metaphorical usage of terms related to this institution does not seem far-fetched. Debates on

6 Andrea Binsfeld, "Slavery and its Narratives in Ancient Novels – Stories of 'Decline and Fall'?" in *Narratives of Dependency*, ed. Elke Brüggen and Marion Gymnich (Berlin: De Gruyter, forthcoming).

7 Charlotte Brontë, *Jane Eyre* (Harmondsworth: Penguin, 1985): 44.

8 Brontë, *Jane Eyre*: 43.

9 Ansgar Nünning, "Metaphors the British Thought, Felt and Ruled by, or: Modest Proposals for Historicizing Cognitive Metaphor Theory and for Exploring Metaphors of Empire as a Cultural Phenomenon," in *Literature and Linguistics: Approaches, Models, and Applications. Studies in Honour of Jon Erickson*, ed. Marion Gymnich, Ansgar Nünning and Vera Nünning (Trier: WVT, 2002): 102.

10 Nünning, "Metaphors the British Thought, Felt and Ruled by": 110.

11 Philip Eubanks, "The Story of Conceptual Metaphor: What Motivates Metaphoric Mappings," *Poetics Today* 20, no. 3 (1999): 419.

transatlantic slavery in the eighteenth and nineteenth centuries thus provided a context that certainly encouraged for instance writers, journalists and social reformers to draw upon the terms 'slave' and 'slavery' for referring to other types of dependency. A preference for these terms can also be attributed to the fact that "the evoking of emotion is an important aspect of the metaphorical process".[12] In a cultural context in which people were made aware of the cruelty of slavery by testimonies of formerly enslaved people and by the efforts of abolitionists in general, the terms 'slave' and 'slavery' accumulated emotional intensity, becoming synonymous with immense suffering and injustice. Thus, when other social relationships were labelled as 'slavery', the aim was obviously to condemn these in no uncertain terms. In the discourse of 'white slavery' discussed by Ennis as well as in Brontë's novel we can recognise the "strong rhetorical overtones of injustice, inhumanity, social and political exclusion, personal abuse, and inequality that the notion of slavery carries in modern culture".[13] Some or all of these negatively connotated semantic features are likely to be activated cognitively when the terms 'slave'/ 'slavery' are used metaphorically.

According to cognitive approaches to metaphor theory, metaphors involve a "schema of *source domain*, *target domain*, and the *mapping* of source on target".[14] When a metaphor is used, "a number of prototypical features" of the source domain (here: slavery) are "projected onto the subject matter [i.e., the target domain] about which one wants to talk"[15] (here: trafficking of women for the purpose of sex work in the case of 'white slavery' or the situation of an individual orphaned child depicted in a British novel). This process is referred to as 'conceptual integration', which, as Mark Turner and Gilles Fauconnier point out, "typically works below the horizon of observation": "It occurs dynamically in the moment of thinking, acting, and speaking, for local purposes, but its products can become entrenched."[16] A contextualisation of both occasional and systematic (i.e., 'entrenched') metaphorical usage of terms related to asymmetrical dependency promises to provide additional insights into the historically variable discourses on dependency.

Contextualisation also implies paying attention to the narratives in which metaphors are embedded. According to Philip Eubanks, conceptual metaphors tend to be supported by 'licensing stories', i.e., by a "repertoire of ideologically inflected narratives, short and long, individual and cultural, that organize our sense of how the world works and how the world should work. That is to say, our world-making stories give us the license – provide the requisite justification – needed to regard possible metaphoric

12 Nünning, "Metaphors the British Thought, Felt and Ruled by": 113.

13 Miller, *The Problem of Slavery as History*: x.

14 Monika Fludernik, Donald C. Freeman and Margaret H. Freeman, "Metaphor and Beyond: An Introduction," *Poetics Today* 20, no. 3 (1999): 387.

15 Fludernik, Freeman and Freeman, "Metaphor and Beyond: An Introduction": 387.

16 Mark Turner and Gilles Fauconnier, "A Mechanism of Creativity," *Poetics Today* 20, no. 3 (1999): 408.

mappings as sound".[17] The proliferation of metaphors related to slavery in nineteenth-century Europe, for instance, can be interpreted as resulting from an underlying licensing story shaped by the European Enlightenment that consolidates a binary opposition between slavery as a state that needs to be left behind on the individual and collective level to ensure progress, which is linked with achieving freedom.

4 Narratives of Dependency

Due to the ubiquity of strong asymmetrical dependencies in human societies throughout human history it seems hardly surprising that this type of social relationship can be traced in countless texts. These are often valuable textual sources for analysing the semantics of asymmetrical dependencies from a synchronic as well as from a diachronic perspective, as the previous sections have already suggested. Texts provide the contexts that are frequently needed to grasp and perhaps to disambiguate the meaning of lexical items and to identify semantic nuances in the ways they are used. As the contributions in this volume show, a wide range of different text types and genres can be drawn upon for an analysis of the semantics and metaphors of dependency, including for instance inscriptions, letters, legal texts and fictional works. Yet, the functions of texts for the study of asymmetrical dependency go much beyond being a source for semantic analyses on the lexical level.

Some narrative texts open up the possibility of at least partially reconstructing the history of asymmetrical dependency and, more specifically, that of the *experience* of enslavement and dependency. In the context of efforts to tell the history of asymmetrical dependency, it seems necessary to adopt a wide concept of narratives, i.e., to include both texts that exhibit 'strong narrativity' and those that are characterised by 'weak narrativity' and thus may be less prototypical examples of narrative texts (and have traditionally often been ignored by narratologists for this reason).[18] Many text

17 Eubanks, "The Story of Conceptual Metaphor": 426–27.

18 Monika Fludernik and Marie-Laure Ryan describe the distinction between strong and weak narrativity as follows: "*strong narrativity* [. . .] fulfills all the conditions constitutive of basic narrativity, it also involves a mode of narration that goes much beyond the depiction of a sequence of events involving beginning, middle and end. Such narratives will focus on the mental worlds of human or human-like protagonists, this is to say, on their desires, intentions and feelings. Strong narratives must flesh out the kind of content that is constitutive of story in order to bring out its experientiality [. . .]. On the other end of the narrative continuum is *weak narrativity*. It comes in two kinds. The first stems from an *only partial fulfillment of the basic conditions*. For instance, a news headline is an incomplete story that needs to be fleshed out by the text that follows. [. . .] The other form of weak narrativity fulfills the basic conditions listed above, but it does so through a mode of representation that *limits itself to the transmission of information*. Such texts have a distinct plot made of sequences of events and actions but they do not foreground the mental activity of the protagonists or actants. [. . .] This reporting style is the dominant form of factual narrative, but it is also found in some types of fiction"

types that prove to be particularly important sources of information on asymmetrical dependency, for example the customary law texts studied by Caroline Laske in her article in this volume, have to be categorised as weakly narrative texts. The task of reconstructing a history of asymmetrical dependency by means of narratives is fraught with problems. The most important challenge is certainly that texts tended to be written by enslavers rather than by enslaved people. This is likely to cause huge gaps in our knowledge and to confront us with a bias that privileges the perspective of the enslavers. Notwithstanding such problems, even these narratives may turn into important sources of knowledge if they are read against the grain and if details and silences are paid attention to. In a similar vein, Elke Brüggen argues in her contribution to this volume that canonical literary texts can produce information on asymmetrically dependent people if marginal characters are focused on and contextualised in the histories of enslavement.

Narratives that address asymmetrical dependency provide manifold insights into the cultural framework and its discourses that either support or challenge asymmetrical dependency in a society. Narratives may offer culture-specific justifications for the existence of slavery or indicate which values, norms and belief systems support the practice of enslaving people. As Chris de Wet shows in his discussion of various narratives that originated in the context of Early Syrian Christianity, actual enslavement may for instance be entangled in complex ways with religious ideas of a spiritual enslavement. The archive of texts that provide information on the history of asymmetrical dependency can be subdivided into two large groups on the basis of their attitude: (a) those that simply take asymmetrical dependencies for granted or even provide justifications of the institution and (b) those that criticise asymmetrical dependency and seek to abolish it.

The former constitute by far the largest group, which seems hardly surprising since the voices of hegemonic groups tend to be the ones that are primarily preserved in documents. In terms of text types and genres, this group of narratives is extremely diverse, including for example legal and religious texts as well as literary works and personal documents. In order to read between the lines or against the grain, as suggested above, the conventions informing the different text types and genres need to be taken into account. Moreover, tropes that occur across genres may provide interesting insights, as Rachel Zelnick-Abramovitz shows in her interpretation of the trope of 'the slave who made it' in ancient Greek literature.

The second group of texts, those that criticise asymmetrical dependency and argue for its abolition, is on the whole much smaller, but it includes a few texts that are extremely well-known today. This is certainly true for some of the autobiographical texts that have come to be known as 'slave narratives', i.e., texts by formerly

(Monika Fludernik and Marie-Laure Ryan, "Factual Narrative: An Introduction," in *Narrative Factuality: A Handbook*, ed. Monika Fludernik and Marie-Laure Ryan [Berlin/Boston: De Gruyter, 2020]: 9).

enslaved people like Olaudah Equiano, Frederick Douglass and Mary Prince that have played an important role in the efforts to abolish transatlantic slavery. As Vicent Sanz and Michael Zeuske stress, this type of narrative is comparatively rare and should strictly speaking be called 'ex-slave narrative', given the fact that enslaved people are typically in no position to publish texts.[19] Many of the authors of texts that were written to support the abolition of transatlantic slavery were white abolitionists, and in some regions these voices have even dominated the cultural memory for a long time, as Ulrike Schmieder shows in her study on Martinique in this volume. The letters written by a formerly enslaved woman from sixteenth-century Istanbul that are analysed in Christiane Czygan's article are particularly intriguing, since they offer a complex negotiation of the writer's position and show again that the institution of slavery in the Ottoman Empire differed significantly from transatlantic slavery.

5 The Contributions in this Volume

The eleven articles in this volume approach themes and questions outlined so far from different angles and disciplinary vantage points. They illustrate that a focus on the semantics and lexical fields that are relevant to asymmetrical dependency tends to provide impulses for the study of narratives of dependency and vice versa. The majority of the contributions discuss pre-modern societies, but it also becomes clear that a text-centred approach revolving around the semantics, lexical fields, metaphors and narratives of dependency is equally useful for an analysis of post-Enlightenment societies.

Stefan Brink examines the semantics and etymology of the terms that were used to refer to different types of enslaved people in medieval Scandinavia, especially in legal and literary texts. The juxtaposition of these terms reveals that being enslaved was a heterogeneous phenomenon in Scandinavian societies, even though the opposition between free and unfree persons at first appears to be binary from a purely legal perspective. As Brink shows, the features that set the different concepts apart include gender (e.g., *ambótt* 'female slave' vs. *þrǽll* 'male slave'), but also differences in terms of the social position of enslaved people. A comparison with related terms in other Indogermanic languages as well as an analysis of diachronic changes provide insights into the cultural conceptualisation of the varying social roles of enslaved people as well as into the history of enslavement. This is perhaps most obvious in a specific semantic shift: words referring to (foreign) ethnic groups adopt the meaning 'slave'.

19 Vicent Sanz and Michael Zeuske, "Towards a Microhistory of the Enslaved: Global Considerations," in *El tabaco y la rearticulación imperial ibérica (s. XV–XX)*, ed. Santiago Luxán Meléndez and João Figuerôa Rêgo (Évora: Publicações do Cidehus, 2019).

This change in meaning can be observed in Scandinavia as well as across Indo-European languages and reflects in particular the enslavement of war captives.

Drawing upon sources such as inscriptions, letters and contracts written in ancient Near Eastern languages, Hossein Sheikh provides a similar contrastive semantic analysis of a large number of terms related to slavery. The starting point of Sheikh's overview is the Old Persian word *bandaka*, which, depending on the context, can mean either 'servant/slave' or 'subject'. Sheikh compares this term with cognates in other languages from the region, including the three Middle Iranian languages Sogdian, Pahlavi and Bactrian as well as various Semitic languages. According to Sheikh, semantic similarities between these languages can to some extent be accounted for culturally, by shared underlying concepts of (divine) superiority and inferiority, which do not correlate with the (modern) binary opposition of free vs. unfree. The social category 'gender' turns out to be a distinctive feature in the lexical field, giving rise to different terms referring to male and female slaves/servants.

In her discussion of the terminology used to refer to eunuchs in Islamic societies, Serena Tolino argues that it is necessary to study the semantic distinctions inherent in different terms referring to people in dependent positions in order to break free from Western-centric notions that tend to be informed by the simplified dichotomy of free vs. unfree. Even though most eunuchs were enslaved, they could still hold a range of influential political and administrative positions and they could have certain rights. For her analysis, Tolino uses primarily sources from the ninth to twelfth centuries, drawing upon chronicles from the Fatimid Empire, legal texts (*fiqh* manuals) as well as three lexicographic sources from the tenth century. These text types present several terms for eunuchs and thus imply different distinctive features. The chronicles, for instance, distinguish types of eunuchs depending on their rank and social function. In legal texts, by contrast, the terms used to refer to eunuchs indicate the degree of castration, which had an impact on the rights a eunuch was granted.

In an article focusing on early Syrian Christianity, Chris de Wet explores concepts and images of enslavement in a region that has been largely ignored in slavery studies. He traces changing implications of the image of the captive monk and narratives revolving around this figure over the course of several centuries, addressing different ways in which ascetical theology and practice were informed by the notion of being enslaved. De Wet argues that a historical context in which enslavement was ubiquitous fostered a tendency to conceptualise ascetic practices in terms of enslavement. In theological discourses in late ancient Syria, enslavement was regarded as a consequence of free will, which estranges the person from God – a state that can be overcome by becoming a slave *of* God. The texts examined by de Wet include the apocryphal *Acts of Thomas*, which feature an early example of the figure of the captive monk and intertwine notions of institutional, spiritual and metaphorical enslavement, Jerome's *Life of Malchus*, where physical enslavement is presented as a punishment for sins, and the *Book of Steps*, which presents enslavement of the body as ascetic practice.

Ruth Ennis revisits the problematic expressions 'white slavery' / 'la traite des blanches', seeking to unentangle the dissemination of these terms across various Francophone and Anglophone (con)texts in the nineteenth century. Ennis thus engages in the debate to what extent the idea of a widespread trafficking of white women, which came to be referred to as 'white slavery' or 'la traite des blanches', was a myth fueled by processes of Othering in terms of both nationality and class. Having started out as metaphors that were used comparatively unsystematically to refer to diverse kinds of exploitation, the expressions 'white slavery' / 'la traite des blanches' eventually turned into a powerful and highly gendered concept in its own right, which referred specifically to trafficking women for the purpose of sex work. Ennis describes the emerging narrative of 'white slavery' as a transnational production and circulation of knowledge that involved many historical actors, served a range of different functions and was closely linked with prejudices regarding nationality and class.

Rachel Zelnick-Abramovitz explores stories about manumitted slaves from the ancient Greek world that present their formerly enslaved protagonists as achieving wealth and/or fame by various strategies. As Zelnick-Abramovitz shows, this type of narrative can be found across different genres, including philosophical texts by Plato and Plutarch, writings by the historian Herodotos and by the geographer Strabo as well as the fictitious biography *Life of Aesop* from the first century CE. While there are a few accounts of actual manumitted slaves in ancient Greece who became successful, some well-known narratives about former slaves have probably fictitious protagonists with legendary features, such as Aesop, to whom many fables have been ascribed. What the various (formerly) enslaved protagonists share is their wit, which is the quality that ensures their success and that links them to the character type of the 'cunning slave' in comedies. According to Zelnick-Abramovitz, such narratives may have fulfilled multiple social functions, responding to hopes of enslaved people and to fears of enslavers alike.

In her discussion of one of the most famous Middle High German epic poems, Wolfram von Eschenbach's *Willehalm* from the thirteenth century, Elke Brüggen demonstrates that reading pre-modern canonical texts against the grain and specifically through the lens of asymmetrical dependency may provide innovative readings of these works. The character of Rennewart in *Willehalm* has already attracted considerable interest among literary scholars. Nevertheless, as Brüggen claims, interpreting this Muslim character of royal descent as someone who was abducted as a child, who has been forcibly removed from the cultural and religious context he was born into and who has lived as a servant at the court of a Christian king makes it possible to glean allusions to what could be classified as alienating, even traumatic experiences. Thus, a literary figure like Rennewart can be situated in the history of the abduction and enslavement of children in the Holy Roman Empire – a facet of enslavement that has traditionally been marginalised in studies of slavery in European history.

The contribution by Christiane Czygan focuses on letters written by Hurrem, a controversial historical figure from Ottoman history in the sixteenth century, who rose from being an enslaved woman in the Ottoman Imperial harem to exerting a considerable amount of political power. Czygan describes the Imperial harem as an environment where a comparatively high social status was often coupled with an equally high degree of dependency. In the sixteenth century, female slaves in the Imperial harem generally played an important role by producing male heirs, and having given birth to several sons certainly contributed to Hurrem's influential position at court. The letters Hurren wrote to Sultan Süleyman while the latter was away from the court provide a glimpse of Hurrem's voice and display her efforts to consolidate a position that was highly unusual for a woman like her. According to Czygan, the rhetorical strategies drawn upon by Hurrem to achieve her goals include expressions of love as well as a strong emphasis on her obedience, which corresponds to repeatedly referring to herself as the sultan's slave.

In her contribution to this volume, Caroline Laske analyses the *Sachsenspiegel*, a customary law text written down in eastern Saxony in the thirteenth century, through the lens of asymmetrical dependency. This approach stresses that the far-reaching lack of women's legal capacity in medieval society situated them in a dependent position. The *Sachsenspiegel*, like other late medieval customary law texts, tends to deny women legal capacity as far as control of both resources and actions is concerned. In the *Sachsenspiegel*, the norm of male guardianship, which was experienced by married women due to the legal principle of the *feme covert*, was not only inherent in the legal provisions. As Laske shows, this norm was additionally reinforced in references to the narrative of the Roman figure of Calefurnia, whose insolent demeanour was supposed to justify the silencing of women in legal contexts. The allusions to Calefurnia were also incorporated on the visual level, by means of images highlighting the insolence and even indecency of Calefurnia as a warning.

Ulrike Schmieder addresses various narratives about enslavement on Martinique and explores the competing memory cultures on the Antillean island, where the descendants of enslaved people and the *békés*, whose ancestors were enslavers, have traditionally remembered the past differently. These narratives include abolitionist Victor Schœlcher's account of the crimes committed by the Jaham brothers, whose cruel torture of enslaved people was meant to convince readers of his *Histoire de l'esclavage pendant les deux dernières années* (1847) that the abolition of slavery was necessary. As Schmieder shows, hegemonic French memory culture as well as that of many *békés* initially privileged the commemoration of the abolition of slavery rather than recalling the cruel reality of enslavement; in recent decades, however, descendants of enslaved people have increasingly challenged the *békés*' account, for instance by articulating a de-colonial counter-memory that emphasises resistance, self-liberation and agency on the part of the enslaved people.

Barbara Herceg Pakšić demonstrates what it means to approach slavery from the point of view of human rights and criminal justice today. She stresses that enslavement

is a human rights violation that cannot be relegated to the past, given that slavery continues to evolve into new forms. This, as Herceg Pakšić points out, implies that legal anti-slavery measures for the benefit of vulnerable groups are still called for. For contemporary societies, the concept of *de facto* slavery, which encompasses actual exploitative practices, might be more useful than the notion of *de jure* slavery, which can be applied to traditional forms of strong asymmetrical dependency. Herceg Pakšić discusses the definitions of slavery drawn upon by the European Court of Human Rights, by the International Criminal Tribunal for Former Yugoslavia and by Australian jurisprudence to distinguish between slavery and phenomena like forced labour in court decisions. In case studies, she illustrates the judicial reasoning, which helps to problematise the notion of (modern) slavery.

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3. Research Lenses

3.1. Semantics, Lexical Fields, Narratives

Marion Gymnich. "Introduction: Narratives of Dependency: Examining the History of Strong Asymmetrical Dependencies through the Lens of Narrative Texts," in *Narratives of Dependency*, ed. Elke Brüggen and Marion Gymnich (Berlin: De Gruyter, 2024): 1–13.

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Marion Gymnich

Introduction – Narratives of Dependency: Examining the History of Strong Asymmetrical Dependencies through the Lens of Narrative Texts

1 Narratives of Dependency: A Definition and its Implications

Given that strong asymmetrical dependencies of various kinds have shaped "all human societies, past and present,"[1] it seems almost like a foregone conclusion that social phenomena such as slavery, captivity and many other types of dependency must have left traces across all sorts of narrative texts, both factual and fictional ones.[2] In the history of transatlantic slavery and its abolition, a particular type of narrative text has played an especially prominent role: life writing by formerly enslaved people, i.e., texts that have come to be known as 'slave narratives'.[3] Arguably, the most well-known representatives of this specific type of life writing continue to shape the ways in which transatlantic slavery is remembered today. This is certainly true for texts like Olaudah Equiano's *The Interesting Narrative of the Life of Olaudah Equiano* (1789), Mary Prince's *The History of Mary Prince: A West Indian Slave* (1831), Frederick Douglass' *Narrative of the Life of Frederick Douglass, An American Slave, Written by Himself* (1845), and Harriet Jacobs's *Incidents in the Life of a Slave Girl* (1861), which are still part of the cultural memory. In the political struggle to abolish slavery in the eighteenth and nineteenth centuries, life writing by formerly enslaved people

1 Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler and Stephan Conermann, "The Analytical Concept of Asymmetrical Dependency," *Journal of Global Slavery* 8, no. 1 (2023): 4. https://doi.org/10.1163/2405836X-00801002. See also Damian A. Pargas, "Introduction: Historicizing and Spatializing Global Slavery," in *The Palgrave Handbook of Global Slavery Throughout History*, ed. Damian A. Pargas and Juliane Schiel (Cham: Palgrave Macmillan, 2023): 1, who points out that "[s]lavery has been a common – if often fluid and complex – condition in most world societies throughout history."

2 Winnebeck et al., "The Analytical Concept of Asymmetrical Dependency": 4, define the term strong asymmetrical dependency as follows: "The analytical concept of asymmetrical dependency seeks to replace the traditional binary opposition of 'slavery versus freedom' still prevalent in slavery studies with the much broader analytical concept of asymmetrical dependency, which aims to encompass all forms that human bondage and coercion have taken over time."

3 For an overview of this type of life writing, see Audrey Fisch, ed., *The Cambridge Companion to the African American Slave Narrative* (Cambridge: Cambridge University Press, 2007) and John Ernest, ed., *The Oxford Handbook of the African American Slave Narrative* (Oxford: Oxford University Press, 2020).

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served as "evidentiary testimony,"[4] which sought to "persuade readers to join the abolitionist cause"[5] by providing insights into the immense suffering caused by chattel slavery. We can assume that life writing contributed to bringing about the end of transatlantic slavery, which is one of the many social functions narratives of dependency can fulfil.

While life writing by formerly enslaved people might be the first kind of narrative of dependency many people are likely to think of today, texts like the ones by Equiano, Prince, Douglass and Jacobs prove to be exceptions among the textual sources that represent slavery and other forms of strong asymmetrical dependency. If we seek to chart the whole range of textual representations of asymmetrical dependencies and thus establish a global archive of narratives of dependency, the texts that need to be considered prove to be extremely heterogeneous. Such an archive encompasses many text types that do not provide detailed accounts of the lives of people in asymmetrically dependent positions and instead merely offer glimpses of the experience of dependency. The contributions in this volume are first steps towards defining a global and diachronic archive of narratives of dependency by broadening the corpus of narrative texts that are examined in slavery and dependency studies. Firstly, this means including text types that are far from prototypical examples of narrativity. Cases in point are the Ottoman court records discussed by Veruschka Wagner in the present volume. Wagner shows that these highly formulaic texts can be read as micro-narratives of dependency, which provide important insights into how enslavement was dealt with in the Ottoman Empire. Secondly, broadening the archive of narratives of dependency also means re-reading canonical (fictional and factual) texts from a new vantage point. The contributions by Andrea Binsfeld and Clara Hedtrich illustrate this approach. Reading canonical texts through the lens of dependency studies is often apt to reveal new facets of these texts, drawing, for instance, attention to minor characters or challenging the implicit value system of a text.

What has been said so far already suggests that the present volume proposes a *wide* concept of narratives of dependency. Thus, in the following, 'narratives of dependency' will be used as an umbrella term for sources that bear features of very different genres and text types while sharing one defining characteristic: they represent the experience of strong asymmetrical dependency (in a more or less detailed manner). The term is meant to be very flexible and to subsume fully fledged accounts of the lives of strongly asymmetrically dependent people as well as micro-narratives that provide only little information on dependency. Moreover, narratives of dependency include narratives *by* dependent people as well as narratives *about* them. As Rudolf Stichweh points out, having no voice and specifically lacking "the possibility of conflictual com-

4 Anna Stewart, "Revising 'Harriet Jacobs' for 1865," *American Literature* 82, no. 4 (2010): 714.

5 Mitch Kachun, "Slave Narratives and Historical Memory," in *The Oxford Handbook of the African American Slave Narrative*, ed. John Ernest (Oxford: Oxford University Press, 2020): 25.

munication" are among the typical features of strong asymmetrical dependencies.[6] Thus, it comes as no surprise that representations of asymmetrical dependencies from the perspective of dependent people are rather uncommon, especially in the context of extreme forms of dependency such as chattel slavery. Many narratives of dependency are shaped by biases; this may, for instance, mean that they take the existence of strong asymmetrical dependencies for granted. In particular premodern narratives of dependency are typically informed by the perspective of those who control the resources and actions of others and are not interested in changing the dependencies that shape society. In general, we can expect to encounter narratives that *criticise* strong asymmetrical dependencies primarily in the context of abolition movements.

Adopting a wide concept of narratives of dependency implies that the narratives that are subsumed under this term differ considerably with respect to their position on the scale between "*strong narrativity*" and "*weak narrativity*."[7] According to Monika Fludernik and Marie-Laure Ryan, the concept of narrativity can be defined

> as a cognitive pattern, or mental representation, that is triggered by certain semiotic objects or even by unmediated life experience. We construct stories in our mind not only when we read texts or watch videos, but also when we witness an accident, watch a sports game, or revisit certain memories. These mental representations become narratives when they are captured and communicated through semiotic means such as language, image, sound, moving bodies or through combinations of various types of signs.[8]

In addition to fulfilling the fundamental requirements for narrativity, such as presupposing a time and place of action or including events and actions that are caused by agents,[9] strong narrativity "involves a mode of narration that goes beyond the depiction of a sequence of events involving beginning, middle and end. Such narratives will focus on the mental worlds of human or human-like protagonists, this is to say, on their desires, intentions and feelings."[10] The abovementioned life writing by formerly enslaved people fulfils the criteria for strong narrativity; the accounts of captivity and imprisonment discussed by Alexander Bauer, Gül Şen and Miriam Quiering can presumably also

6 Rudolf Stichweh, "How Do Divided Societies Come About? Persistent Inequalities, Pervasive Asymmetrical Dependencies, and Sociocultural Polarization as Divisive Forces in Contemporary Society," *Global Perspectives* 2, no. 1 (2021): 4. The characteristics of strong asymmetrical dependency as defined by Stichweh are described in terms of lack, specifically a lack of (a) access to resources, (b) control over one's actions, (c) voice, (d) possibilities of leaving the dependent position, and (e) "inner emigration".

7 Monika Fludernik and Marie-Laure Ryan, "Factual Narrative: An Introduction," in *Narrative Factuality: A Handbook*, ed. Monika Fludernik and Marie-Laure Ryan, Revisionen: Grundbegriffe der Literaturtheorie 6 (Berlin: De Gruyter, 2020): 9.

8 Fludernik and Ryan, "Factual Narrative": 8.

9 For a more detailed discussion of these conditions, see Fludernik and Ryan, "Factual Narrative": 8 as well as Marie-Laure Ryan, "Toward a Definition of Narrative," in *The Cambridge Companion to Narrative*, ed. David Herman (Cambridge: Cambridge University Press, 2007): 22–35.

10 Fludernik and Ryan, "Factual Narrative": 9.

be categorised as examples of strong narrativity. Other texts examined in contributions to this volume, however, display weak narrativity at best.[11] Due to the scarcity of information on human experience, many narratives of dependency lack "experientiality," a concept that refers to the "cognitively grounded relation between human experience and human representations of experience", "particularly the embodiment of cognitive faculties, the understanding of intentional action, the perception of temporality, and the emotional evaluation of experience."[12] Experientiality in this sense is often missing in factual and premodern sources in general as well as in extremely short or even fragmentary texts. Yet, sources of this kind often play a vital role as narratives of dependency; they may even provide insights into the history of strong asymmetrical dependency that are simply not available from other sources.

Information on the experience of strong asymmetrical dependency has traditionally tended to be marginalised in historiography as well as in many fictional texts. Thus, research on representations of slavery and dependency often requires reading in the margins and considering sources that provide only minimal information. In his postcolonial re-readings of canonical literary texts in *Culture and Imperialism*, Edward Said has shown that attention to details and reading against the grain may pay off as far as references to colonialism are concerned. A similar argument can be made for references to and representations of slavery and other forms of strong asymmetrical dependency. In fact, one of the best-known examples of Said's postcolonial re-reading of nineteenth-century British literature even refers to chattel slavery. With respect to Jane Austen's novel *Mansfield Park* (1814), he famously argued: "According to Austen we are to conclude that no matter how isolated and insulated the

11 Fludernik and Ryan, "Factual Narrative": 9–10 further distinguish two types of weak narrativity: "The first stems from *only partial fulfillment of the basic conditions*. For instance, a news headline is an incomplete story that needs to be fleshed out by the text that follows. A list of the events that compose somebody's daily routine lacks the property of non-habitual eventfulness because its elements can be repeated over and over again. The report of a weather event lacks human agency; it only becomes a full-fledged story when humans or human-like creatures are emotionally affected. [. . .] The other form of weak narrativity fulfils the basic conditions [. . .], but it does so through a mode of representation that *limits itself to the transmission of information*. Such texts have a distinct plot made of sequences of events and actions but they do not foreground the mental activity of the protagonists or actants. Neglecting the 'how,' they privilege the 'what' and the 'why.' This reporting style is the dominant form of factual narrative, but it is also found in some types of fiction. Many medieval narratives, for instance, strike the modern reader as weakly narrative, because the expressive devices of modern fiction, such as stream of consciousness, or vivid descriptions, had not yet been developed." Both types of weak narrativity can be encountered in narratives of dependency.

12 Marco Caracciolo. "Experientiality," in *The Living Handbook of Narratology*, ed. Peter Hühn et al., Hamburg University, http://www.lhn.uni-hamburg.de/article/experientiality [accessed 30.08.2023]. For a thorough discussion of experientiality, see Monika Fludernik, *Towards a 'Natural' Narratology* (London: Routledge, 1996), who coined the concept.

English place (e.g. Mansfield Park), it requires overseas sustenance."[13] The "overseas sustenance" referred to in this quotation is a plantation on the island of Antigua, where slave labour ensures the wealth of the upper-class Bertram family, who reside in England. As postcolonial readings of *Mansfield Park* by Said and others suggest, even brief references to slavery may turn out to be very illuminating.[14] Even if these references do not represent the enslaved, they at least provide glimpses of assumptions and thought patterns of the enslavers and of ideas that circulate in societies shaped by asymmetrical dependencies.

The texts subsumed here under the umbrella term 'narratives of dependency' have in common that they are embedded in social power relations that have a strong impact on *what* can be said about asymmetrical dependency, on *how* it is said, and on *whose voices* are likely to be heard. In other words, the information on individuals, institutions, and everyday practices provided within narratives of dependency is bound to be biased. This characteristic of narratives of dependency implies that a thorough contextualisation is called for when narratives of dependency are discussed. The original social function of a given text and its original target group are factors that are of particular importance in this context. The way texts are told is likely to be shaped by these two factors. As for instance Elena Smolarz and Markus Saur show in their contributions in this volume, different versions of the same story emerge once social functions and target groups change.

While a comparison of variants of one and the same story of dependency is certainly illuminating, a more general comparison of different narratives of dependency in terms of their content is likely to be problematic. Comparing different types of dependency is bound to cause ethical concerns. The experience of a victim of chattel slavery in Cuba has very little in common with that of an elite captive in the Ottoman-Russian war (1768–74) who partially retained his privileged position. What does seem fruitful, however, is a comparative approach and an interdisciplinary collaboration with regard to methodological questions: Given that the voices of dependent people are often hard to find (and sometimes even harder to interpret), it makes sense to enter into a dialogue about how to trace and contextualise these voices in single texts as well as in archives. Other overarching questions concern the strategies of representation, the patterns of inclusion and exclusion that can be identified in narratives of dependency. These questions can initiate a productive conversation that benefits from the participation of experts from many disciplines, including historians, social anthropologists, literary historians, and theologians.

13 Edward Said, *Culture and Inperialism* (London: Vintage, 1994): 107.

14 For a further discussion of the significance of references to Antigua in *Mansfield Park*, cf., for example, Susan Fraiman, "Jane Austen and Edward Said: Gender, Culture, and Imperialism," *Critical Inquiry* 21, no. 4 (1995): 805–21, and Rita J. Dashwood, "The Triumph of the Estate? Fanny Price and Immoral Ownership of Property in Jane Austen's *Mansfield Park*," *Journal for Eighteenth-Century Studies* 44, no. 4 (2021): 453–68.

By discussing strongly and weakly narrative texts that address different types of asymmetrical dependency and were produced in very different historical periods and regions, the articles in the present volume also contribute to the ongoing project of establishing a historical narratology.[15] Discussing premodern texts from a narratological perspective is a challenge due to the fact that the traditional narratological categories have been defined primarily on the basis of modern texts by structuralist and postclassical narratologists alike. The weakly narrative or even fragmentary nature of many narratives of dependency renders a narratological analysis of these texts even more difficult. The aim of the following contributions is not an application of traditional narratological categories in the narrow sense. Instead, they seek to provide contextualised, "historically sensitive"[16] readings of narrative texts *and* their structural features; i.e., they pay attention to "the importance of narrative's situatedness in particular media, material and cultural environments."[17] Contextualisation, i.e., exploring the contexts shaping the production, reception and dissemination of texts is essential for an analysis of both the content and the structures of narratives of dependency.

2 The Contributions in this Volume

The (highly selective) history of narratives of dependency presented in this volume starts with Honey L. Hammer's discussion of two ancient Egyptian tomb inscriptions from the First Intermediate Period and the Middle Kingdom. The inscriptions examined by Hammer commemorate Nomarchs' lives and are often called 'tomb biographies', though, as Hammer stresses, it would be more appropriate to refer to them by the more neutral term 'self-presentations'. The Nomarchs' self-presentations reflect a situation that is far from uncommon in premodern societies, since the men whose tombs provide information on their social status and career were in an intermediate position in the social hierarchy. As Nomarchs, they were positioned above many dependent people while being dependent on the Pharaoh. The tomb inscriptions follow a typical pattern, including, for instance, the tomb owner's titles and achievements and putting the emphasis clearly on his position in society. Hammer shows that this specific text type has undergone significant developments in terms of structure and content. The selected self-presentations by two Nomarchs, Ankhtifi and Sarenput I, exemplify some of these changes in the ways they negotiate the tomb owner's in-between position in terms of motifs, rhetorical strategies, and imagery.

15 For an introduction to this field of narratology, see Eva von Contzen and Stefan Tilg, eds., *Handbuch Historische Narratologie* (Stuttgart: Metzler, 2019).

16 Dorothee Birke, Eva von Contzen and Karin Kukkonen. "Chrononarratology: Modelling Historical Change for Narratology," *Narrative* 30, no. 1 (2022): 27.

17 Birke et al. "Chrononarratology": 27.

In the next contribution, Markus Saur discusses the ways in which dependency structures are reflected in varying depictions of the relationship between Jerusalem and the Phoenician trading city of Tyre in the historiography of the Hebrew Bible, specifically in the Books of Samuel and Kings and in the Books of Chronicles. The economic superiority of Tyre, which was based on its trade networks, makes itself felt in the way the relationship between David of Jerusalem and the Phoenician king Hiram of Tyre in the tenth century BCE is represented in different books of the Bible. In the Book of Samuel, a visit of a delegation sent by King Hiram is presented very prominently, while this visit plays a less important role in the Book of Chronicles, which serves to downplay the link to Tyre. As Saur shows, a similar pattern emerges in the accounts of the relationship between Hiram of Tyre and David's son Solomon in the Book of Kings and the Book of Chronicles. Again, the Book of Chronicles downplays the significance of Tyre for Jerusalem, for instance with regard to building the temple. The accounts interpret what actually was an asymmetrical relationship, in which Tyre was the stronger partner, as a more balanced one, up to the point where the actual power structures were reversed in the narrative.

The biblical Exodus story, which continues to serve as Hebrew foundation myth up to the present day, is examined in a further contribution from the field of Protestant theology. Hermut Löhr draws upon this highly influential story to explore what can be gained from historical narratology for the field of (biblical) exegesis. The phenomena discussed by Löhr include pseudepigraphy, i.e., texts that are associated with mythical or historical authors from the distant past (such as Henoch, Abraham, and Moses) as well as the tendency towards presenting characters as idealised representatives of a group, which can be identified both in biblical stories and in texts related to these. Löhr compares Artapanus' *Perí Ioudaíôn* and Philo's *Vita Mosis*, two texts written in the Egyptian Jewish diaspora that exemplify the reception of the Exodus narrative in Antiquity. The comparison shows that a historical contextualisation is necessary to understand the specific interpretations of the Exodus story in these two writings. Löhr argues, for example, that the way in which the Hebrews' status as slaves or prisoners of war in Egypt is presented is among the most striking features of Philo's *Vita Mosis*. In this specific textual and historical context, the idea of 'liberation' emerges as an important concept.

Andrea Binsfeld analyses representations of slavery in four novels from Antiquity. The selected fictional texts by Xenophon of Ephesos, Achilleus Tatios, Heliodorus and Chariton of Aphrodisias were written between the first and the fourth centuries AD. Binsfeld asks how much the depiction of enslaved characters in these fictional works tells us about actual enslavement at the time. In this context, as Binsfeld stresses, it is necessary to consider the functions of references to slavery in a type of literary text that was first and foremost meant to entertain its readership with stories about adventure and romance. In the four novels selected by Binsfeld, the experience of abduction and captivity is embedded in adventure and romance plots. Thus, the motif of being enslaved is a vital structural feature of the novels, which are essentially stories of en-

slavement and liberation. Moreover, as Binsfeld points out, the depiction of enslavement is apt to create both empathy for the protagonists and suspense. In all novels, however, enslavement is only a temporary phenomenon, given that the characters are of noble origin. Literary tropes like that of the 'slave of love' or the convention of the happy ending in stories of enslavement and liberation contribute to complicating the relationship between references to the reality of enslavement and fictional elements.

Similar to Binsfeld's contribution, the article by Clara Hedtrich also addresses representations of asymmetrical dependency in fiction. Both contributions illustrate that it may be anything but easy to relate fictional depictions of dependency to reality. Hedtrich, in fact, argues that dependencies can sometimes only be grasped by reading against the grain; she uses the term 'concealed dependencies' to refer to depictions of social relationships in fictional texts that render dependency structures all but invisible. Hedtrich discusses a story of betrayal that can be found in the Middle High German *Rolandslied*, a crusade epic written by Priest Konrad in the twelfth century. The traitor, Genelun, is a member of the courtly elite, but he still proves to be in a dependent position. This becomes apparent when the ruler demonstrates that he has control over Genelun's life. This instance of strong asymmetrical dependency is largely concealed by the value system inherent in the Middle High German epic. The emperor's control over Genelun's life is taken for granted by the narrator, while Genelun is presented in a negative light due to his unwillingness to do a task which may cost his life and his criticism of the idealised emperor Karl.

Premodern, non-Western historiographic writing on the whole deserves more attention by scholars in the field of dependency studies. Anna Kollatz shows that the biographic manual by al-Sakhāwī from the fifteenth century proves to be an extremely valuable source of information from the perspective of dependency studies. This Arabic historiographic text from the Mamluk Sultanate in Cairo is useful for reconstructing emic concepts of enslavement in the Mamluk era. The cases from the manual that were selected by Kollatz illustrate the diversity and complexity of what enslavement could mean in this context. They provide insight into the careers of eunuchs as well as of *mamlūks*, elite slaves whose temporary enslavement is associated with training, but they also display stereotypes about these groups. Kollatz stresses that biographic manuals like that by al-Sakhāwī should not be read merely as a source of factual information but as narratives, with structures and patterns that create meaning. According to Kollatz, the distinct narrator's voice and the usage of dialogues are among those features of biographic manuals that call for a narratological analysis.

In the next contribution, Veruschka Wagner focuses on another text type that has so far received little attention in dependency studies: Istanbul court records from the sixteenth and seventeenth centuries. In the Ottoman Empire, enslaved people were often eventually manumitted. This made the existence of official documents of manumission necessary. The court records examined by Wagner are highly standardized documents in terms of their structure, content, and language, which also means that they made use of recurring expressions. As Wagner shows, a typical feature of these

documents is that they seem to evoke utterances of enslaved people, even if it remains highly doubtful whether these can be attributed to an actual, 'authentic' voice expressing the experience of enslavement. Instead, the utterances have to be accounted for in terms of their function in the court proceedings. Enslaved people had certain rights, they had access to the court, and recording their statements was even crucial for various legal matters, especially their manumission. For this reason, utterances by enslaved people occur in various forms in the court records. Although they tend to be very short, they provide insights into the legal status of enslaved people in Istanbul, their rights, and further aspects of slavery in the Ottoman Empire.

The following three contributions discuss texts that can be subsumed under the umbrella term 'captivity narrative'. Gül Şen examines the account of an Ottoman official, Meḥmed Necāti Efendi, who was a war captive in Saint Petersburg for four and a half years in the context of the Ottoman-Russian War (1768–74). Being part of the Ottoman elite, Necāti had a privileged status, even as a war captive. This is, for instance, apparent in his access to places in Russia. Şen argues that his main target group, i.e., Ottoman officials, had an impact on what Necāti Efendi chose to present in the account of his captivity in Saint Petersburg. The captivity memoir was written down after his captivity and labelled as historiographic text (*History of Crimea*) by its author, although it contains passages featuring a first-person point of view that lead to a categorisation as ego document from today's perspective. The hybrid character of the text is further enhanced by features of yet another genre, the Ottoman embassy reports (*sefāretnāme*). Şen examines how the account of war captivity has been shaped by a range of different narrative and rhetorical devices, including, for instance, the use of dialogue and of a dramatic mode as well as the presentation of the persona of the narrator.

Alexander Bauer examines a captivity narrative by Pavel Levašov called *Captivity and the Sufferings of the Russians among the Turks*. Levašov was an eighteenth-century Russian nobleman and diplomat whose account of his experiences as prisoner and hostage in a war between Russia and the Ottoman Empire has to be read in the wider context of narratives about Turkey that were produced by Russian diplomats at the time. These presented the Ottoman Empire as Oriental other to highlight the European character of Russia, as Bauer points out. Levašov's text was presumably based on notes written down when he was a prisoner of war in the Ottoman Empire but was only completed after his release and return to Saint Petersburg. This memoir was at first circulated as a handwritten manuscript and was only published as a book several years later, when Russia was again at war with the Ottoman Empire. Levašov's insistence on the veracity of his report and the issue of plausibility as well as the motifs of violence and mortal danger are among the topics discussed by Bauer. Moreover, he explores the question to what extent the narrative has been shaped by Levašov's position as diplomat and by the target group of his text.

Elena Smolarz compares two different versions of the account of the captivity of Iakov Zinov'ev, a Russian fisherman who, after having been captured on the Caspian

Coast, was an enslaved captive in Khiva and Bukhara in the 1830s, before he could eventually return to Russia due to diplomatic agreements. There is a literary version of this story that was written by the author and ethnographer Vladimir Dal' and published in a newspaper in Saint Petersburg as well as the official testimony by Iakov Zinov'ev, which was recorded by the Orenburg Border Commission after his release and can now be found in the State Archive of the Republic of Kazakhstan. As Smolarz shows, these two versions differ significantly in terms of their content as well as their narrative strategies. Smolarz argues that the official testimony by Iakov Zinov'ev is typical of testimonies of released Russian captives in terms of its structure. While the version by Dal' stays close to the structure of the testimony (including, for instance, an identification formula and an account of the capture) and even presents the released captive Zinov'ev as first-person narrator, it is much more elaborate than the testimony and thus to some extent tells a different story.

Pia Wiegmink uses *The Liberty Bell* as an example to discuss the ways in which the popular format of the gift book was employed by abolitionists in the nineteenth century in the context of antislavery literature. Gift books are compilations of different texts and text types; in the case of *The Liberty Bell*, which was edited by the well-known abolitionist Maria Weston Chapman, as well as in other abolitionist gift books various types of antislavery texts were presented, including poetry, letters, and obituaries. There are 15 volumes of *The Liberty Bell*, which were published by the Boston Female Anti-Slavery Society between 1839 and 1858 and sold to raise funds for the abolitionist movement. By including local, national as well as international contributions *The Liberty Bell* creates the impression of an international community, a network that is linked by its shared opposition to slavery. Yet, as Wiegmink illustrates, the gift books do not include Black abolitionists on an equal footing. While commemorating deceased abolitionists via poems and obituaries was an important strategy of creating an abolitionist community, there are hardly any texts dedicated to Black abolitionists. Wiegmink concludes from this that Black abolitionists were by and large excluded from the affective abolitionist community that was conjured up in the gift book; they lacked a voice in *The Liberty Bell*.

In his survey of very different types of sources that provide information on enslavement in Cuba, Michael Zeuske confirms that there is a lack of texts written by enslaved people. Thus, as he stresses, research is confronted with millions of victims of the Atlantic slave trade whose voices are lost. Yet, as Zeuske demonstrates, there are in fact strategies that make at least some of the victims visible. These strategies include listening to oral (family) histories and examining texts such as notaries' protocols documenting the sale of people or their manumission as well as documents by the police or courts written in the context of criminal charges against enslaved people. There are, however, also complaints by enslaved people; these *Quejas* are a unique source, resulting from specific circumstances in Cuba, as Zeuske shows. A further type of source discussed by Zeuske are depositions of enslaved people on captured or shipwrecked slave vessels from the time after the (official) abolition of the

slave trade. Moreover, Zeuske argues that even people's names tend to provide information on their biography, given that Spanish naming conventions make it possible to see whether someone was enslaved or not. Zeuske claims that longer texts about slavery in which the victims' voices are presented are actually 'freedom narratives', given that they were written in hindsight, i.e., after slavery. This is also true for the most extensive life narrative by a formerly enslaved person from Cuba: Esteban Montejo's memories of his life in slavery, which he told to a white writer, Miguel Barnet, decades after the abolition of slavery.

Zeynep Yeşim Gökçe analyses representations of slavery in the Ottoman Empire that can be found in travel writing by British women from the long nineteenth century. Gökçe situates these representations in the context of the Anglo-Ottoman relations in the nineteenth century. At a time when Britain exerted pressure on the Ottoman Empire to abolish slavery, the depiction of household slaves, concubines and harems in elite households fascinated western travel writers. Unlike their male counterparts, women travelers had access to the harem and thus could offer their readers glimpses of this place, which tended to evoke Orientalist stereotypes. These travelogues are part of the larger project of creating an Oriental 'other' that was used to legitimise European interventions in the Ottoman Empire. Gökçe claims that the depiction of dependent women in Ottoman households also needs to be situated in the context of the legal situation of British women in the nineteenth century. In both Julia Pardoe's *The City of the Sultan; and Domestic Manners of the Turks, in 1836* (1837) and Lady Emilia Hornby's *Constantinople during the Crimean War* (1863), European and Ottoman women are presented in terms of binary oppositions that are informed by Orientalist stereotypes. According to Gökçe, the insistence on dichotomies served to hide the dependent status of British women.

Miriam Quiering discusses an Egyptian text by a female author from the second half of the twentieth century: Zainab al-Ghazali's prison memoir *Ayyām min ḥayyātī*, published in 1977. This text adopts an unusual stance towards the author's authority; Zainab al-Ghazali references dependency to justify her position as female leader within the Islamist Muslim Brotherhood, which was founded in Egypt in 1928 and sought to establish a society based on *sharīʿa* law. At first sight, Zainab al-Ghazali's endorsement of traditional gender roles and her political activism seem to be at odds. Quiering argues that the author's self-presentation in her prison memoir seeks to resolve this apparent contradiction by means of a range of narrative strategies. In her memoir, Zainab al-Ghazali evokes various dimensions of dependency, some of which are secular (her imprisonment, her being dependent on her husband), while others are spiritual (first and foremost her dependency on God). She deems the latter more important than the former and claims that her dependency on God helps her overcome man-made dependencies. On this basis, she fashions a role for herself that includes breaching boundaries and defying traditional gender roles.

The contribution by Sinah Theres Kloß expands the range of narratives addressed in this volume by discussing a particular type of oral life (stage) narrative of Hindu

women from Suriname and Guyana: stories about gendered suffering that are associated with tattoos called *godna*. Hindu women in the Caribbean used to be marked with these *godnas* to indicate their status as wives. For the individual, the *godnas* serve as reminders of marriage and of the experience of structural violence. Kloß collected the oral stories by means of interviews in which the tattoo narratives were produced interactively and performatively, triggered by the tattoo as a sign with an inherent memorial function. Despite being linked to memory, tattoo narratives are also ephemeral in the sense that they are the product of a specific interactive situation, shaped by the presence and questions of the interviewer as well as by family members and other people who happen to be present. Suffering turned out to play such a prominent role in the women's life narratives that, as Kloß puts it, this particular type of story could also be referred to as 'narrative of suffering' – reflecting pain caused by oppressive patriarchal structures, by cruel husbands and in-laws.

∗∗∗∗∗

The present volume emerged from an online workshop on "Narratives of Dependency" that was organised by Elke Brüggen and Marion Gymnich in the context of the Bonn Center for Dependency and Slavery Studies (BCDSS) in July 2021. The workshop and this volume are part of the activities of Research Area A ("Semantics – Lexical Fields – Narratives"), one of five Research Areas of the BCDSS. *Narratives of Dependency* complements the volumes which emerged from two earlier conferences organised by members of Research Area A: *Slavery and Other Forms of Strong Asymmetrical Dependencies – Semantics and Lexical Fields*, edited by Jeannine Bischoff and Stephan Conermann as well as *Naming, Defining, Phrasing Strong Asymmetrical Dependencies – A Textual Approach*, edited by Jeannine Bischoff, Stephan Conermann and Marion Gymnich.[18] Many of the contributions in the present volume were written by members of Research Area A, but the topic 'narratives of dependency' also attracted scholars beyond the Research Area.

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18 Jeannine Bischoff and Stephan Conermann, eds. *Slavery and Other Forms of Strong Asymmetrical Dependencies – Semantics and Lexical Fields*, Dependency and Slavery Studies 1 (Berlin: De Gruyter, 2022) and Jeannine Bischoff, Stephan Conermann and Marion Gymnich, eds. *Naming, Defining, Phrasing Strong Asymmetrical Dependencies – A Textual Approach*, Dependency and Slavery Studies 8 (Berlin: De Gruyter, 2023).

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3. Research Lenses

3.1. Semantics, Lexical Fields, Narratives

Stephan Conermann. "Introduction: The Semantics of Slavery and Other Forms of Strong Asymmetrical Dependency in Comparison," in *Slavery and Other Forms of Asymmetrical Dependencies: Semantics and Lexical Fields*, ed. Jeannine Bischoff and Stephan Conermann (Berlin: De Gruyter, 2022): 1–10.

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Stephan Conermann

Introduction: The Semantics of Slavery and Other Forms of Strong Asymmetrical Dependency in Comparison

The Bonn Center of Dependency and Slavery Studies (BCDSS)[1] explores slavery and other types of strong asymmetrical dependencies from five different thematic and methodological vantage points. The first of these five research areas aims at establishing a new language of analysis.[2] In other words, an important condition for our ambitious undertaking is questioning our own analytical vocabulary. We need to reconsider the key concepts, terminologies and categories that structure the way we think and speak about asymmetrical dependencies. The goal of the first research area is thus the exploration of the *semantics, lexical fields and narratives* used by historical actors themselves in organizing their world and talking about asymmetrical dependencies.

Part of the working program of the BCDSS are its "thematic years." Apart from the first and the last year of the funding period of the Cluster of Excellence, each of the other five years highlights the central topic of one of the five research areas. Thus, in addition to our on-going work in individual and collaborative projects, we

1 www.dependency.uni-bonn.de.

2 The second research area (Embodied Dependencies) examines primarily non-textual relics of asymmetrical dependencies, which have been "inscribed" in bodies and artefacts. The aim of this research area is to correct the widespread imbalance in academic evaluations of written and non-written traditions by including the perspectives of pre-colonial cultures, and to establish archaeology, art history, and object-based anthropology on an equal level with those disciplines of the humanities that focus on textual sources. In this way, we give "voice" to actors operating in non-textual environments. The third research area (Institutions, Norms, and Practices) studies forms of asymmetrical dependency produced at the crossroads of conflicting institutions, norms, and practices. Their interaction must be conceived of as a two-way movement: top-down, i.e., from institutions to practices (for example, when institutions create norms that are – or are not – implemented into practices), and from below (for instance, when practices produce norms and these become "institutionalized"). The fourth area (Labor and Spatiality) focuses on labor-related asymmetrical dependencies and mobility. Instead of starting with the Industrial Revolution, and thus adopting European free wage labor as the standard labor relation of modernity, all forms of labor have to be taken into account in equal measure. Against this backdrop, the dialectics between spatial mobilization and immobilization of the dependents have also to be studied. The fifth research area (Gender [and Intersectionality]) addresses asymmetrical dependencies specifically at the intersections of gender, status, class, ethnicity, religion, and age. Originally developed by scholars from the field of gender studies, intersectionality has since been productively applied to various forms of social hierarchization, discrimination, discreditation and stigmatization. Intersectionality does not merely necessitate a rethinking of personal identities, but rather allows for an overarching analysis of the asymmetrical dependencies present within identities.

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seek to share our research with the global scientific community with a special focus on the research area at the center of the current thematic year. We organize themed international workshops and an annual international conference. By focusing on the topic of one research area per year, we create an intellectually intense and inspiring environment that boosts research. We invite eminent scholars in the field of Slavery and Dependency Studies from around the world so that they can discuss, debate and collaborate with each other, with us and with our Fellows. The Fellows who join us for the thematic years in our Institute of Advanced Study, the Heinz Heinen-Kolleg, are consequently chosen with matching thematic foci. In this way, we make sure to pick Fellows who complement our research by filling our thematic gaps.

The first thematic year of the BCDSS started in October 2019. The first workshop, "Semantics and Lexical Fields of Slavery and Other Forms of Asymmetrical Dependencies," whose results are published in the present volume, took place from March 5–6, 2020, ten days before the first Covid lockdown in Germany started. Due to the pandemic, that year's annual conference, "Slavery and Other Forms of Strong Asymmetrical Dependencies: Semantics, Lexical Fields and Narratives" (October 1–2, 2020) had to take place virtually. The thematic year was wrapped up with the workshop on "Narratives of Dependency" (July 15–16, 2021), organized by Elke Brüggen and Marion Gymnich, which had been postponed due to the pandemic.[3]

The humanities in Germany can look back on a long tradition as far as the study of *semantics* and *lexical fields* are concerned. This tradition is associated first and foremost with the (linked) fields of the history of concepts ("Begriffsgeschichte") and historical semantics ("Historische Semantik") as well as with a number of excellent long-term projects. The *Archiv für Begriffsgeschichte*, which was initiated by Erich Rothacker in 1955, developed over the course of time into an internationally renowned journal for research on the history of concepts.[4] It complements in many respects the multi-volume *Historisches Wörterbuch der Philosophie* (*HWPh*, Historical Dictionary of Philosophy), which was completed in 2007.[5] The eight-volume *Geschichtliche Grundbegriffe* edited by the historians Otto Brunner, Werner Conze and Reinhart Koselleck from 1972 to 1997 constitute the most important handbook on the history of concepts.[6] This work is a historical lexicon of political and social language used in Germany since 1700. The *Handwörterbuch der musikalischen Terminologie* (*HmT*, Dictionary of Musical Terminology), which was published as a loose-leaf collection between 1971 and 2006, provides an important overview of the origin, history

3 The proceedings of the other two workshops will also be published in 2022.

4 https://meiner.de/zeitschriften-ejournals/afb.html [accessed 17.05.2022].

5 Joachim Ritter, Karlfried Gründer, and Gottfried Gabrie, eds., *Historisches Wörterbuch der Philosophie*, 13 vols., 1971–2007 (Basel: Schwabe, 2007) (CD-ROM).

6 Otto Brunner, Werner Conze, and Reinhart Koselleck, eds., *Geschichtliche Grundbegriffe: Historisches Lexikon zur politisch-sozialen Sprache in Deutschland*, 8 vols. (Stuttgart: Klett-Cotta, 2004).

and meaning of musical terms.[7] Probably the most important German-language encyclopedia on scientific rhetoric is the twelve-volume *Historisches Wörterbuch der Rhetorik* (Historical Dictionary of Rhetoric, editor: Gert Ueding), completed in 2015.[8] The *Historisch-kritisches Wörterbuch des Marxismus* (*HKWM*, Historical-Critical Dictionary of Marxism), planned to be published in fifteen volumes, is a major international German-language encyclopedia covering over 1,500 historical terms connected with Marxism.[9] Intense collaborative work resulted in a seven-volume historical dictionary of the key concepts of aesthetics, *Ästhetische Grundbegriffe*, published between 2000 and 2005.[10] It is against this background that Ernst Müller and Falko Schmieder, both of Humboldt University in Berlin, produced a comprehensive overview of the major currents and developments of the field of conceptual history and historical semantics.[11] At first glance, their chronological overview of various disciplines looks like a very simple approach. They trace the development of conceptual history and historical semantics in philosophy from Georg Friedrich Wilhelm Hegel, Ludwig Feuerbach and Karl Marx by way of Friedrich Nietzsche and Martin Heidegger to Hans-Georg Gadamer and Hans Blumenberg. For historiography, they discuss Max Weber and Karl Mannheim, Otto Brunner, Werner Conze and of course Reinhart Koselleck. Their description of discourse in linguistics and communication studies touches not only on classical onomasiology and structuralism, but also Dietrich Busse's prototype semantics and theory of linguistic structure. In the history of science and knowledge, the survey ranges from Max Horkheimer and Thomas Kuhn to Hans-Jörg Rheinberger, and in cultural studies from psychoanalytic signification studies (Sigmund Freud, Hans Sperber, Adolf Josef Storfer), via Edgar Wind's concept of embodiment and discourse analysis to the semantics of unavailability (Heinz Dieter Kittsteiner) and metaphorology. While such an approach makes it impossible to eschew overlaps and duplications, Müller and Schmieder succeed very well in showing the numerous interconnections between individual theoretical approaches, and in writing a coherent history of this (very German) field of scholarship. The exploration of conceptual histories and semantic analyses of historical texts reveals the linguistic configuration of the world, and, as a result, the world views of actors in social orders. Understanding culture as a comprehensive practice of articulating and of updating

7 Hans Heinrich Eggebrecht and Albrecht Riethmüller, eds., *Handwörterbuch der musikalischen Terminologie* (Wiesbaden: Steiner, 1971–2006) (CD-ROM).

8 Gregor Kalivoda, Franz-Hubert Robling, and Gerd Ueding, eds., *Historisches Wörterbuch der Rhetorik*, vols. 1–9 (Berlin: De Gruyter, 1992–2009), vol. 10: *Nachträge A–Z* (Berlin: De Gruyter, 2012), vol. 11: *Register* (Berlin: De Gruyter, 2014), vol. 12: *Bibliographie* (Berlin: De Gruyter, 2015).

9 http://inkrit.de/neuinkrit/index.php/de/hkwm [accessed 17.05.2022].

10 Karlheinz Barck, ed., *Ästhetische Grundbegriffe: Historisches Wörterbuch in sieben Bänden* (Stuttgart: Metzler, 2000).

11 Ernst Müller and Falko Schmieder, *Begriffsgeschichte und Historische Semantik: Ein kritisches Kompendium* (Berlin: Suhrkamp, 2016).

significations can, according to Müller and Schmieder, lead to the equation of conceptual history and historical semantics with cultural sciences. The authors go on to argue that both represent the self-reflection inscribed in modernity and could, as such, function as alternatives to common meta-narratives. In their introduction, the authors provide some useful definitions. "Historical semantics" could be understood as "the umbrella term for methodological approaches that, like the history of ideas, or conceptual history in its broadest sense, address diachronic linguistic changes, whether from an onomasiological or a semasiological perspective."[12] As such, they argue that historical semantics equates to the linguistic component of cultural semantics and is thus always in and of itself already an abstraction, because language was always inseparably integrated into social relationships and practices, figurative ideas, and media. Following Willibald Steinmetz, they hold that "conceptual history" should be understood as "the investigation of 'nodal points in the diachronic change of the meaning of individual words', of socially highly effective, often controversial crystallizations of linguistic meanings."[13] Accordingly, historical semantics is, in a manner of speaking, the context of conceptual history, while conceptual history stands for only one of many ways in which historical semantics may be pursued.

The compendium by Müller and Schmieder offers an excellent starting point for our research in Research Area A of the BCDSS, and specifically for grasping the concepts "semantics" and "lexical fields." A productive process of discussing different approaches has led to the following definitions:

(1) Semantics. Our approach to the semantics of the many different (predominantly pre-modern) languages we are interested in focuses on the word, i.e., the lexical dimension, as well as on pragmatics, in so far as meaning often turns out to be dependent on the contexts in which a word is used. In addition to the linguistic context, the genre/text type and wider cultural contexts may turn out to be relevant as well. We aim at identifying inventories of linguistic items (and their usage) that are pertinent to our topic at a particular time and in a specific historical (con)text. Most of us will first adopt a synchronic approach and focus on a single text or a small set of texts. These case studies will of course not be able to provide a comprehensive account of the semantics of slavery and asymmetrical dependencies, but they will allow us to compare different ways of conceptualizing asymmetrical dependencies linguistically, which may or may not turn out to be specific to particular regions or points in time. An analysis of diachronic semantic changes, which amounts to a

12 Müller and Schmieder, *Begriffsgeschichte und Historische Semantik*: 18: "[D]er Oberbegriff für methodische Ansätze, die sich wie Problem-, Ideen- oder Begriffsgeschichte im weitesten Sinne mit diachronen sprachlichen Veränderungen, sei es in onomasiologischer oder semasiologischer Perspektive, beschäftigen."

13 Müller and Schmieder, *Begriffsgeschichte und Historische Semantik*: 18: "[D]ie Untersuchung von 'Knotenpunkte(n) im diachronen Bedeutungswandel einzelner Worte', von gesellschaftlich hochwirksamen, nicht selten umstrittenen Kristallisationen sprachlicher Bedeutungen."

history of the terms pertinent to our topic, would of course be very interesting, but for most of the subjects in our Cluster of Excellence a diachronic perspective can hardly be a short- or medium-term goal, since the prerequisites for such an approach are simply not there. For instance, there simply is not a sufficient number of edited texts that are relevant to our topic for many regions and/or periods. Our approach is based on the assumption that the meaning of a word can only be identified by taking its usage into consideration. Detailed analyses of key terms that are associated with the conceptualization of strong asymmetrical dependencies promise to provide new insights into the self-concept and knowledge of pre-modern societies. The majority of these key terms have not been studied from a semantic or terminological perspective so far.

(2) Lexical Fields. Our understanding of lexical fields is based on an onomasiological approach – which linguistic items are used to refer to a particular concept? Which words are used to express a concept? This means that the concept is a semantic unit which is not directly accessible but may be manifested in different ways on a linguistic level. We are interested in single concepts such as "wisdom" or "fear," but also in more complex semantic units like "strong asymmetrical dependencies." We consider concepts to be abstract units that are manifested in a particular language. At the same time, we are aware that direct translations of concepts and individual words or other linguistic structures are not necessarily possible. In some cases, we can identify anthropological constants, which suggest that there are at least some universal concepts, i.e. concepts that can be expressed in all of the languages we examine. What provides deeper insights into the specific societies we are interested in is an analysis of the concrete expressions of concepts, which may look similar, but usually are not identical for people in different cultural contexts and language communities. A lexical field encompasses the set of linguistic items in one language that can be linked to a particular concept (e.g., "wisdom") and the related conceptual network due to semantic relations. In comparative studies, which seek to examine different cultural contexts, the concept of lexical fields promises to be enormously useful, since it is a tool that helps us to reveal differences in terms of usage associated with otherwise similar concepts. Thus, it seems reasonable to compare specific conceptual networks and their lexical manifestations in different languages as well as in different diachronic stages of the development of a society and a language. Generally, in each language (or diachronic stage), key terms emerge. The usage of these key terms should be analyzed in terms of its relations to linguistic items that can be shown to be syntagmatically and paradigmatically linked to the key term (synonymy and opposition).

As was shown above, there is vibrant research on the history of concepts and on questions of Historical Semantics by German academics (in German). It has, however, barely been acknowledged internationally. An interesting initiative to institutionalize at least the history of concepts beyond the specific German context emerged in

Finland.[14] Jointly with his American colleague Malvin Richter (City University, NY), Kari Palonen from the University of Jyväskylä organized a workshop on "Conceptual Changes in European Political Cultures" at the Finnish Institute in London in 1998. In the wake of this conference the *History of Political and Social Concepts Group* was established, which changed its name to *History of Concept Group* in 2012. This Group is incorporated as a non-profit entity in Finland, and is affiliated with the Center for Intellectual History at Helsinki University. At the moment, the board consist of four persons: Martin J. Burke (City University of New York), Chair; Margrit Pernau (Max Planck Institute for Human Development, Berlin), Vice-Chair; Rosario López (University of Malaga), Secretary; Jani Marjanen (Helsinki University), Treasurer.[15]

Our conference can likewise be seen as an initiative that seeks to move terminological issues and concepts from Historical Semantics beyond a limited focus on European contexts. It is a first, exploratory attempt to broaden the discussion by integrating sources in Chinese, Ancient Egyptian, Arabic, Ottoman Turkish and Maya into our research. An interdisciplinary dialogue across languages, cultures and times promises to yield innovative methodological impulses for the field of Historical Semantics. Semantic and sociolinguistic approaches that have thus far been designed and discussed mainly for the investigation of European languages can be brought into a productive dialogue with models predominantly used in disciplines with a focus on non-European societies.

In her contribution, *Susanne Adamski* explores the question of whether the earliest societies of ancient China (the late Shāng, c. 1300–1045 BC, and the Western Zhōu, c. 1045–771 BC) had social relations characterized by strong asymmetrical dependency. Starting from the premise that these two societies differed significantly in some respects from later societies of the Chinese empire, Adamski first addresses the problem of calling these early societies "slave societies" in contemporary scholarship, a term often used for ancient China. Through an analysis of ancient inscriptions, Adamski then examines whether there were indeed forms of "strong asymmetrical dependency" in the late Shāng and Western Zhou. In doing so, Adamski concludes that the inscriptions do not provide sufficient semantic evidence to define relationships of "strong asymmetric dependency." She therefore suggests a shift of focus from examining pure terminology to analyzing social phenomena in more detail in order to approach the concept of "asymmetrical dependency."

Ludwig D. Morenz analyzes the culture of Pharaonic Egypt in its formative phase during the late fourth and early third millennia BC in his paper. He explores the probably *almost universal* phenomenon of "subjugation," of bringing someone under the yoke, both as a metaphor and as a social practice. According to Morenz,

14 https://www.historyofconcepts.net [accessed 17.05.2022].

15 https://www.historyofconcepts.net/the-history-of-concepts-group/meet-the-board [accessed 17.05.2022].

"subjugation" denotes radical subjection in connection with high levels of social control. Certain social patterns, stronger asymmetrical dependencies and the origins of the imagery they reflect in spatially and temporally distant linguistic and written worlds seem to emerge frequently from lexical fields that have certain aspects in common, even in the absence of concrete historical connections.

Winfried Schmitz discusses the semantics of various asymmetrical forms of dependency regarding the rural population in archaic and classical Greece. For this purpose, he examines the twelfth book of the *Geographica* by the ancient geographer Strabo (circa 64 BC–19 AD), which reports on the kingdom of Pontus on the Black Sea and contains an account of the Mariandyni, who were forced into bondage by the Milesians, who had founded the city of Heracleia in the territory of the Mariandyni. The status of the Mariandyni is described by Strabo with the term *heilōteúein*, a form of dependency similar to that of the helots in Sparta: The Mariandyni could be sold, but only within the limits of their former territory, so that many would remain in their villages as tribute payers and serfs. The analysis of the terminology used by Strabo to describe these dependency relationships reveals a differentiated understanding of different forms of strong asymmetrical dependency, which move between the poles of "slave" and "free."

Martin Schermaier's contribution focuses on the historical origins and development of the semantics of Latin terms describing dependency relationships in ancient Roman society. Schermaier analyzes the term *familia*, whose meanings he examines on the basis of Roman legal texts. Through a contextual analysis, Schermaier shows the semantic developments undergone by the term, developments that also point to a conceptual change of slavery during the Roman republican period. According to Schermaier, the variations of public attention paid to dependency relationships in the private sphere also point to a close connection between the legal status of slaves and social and political changes of the time.

Christian M. Prager's paper discusses the representation of asymmetrical dependency relations in Classic Maya narratives. The many small hegemonic Maya states spanning the territory of the Yucatán Peninsula in southern Mexico, Guatemala, Belize, and Honduras in the Classic period (AD 240–950) were characterized by strictly hierarchized social orders. At the top of these societies stood the rulers and their families, courtiers and priests who inhabited the monumental palaces in the political centers of the city states. The rural population that inhabited the surrounding areas under their rule had to pay tributes to the ruling families in the form of agricultural yields or of labor in the elites' building projects. Using various inscriptions that emerged in the course of the court culture, Prager analyzes expressions and visualizations of these forms of dependency in Maya hieroglyphs.

In her contribution, *Anna Kollatz* explores the historical semantics of strong asymmetrical dependencies in Islamicate societies on the Indian subcontinent. In doing so, she elaborates on problematic areas that, on the one hand, complicate the study of these societies living in the period between the decline of the Mughal

Empire and Indian independence, and, on the other hand, affect the evaluation of Islamic legal semantics in relation to strong asymmetric forms of dependency. To this end, Kollatz examines the *Book on Manumission* from the Ḥanafī legal commentary *al-Hidāya fī sharḥ bidāya al-mubtadī*, which is still considered one of the most influential works of the Hanafite legal school. The focus of the analysis is the translation process that this text underwent: The Arabic original was first translated into Persian and then into English under colonial occupation. By contrasting the Arabic original and the English translation, the effects of translation on semantic attributions are examined.

Veruschka Wagner examines in her paper manumission documents from the Ottoman Empire. Since slavery relations under the Ottomans were always limited in time, numerous copies of such manumission papers from the sixteenth and seventeenth centuries lie in the archives of Istanbul courts. By analyzing the terminology used in them in connection with slavery and emancipation, Wagner shows different stages and layers in the dependency relationships between (freed) slaves and owners. She notes that, on the one hand, slaves were only ever dependent to a certain degree and at a certain time, but on the other, they could never completely rid themselves of their constantly changing status as dependents, since certain dependencies remained even after manumission.

Hans-Heinrich Nolte's article uses early modern records to examine terms used for dependent people among the Russian rural population and their historical development. In doing so, he finds that terms for dependent people, which in the fifteenth century could describe quite different dependency relationships, were systematized and standardized in the sixteenth century, when Russia was ruled by Moscow, and later underwent yet another semantic change in the St. Petersburg Empire (from 1721). According to Nolte, these changes of terminology and their meanings are also accompanied by a gradual systematization and degradation of dependent people in the rural population.

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3. Research Lenses

3.1. Semantics, Lexical Fields, Narratives

Semantics, Lexical Fields

Anna Kollatz. "How to Approach Emic Semantics of Dependency in Islamic Legal Texts: Reflections on the Ḥanafī Legal Commentary al-Hidāya fī sharḥ bidāya al-mubtadī and its British-Colonial Translation," in *Slavery and Other Forms of Strong Asymmetrical Dependencies. Semantics and Lexical Fields*, ed. Jeannine Bischoff and Stephan Conermann (Berlin: de Gruyter, 2022): 179–204.

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Anna Kollatz

How to Approach Emic Semantics of Dependency in Islamic Legal Texts: Reflections on the Ḥanafī Legal Commentary *al-Hidāya fī sharḥ bidāya al-mubtadī* and its British-Colonial Translation

1 Introduction

Historical semantics as a method of study has yet to be applied to Islamicate concepts of strong asymmetrical dependency.[1] A major reason for this is simply a lack of technology: a constitutive part of historical-semantic studies is the evaluation of large source corpora by means of digital quantitative methods, to identify and count, for example, certain conceptual terms or *Schlüsselbegriffe* in a body of source material.[2] But we still lack the technical means to search digitally manuscript material or even

1 The study of historical semantics still lacks a pronounced theoretical foundation in other disciplines, since the amount of data provided by case studies is as yet too small, as Simone Schultz-Balluff notes for German Studies. Cf. Simone Schultz-Balluff, *Wissenswelt 'triuwe': Kollokationen – Semantisierung – Konzeptualiserung* (Heidelberg: Universitätsverlag C. Winter, 2018): e.g. 13. Schultz-Balluff's study shows the possibilities inherent in digitally supported historical-semantic research. In the field of Islamic studies, Ulrich Haarmann has pointed to the connection of jurisprudence and morphology; cf. Ulrich Haarmann, "Religiöses Recht und Grammatik im klassischen Islam," *Zeitschrift der Deutschen Morgenländischen Gesellschaft*, Supplement 2 (1974): 149–69. Kurt Franz' seminal article, "Slavery in Islam: Legal Norm and Social Practice," in *Slavery and the Slave Trade in the Eastern Mediterranean (c. 1000–1500 CE)*, ed. Reuven Amitai and Christoph Cluse (Turnhout: Brepols, 2017): 51–141 is an excellent starting point for the study of conceptual terms in the context of Islamic slavery, especially for the use of conceptual terms in the Qurʾān and his detailed discussion of the current state of research. Another 2017 publication, *Das islamische Sklavenrecht* by Rainer Oßwald, gives detailed insight into concepts of strong asymmetrical dependency in Mālikī law: Rainer Oßwald, *Das islamische Sklavenrecht* (Würzburg: Ergon Verlag, 2017).

2 The present essay does not seek to expand the discussion of the concepts and theory of historical semantics, but translates certain concepts from neighboring disciplines in a heuristic manner, to test their applicability on the text corpus in question. As there is to date no substantial literature on historical semantics in the field of Islamicate History, I rely on recent publications from German and Asian studies. For a discussion of the concept *Begriff* see Dietrich Busse, "Begriffsstrukturen und die Beschreibung von Begriffswissen: Analysemodelle und -verfahren einer wissensanalytisch ausgerichteten Semantik (am Beispiel von Begriffen aus der Domäne Recht)," *Archiv Für Begriffsgeschichte* 56 (2014): 153–95. In a similar way, Christian Schwermann uses the term *Schlüsselwort*, cf. Christian Schwermann, *'Dummheit' in altchinesischen Texten: Eine Begriffsgeschichte*, Veröffentlichungen des Ostasien-Instituts der Ruhr-Universität Bochum 62 (Wiesbaden: Harrassowitz, 2011): 32. His analysis of the word field "stupidity" is, in addition to Schultz-Balluff's study (see n. 1),

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editions written in the Arabic alphabet, which makes it virtually impossible to base research on large source corpora in Arabic, Persian or Urdu.[3]

The first part of this essay therefore discusses the experimental workaround mode I tried to apply in order to generate a set of data that would give me initial insights into the historical semantics of strong asymmetrical dependency in Indian Ḥanafī legal texts. A crucial part of this workaround mode is the use of English translations of the texts in question, because these are digitally searchable. My aim was not to use the English version as a basis for my analysis, but merely to help me identify relevant passages in the original text. However, this approach proved to be problematic for reasons which I will discuss below. The most challenging part was the textual history of the English translation itself, which is a product of British colonial appropriation and the transformation of what colonial officials found in their new realm. Due to this particular genesis, the English translation is of limited use as a reference text for research into the emic semantics inherent in the original text. However, the special setting of this case offers the opportunity to investigate changes in the semantics of the translation process. The *Hidāya* actually has a long history of translation, in which the original Arabic text was translated into Persian and then into English.

The main part of this article consists of a qualitative analysis of key words in the original Arabic source text. It will focus on the *Kitāb al-ʿitāq*, the *Book on Manumission* from the Ḥanafī legal commentary *al-Hidāya fī sharḥ bidāya al-mubtadī,* which served as a reference text for Islamic jurisprudence for British Colonial officials; a function it had already previously fulfilled during Islamicate rule in northern India. My analysis suggests that forms of strong asymmetrical dependency are not limited to *slavery*: not only in the *Hidāya*, but in Islamic law in general. The practice of releasing and partially or gradually manumitting enslaved persons over a longer period of time results in gradations of strong asymmetrical dependency, for which Islamic law has special terms. I will trace these terms in a part of the text and will localize them on a continuum of dependency, following the concept developed by David Eltis and Stanley L. Engerman.[4] In a final step, I will compare the results of this analysis with the method employed by the English translator. For future interest in the development of historical semantic fields, it would be most helpful to study

another example of the manifold and fruitful use of digital searches of text corpora in the research of historical-semantic questions.

3 Initial promising results have recently been announced by "The Digital Orientalist," see e.g. https://digitalorientalist.com/2020/03/04/some-thoughts-about-arabic-script-ocr/ [accessed 17.05.2022], and the JEDLI toolbox developed at Hamburg University that allows indexing an context searches in digitized texts, see https://www.islamic-empire.uni-hamburg.de/publications-tools/digital-tools/jedli.html [accessed 17.05.2022]. However, until the launch of a software that allows OCR'ing manuscripts and editions, digitally assisted research will be restricted to a small corpus of recent editions.

4 David Eltis and Stanley L. Engerman, "Dependence, Servility and Coerced Labor in Time and Space," in *The Cambridge World History of Slavery*, vol. 3: *AD 1420–1804*, ed. David Eltis et al. (New York: Cambridge University Press, 2011): 1–21.

the full translation process of the *Hidāya* from the Arabic original into Persian translations that were used by both the Mughal and the British authorities in India, with the subsequent British-colonial rendering. As the Persian versions are available only in manuscript, and thus require much preliminary work in Indian archives, this aspect cannot be considered until further studies have been carried out.

2 The *al-Hidāya fī sharḥ bidāya al-mubtadī*

This article concentrates on a normative text from the Ḥanafī legal school. The selected source implies that the study will initially only allow conclusions to be drawn about the historical semantics of normative perceptions of strong asymmetrical dependencies in this particular *madhhab* (legal school). This complements Veruschka Wagner's essay in this volume, which focuses on historical-semantic studies of praxeological texts, namely archive material from Ottoman court registers.[5] The *al-Hidāya fī sharḥ bidāya al-mubtadī* (commonly known as *Hidāya*, "The Guidance") is a twelfth-century legal commentary by the Ḥanafī scholar Burhān al-Dīn Abu 'l-Ḥasan al-Marghīnānī (1135–1197), a native from the region of Farghana (modern Uzbekistan).[6] The multi-volume Arabic text is a concise commentary (*mukhtaṣar*)[7] on al-Marghīnānī's own compendium *al-Bidaya al-mubtadī* (hence the title *Guidance through al-Bidaya al-mubtadī*), which was in turn based on two renowned legal treatises, the *Mukhtaṣar* by al-Qudūrī and al-Shaybānī's *al-Jāmiʿ al-ṣaghīr*. It belongs to the corpus of Ḥanafī normative literature and is considered one of the most influential compendia in Ḥanafī law to this day. There are numerous super- and supra-commentaries and additions by contemporary and later scholars.[8] This rich hypertextual tradition linked to our basic text would invite further investigation into how historical-semantic notions of strong asymmetrical dependencies developed over centuries of discussion among Islamic jurists, and – an aspect that makes this source genre especially interesting – in different geographical contexts of the Islamic and Islamicate world. While the *Hidāya* was written by an author from Transoxania, i.e. the eastern parts of the Islamic world, it spread

5 The Mughal Empire and the Ottoman Empire both count among the predominantly Ḥanafī Islamic realms.

6 He is regarded as the most important member of a well-established family of Ḥanafī legal scholars, cf. Willi Heffening, "al-Marghīnānī," in *Encyclopaedia of Islam, Second Edition*, ed. Pery Bearman et al., http://dx.doi.org/10.1163/1573-3912_islam_COM_0685 [accessed 17.05.2022].

7 The genre flourished in the field of Islamic jurisprudence, among many others. See Albert Arazi and Haggai Ben-Shammay, "Mukhtaṣar," in *Encyclopaedia of Islam, Second Edition*, ed. Pery Bearman et al., http://dx.doi.org/10.1163/1573-3912_islam_COM_0792 [accessed 17.05.2022].

8 Cf. Willi Heffering, "al-Marghīnānī"; for the transmission of the main text and of many of the related commentaries see Carl Brockelmann, *Geschichte der Arabischen Litteratur*, 2 vols., 2nd ed. (Leiden: Brill, 1943–49): vol. 2: 466–69 and vol. 1: 644–49.

quickly over all regions inhabited by Ḥanafī Muslims, among those the Islamicate realms on the Indian subcontinent.[9] It would be an intriguing task to compare the historical-semantic notions of strong asymmetrical dependency in the two hypotexts mentioned above with those in the *Hidāya* itself and several super-commentaries from beyond the region.

The *Hidāya* covers, in a total of eight volumes,[10] all aspects of Islamic law. This includes both provisions concerning the relationship between God and human beings (*ʿibāda*), such as prerequisites for the proper conduct of worship and other religious duties of Muslims, and juridical regulations for the social life in Muslim societies (*muʿāmalāt*), including marital or criminal law, among others.[11] For example, volume one of the 1791 English translation contains Book 1 on *zakāt* (i.e. the obligation of giving alms, which as a religious duty for Muslims comes directly after the obligation of five prayers a day), Book 2 on marriage, Book 3 on fosterage, Book 4 on divorce, Book 5 on the manumission of slaves, and Book 6 on vows.[12] The *Hidāya* has no separate chapter or book dedicated to slave law exclusively, a fact that seems astonishing only at first glance. As slavery and other forms of strong asymmetrical dependency formed an integral part of Islamicate societies,[13] special legal provisions

9 Other regions with a majority on Ḥanafī Sunni Muslims are the Levant, Egypt and Turkey, parts of the Balkans and Central Asia. Ḥanafī minorities lived and still live in most other regions of the Islamic *umma*.

10 The edition I used for this article is Shaykh Burhān al-Dīn Abu ʾl-Ḥasan al-Marghīnānī, *al-Hidāya fī sharḥ bidāya al-mubtadī*, ed. ʿAbd al-Ḥayy Luknawī (Karachi: Maktaba al-Bushra, 2011). All quotations from the Arabic texts in this article are based on this edition. All translations, except otherwise stated, are mine. I will refer to the Arabic text as *Hidāya*, with the volume number given in Latin numerals.

11 On the architecture and development of Islamic jurisprudence, see e.g. Gotthelf G. Bergsträsser, *Bergsträsser's Grundzüge des islamischen Rechts*, ed. Joseph Schacht, Lehrbücher des Seminars für Orientalische Sprachen zu Berlin 35 (Berlin: De Gruyter, 1935); Joseph Schacht, *The Origins of Muhammadan Jurisprudence* (Oxford: Clarendon Press, 1950); Wael B. Hallaq, *A History of Islamic Legal Theories: An Introduction to Sunnī uṣūl al-fiqh* (Cambridge: Cambridge University Press, 1997). A French translation of one of the *Hidāya*'s sources, together with an analysis of the regulations on personal status, is available in Georges Henri Bousquet and Léon Bercher, eds., *Le statut personnel en droit musulman hanéfite: Texte et traduction annotée du Muḫtaṣar d'al-Qudûri*, Institut des hautes études de Tunis: Bibliothèque juridique et economique 3 (Paris: Recueil Sirey, [1952?]).

12 Cf. Charles Hamilton, trans., *The Hedàya, or Guide. A Commentary on the Mussulman Laws Translated by the order of the Governor-General and Council of Bengal by Charles Hamilton*, 4 vols. (London: Bensley, 1791): vol. 4, without a table of contents in the original edition. For a table of contents, see the second edition, which however omitted the text of "Book V on Manumission," cf. Charles Hamilton, trans., *The Hedàya, or Guide. A Commentary on the Mussulman Laws Translated by the order of the Governor-General and Council of Bengal by Charles Hamilton*, 2nd ed. (Lahore: Premier Book House, 1957).

13 Franz, "Slavery in Islam"; see also Oßwald, *Das islamische Sklavenrecht*. On the development of concepts of freedom in Islamic law, see Irene Schneider, "Freedom and Slavery in Early Islamic Time (1st/7th and 2nd/8th Centuries)," *Al-Qanṭara* 28 (2007): 353–82 and the classic Franz Rosenthal, *The*

concerning the legal position and treatment of dependent people form part of all sections of the commentary. It might thus be misleading to use a term like *Islamic slave law*, because this would imply the notion of a separate body of provisions relating to slaves or other dependents. Moreover, as the analysis of emic conceptual terms in this article will show, the *Hidāya* knows far more variations of strong asymmetrical dependency than *slavery* alone. It is worth pointing out in passing that slavery and forms of strong asymmetrical dependency directly derived from it are always discussed in this legal commentary, as they are in other Islamic legal writings, in close conjunction with legal statuses of, for example, a minor child, a married woman or a not wholly sane person.[14]

The structure and argumentation in all books and chapters correspond to the genre characteristics of Islamic legal commentaries: they are based on the citation of Qurʾānic verses and/or material from the *sunna* (the tradition) of the Prophet Muḥammad. In a second step, the author refers to relevant Ḥanafī teachings, including discussions or controversies, occasionally also differences to other Islamic schools of law, without bringing forward a definite answer to the questions raised.[15] The commentary is obviously intended for a specialist readership, as it neither explains nor defines the legal vocabulary used. So to approach the semantic fields of our interest, we need to scrutinize the argumentation related to the defined keywords. This approach via qualitative analysis includes the search for definitions by opposing terms and by indirect definitions, e.g. in the context of exemplifying passages.[16]

As an important Ḥanafī legal text, the *Hidāya* was held in high regard in the Mughal Empire as well; some volumes of the text, formerly in the library of Mughal emperor Farrūkh Siyār (r. 1713–1719), have been preserved in the British Library,[17] and numerous copies are in Indian manuscript libraries.[18] Given the discursive character of Islamic jurisprudence, we may imagine that al-Marghīnānī's twelfth-

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Muslim Concept of Freedom Prior to the Nineteenth Century (Leiden: Brill, 1960); and on a more general level Hans Müller, "Sklaven," in *Handbuch der Orientalistik*, vol. 1, *Wirtschaftsgeschichte des Vorderen Orients in islamischer Zeit*, ed. Bertold Spuler (Leiden: Brill, 1977): 53–83.

14 Similarly Oßwald, *Das islamische Sklavenrecht*: 113 and especially esp. 123.

15 Such a form of open argumentation that allows different conclusions is also typical for the genre and stands witness to the degree of tolerance towards ambiguous positions in Islamicate culture. Cf. Thomas Bauer, *Die Kultur der Ambiguität: Eine andere Geschichte des Islams* (Frankfurt am Main: Verlag der Weltreligionen, 2011).

16 The detection of emic definitions and related keywords, moreover, is a prerequisite for future qualitative analysis.

17 For example, MS London, British Library, RSPA 85, a manuscript of the first volume of the *Hidāya* bearing seals from the courts of the Mughal emperors Muḥammad Muʿaẓẓam Bahādur Shāh (r. 1708–1712) and Farrukh Siyar (r.1713–1719), and a further one of the British governor Henry Vansittart, dated 1164/1750, and RSPA 86, the second part of the text, which bears a possession mark of Sir William Jones (1746–1794), who presented the copy to the Royal Society in 1792.

18 E.g. Khudā Bakhsh Oriental Public Library, 1970. Catalogue of the Arabic and Persian manuscripts in the Khuda Bakhsh Oriental Public Library. 2nd ed. Patna: The Library, vol. 39, Jurisprudence,

century compendium still served as a standard reference work during late Mughal rule in India, together with commentaries and supra-commentaries by later generations. It was an established practice of the Mughals to translate works from Arabic as well as Sanskrit or Hindi into Persian, the *lingua franca* of the empire.[19] The British could draw on the experience of specialists trained in Mughal service when they in their turn had the *Hidāya* translated into Persian. Finally, in 1791, Charles Hamilton published an English translation of the commentary in London. This text has an extensive preface, which, incidentally, would offer interesting material for the study of colonial governance and scholarship, and the positionality of scholars in this context. The preface also contains a short outline of sources, functions and institutions of the "Mussulman Law,"[20] written to introduce British colonial officials to the basics of Indian society and the evolution of Islamic law. Prepared on behalf of the British governor in Bengal, the translation formed part of British efforts to structure the law of their colonial subjects according to British standards[21] and thus stands witness to "a Western style for dominating, restructuring, and having authority over the Orient."[22] Clearly observing the topic with an "imperial gaze," it "defines the identity of the subject, objectifies it within the identifying system of power relations and confirms its subalternity and powerlessness,"[23] and therefore cannot serve as a reliable basis for any research on the Arabic or Persian source texts, but must be recognized as a highly problematic adaption.[24] This is precisely the reason why this text is suitable for exemplifying translation problems from a historical-semantic point of view.

No. 2352/ HLÖ No. 4079, *Hudayah Farsi* is a manuscript of the Persian translation of the *Hidāyā* prepared on behalf of the British governor of Bengal, Warren Hastings (1732–1818), by the Indian Muslim scholars Ghulām Yaḥyā Khān Biharī (d. after 1776), Maulavī Tājuddīn Bangālī (d. unknown), Mīr Muḥammad Ḥusain Irānī (d. unknown) and Sharīʿatullāh Sanbhalī (d. unknown), later revised by Muḥammad Rashīd b. Ziyāuddīn Bardawānī (d. unknown).

19 On translation as a cultural technique in the Mughal empire, see e.g. Carl W. Ernst, "Muslim Studies of Hinduism? A Reconsideration of Arabic and Persian Translations from Indian Languages," *Iranian Studies* 36, no. 2 (2003): 173–95; for the impact of translations from Indic languages see Audrey Truschke, *Culture of Encounters: Sanskrit at the Mughal Court* (New York: Columbia University Press, 2016). The ANR/GRF funded project PersoIndica has prepared an extensive list of translated manuscripts, see http://www.perso-indica.net/ [accessed 17.05.2022].

20 Taken from the title of the English translation by Hamilton, *The Hedàya, or Guide*. Other Colonial paraphrases use *Moohummudan* as a reference to Islamic law, cf. Neil Benjamin Edmonstone Baillie, *A Digest of Moohummudan Law* (London: Smith, Elder & Co., 1875).

21 As Hamilton, *The Hedàya, or Guide* writes in his translator's preliminary discourse, cf. vol. 1, especially v–vii.

22 Edward Said, *Orientalism* (London: Penguin, 2003): 3.

23 Bill Ashcroft et al., *Post-Colonial Studies: The Key Concepts*, 2nd ed. (New York: Routledge, 2007): 19, 207.

24 Even more problematic are digests prepared from a number of Islamic sources, like e.g. digests of Islamic juridical texts. See for example Baillie, *A Digest of Moohummudan Law*.

3 Workaround Mode and Problems

But before we start the actual semantic analysis, I will briefly turn to the workaround mode for texts that cannot be searched digitally. A simple search for "slave" in the first volume of the English translation brought a total of 514 results on 676 pages. The hits are evenly distributed over all chapters. This confirms one of the central findings of Rainer Oßwald's study on Mālikī law[25] where he showed that Islamic legal provisions on slavery are much more than just a distinct legal corpus dedicated to slavery-specific issues such as enslavement, sale, etc. Oßwald's impressive collection of evidence suggests that slavery was a factor firmly embedded in the social order of Mālikī societies in North Africa. This implies that practically all aspects of legal regulation of human life include distinct provisions for free, enslaved and partly dependent people. Legal provisions for enslaved persons thus do not form a separate body of *slave* law, but instead are integrated in all areas covered by Islamic law. Due to this situation, searching for a single translated keyword can only reveal a fraction of the relevant text passages,[26] so further searches for possible keywords were necessary. I then manually traced the relevant passages and the emic Arabic terms, in the Arabic text. A multitude of Arabic emic terms are represented in the English translation as "slave(ry)," "manumitted/manumission" and "free(dom)/freed." Figure 1 shows that the translation has often been transverse to emic semantic fields. The emic terms *ʿabd*,[27] *ama*, *mamlūk*[28] and *riqq*, which originate from different semantic fields and can therefore refer to different legal statuses, are synonymously translated as "slave," "slavery" and "bondage." In a similar way, words belonging to the different emic semantic fields of *ḥ-r-r* (related to "freedom")[29] and *ʿayn-t-q* (related to "manumission") were translated crosswise into the English words "manumitted" and "free(dom)," respectively (see Fig. 1).

In relation to the historical semantics of the English terms chosen by the translator, this transversal translation practice may have produced feasible renditions of the emic concepts in individual cases. In the overall picture, however, it has resulted in terminological obscurities that can only be clarified by semantic analysis of the original source text. That the crosswise translation into a single semantic

25 Oßwald, *Das islamische Sklavenrecht*.

26 The same would hold true for quantitative searches based on a limited set of keywords in Arabic or Persian texts.

27 The Arabic root *ʿ–b–d* is of common Semitic origin and refers both to the semantic fields of worship (of God) and to the semantic field of work (in Hebrew), service and slavery. Cf. Arthur Jeffrey, *The Foreign Vocabulary of The Qur'ān* (Baroda: Oriental Institute, 1938): 209–10.

28 See below.

29 Translations of Arabic terms in brackets serve exclusively to make the terms comprehensible to readers who do not read Arabic. They do not represent the result of a semantic analysis, but are merely approximations. I denote the semantic fields associated to Arabic verbal roots as related to an English translation of the emic concept the root is connected to.

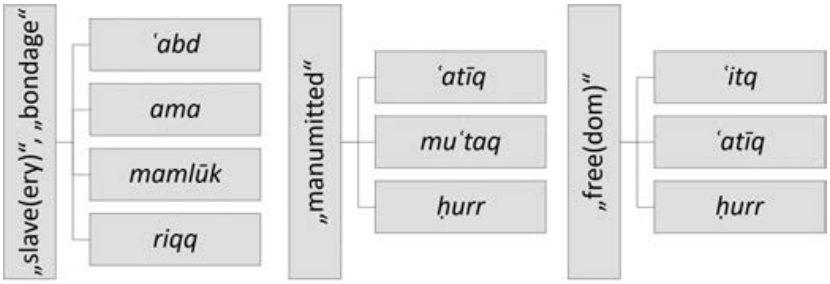

Fig. 1: Translation across emic semantic fields. Graphic by A. Kollatz.

field in English is problematic can also be seen from Kurt Franz's analysis, who found, for example, that the different terms in the Qurʾānic terminology of manumission were not interchangeable.[30] In what follows, I will concentrate on the first step of this clarification, namely the examination of the Arabic source terms. This is where the possibilities of digitally supported search in the translated text end. Until such times as suitable applications for Arabic are available, it is therefore advisable to resort to a qualitative analysis for clarifying emic semantic fields. Due to the sheer volume of text, such analyses can only be carried out as individual case studies.

4 Emic Semantic Fields

The analysis in this article concentrates on the fifth book of the *Hidāya*, following the British count, the *Kitāb al-ʿitāq* (*Book on Manumission*),[31] which discusses the manumission of dependent people. As this chapter deals with the conceptual terms for different states or grades of dependency separately, it is the ideal starting point for an investigation into the emic definitions of these concepts. By studying the different ways of manumission and the legal states a former dependent could reach, it is possible to delineate the different states and their position on a continuum of dependency.

Figure 2 illustrates the Arabic roots, each defining its own semantic field, and several selected keywords that derive from the respective root.[32] The following

30 Franz, "Slavery in Islam": 66.

31 The Arabic edition has no chapter numbering; the *Kitāb al-ʿitāq* is part of the third volume of the Karachi edition, cf. *Hidāya* III, 346–414.

32 For better readability, instead of referring to the semantic fields by their root structure, I will choose one of the derived terms, e.g. for the semantic fields *ḥ-r-r* (related to "freedom") and *m-l-k* (related to "possession"), I will use the keywords *ḥurriyya* ("freedom") and *milk/mamlūk* ("possession/a person possessed by another") respectively. To distinguish the naming of a semantic field from the reference to a specific source term, I will refer to Arabic terms as used in the *Hidāya* with

discussion will focus on three semantic fields: *ḥurriyya* (related to "freedom") and *milk* (related to "possession") appear in the chapter on manumission as two important, but clearly distinct, pillars of the definitions of dependence and manumission respectively. A third semantic field is *ʿitāq* (related to "manumission"), which features in the title of the fifth book of the *Hidāya*, the *Kitāb al-iʿtāq*, the *Book on Manumission*. Finally, I will also look at the emic semantic fields of three central Arabic terms denoting enslaved people, *ʿabd* (translates both as "servant" and "slave," from the root *ʿayn-b-d*, related to *ʿubudiyya* "service"), *ama* (from the old Semitic root *a-m-m*, translates as "female slave") and *riqq* (the most common term used to denote enslaved people in the *Hidāya*, from the root *r-q-q*, related to "being enslaved"). The text part under consideration here did not contain translations of terms belonging to the Arabic root *kh-d-m*, which is related to the semantic field of "service," e.g. *khādim*, which may denote both free and enslaved servants.

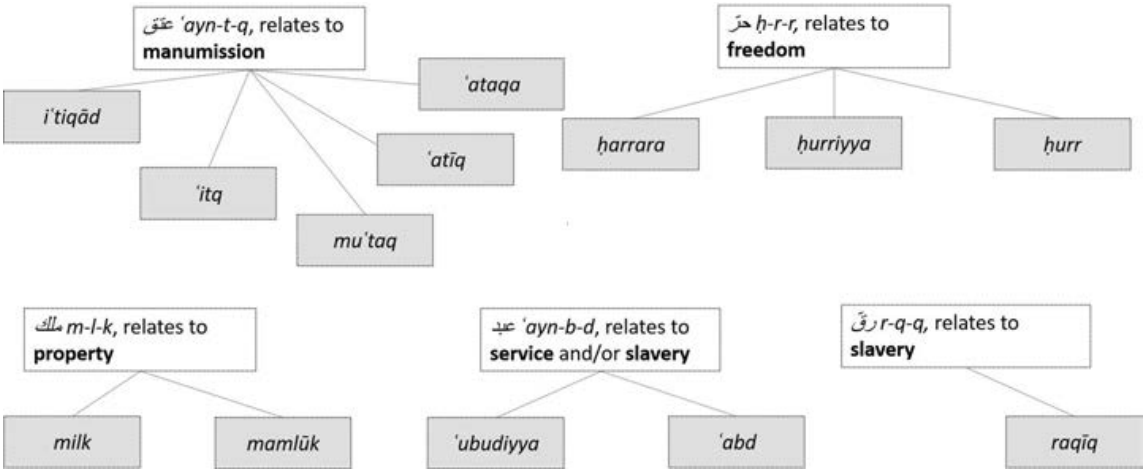

Fig. 2: Semantic fields and related conceptual terms. Graphic by A. Kollatz.

Before commencing with my semantic analysis of terms used in the Arabic original of the *Hidāya*, we need to take a brief look at the two semantic fields of *ʿubudiyya/riqq* ("slavery") and *ḥurriyya* ("freedom"). There is no exclusive semantic field or conceptual term in Arabic that would equal "slavery." Instead, several terms from at least two semantic fields are usually translated as "slavery" or "slave." Kurt Franz has discussed the individual conceptual terms to be found in the *Qurʾān* and the *ḥadīth*, the tradition of prophet Muḥammad's sayings and deeds, which form the main normative basis for Islamic legislation.[33] Among the most common terms

an approximate English translation and the Arabic source term in brackets, e.g. manumission (*iʿtiqād*).

33 For the terminology of slavery and related concepts in Qurʾān and *ḥadīth*, see Franz, "Slavery in Islam": 59–69, 73–81. For the ambiguity and emic discussions of the conceptual term *ḥurriyya*, see also Oßwald, *Das islamische Sklavenrecht*: 23.

translated as "slavery" are *ʿubūdiyya* and *riqq*, while terms derived from the semantic field *ḥurriyya* exclusively refer to the state of freedom. The *Kitāb al-iʿtāq* does not contain a discussion of the binary opposition of "slavery" and "freedom," which however underlies legal concepts of strong asymmetrical dependency in Islamic law. Islamic jurisprudence as well as research on the topic usually refer to two quotations that express the Islamic principle of understanding human beings as free, owing to their status as God's creatures:

> The general doctrine reads *al-nās aḥrār fī l-aṣl*, 'people are freemen in principle (or: by origin),' or *al-aṣl huwa al-ḥurriyya*, 'the basic principle (or: the original state) is freedom.' Slavery is thus an exceptional state, sharply distinguished from the original.[34]

However, given the discursive character of Islamic law, there is no constitutional definition of either *ḥurriyya* or the different terms for strong asymmetrical dependencies that would apply across all schools of law. Law books and commentaries usually derive their individual definitions from Qurʾānic quotations, or abstain from sharp definitions, relying on the recipients' knowledge. The *Hidāya* discusses definitions of terminology only in such passages where a more precise description is necessary for clarifying the context: for example when it is a matter of presenting different views in different schools of law. The divergence between semantic fields, mentioned above, becomes obvious when al-Marghinānī compares the definition of manumission from a Shāfiʿī and a Ḥanafī perspective. In this case, manumission (*iʿtiqād*) is defined by contrasting it with characteristics of its opposing legal status, namely *riqq* (slavery). The first definition explains the Shāfiʿī opinion, according to which it is impossible to manumit a slave partially. Manumission, or the *legal status* of being manumitted (*ʿitq*) is contrasted with slavery (*riqq*), which is defined as a *legal status* as well, namely as the absence of legal capacity:

> Manumission (*iʿtāq*) is the establishment of the status of being manumitted (*ʿitq*), which means the capacity of taking decisions (*quwwa ḥukumiyya*). It is established by the removal (*izāla*) of its opposite (*ḍidduhā*), which is slavery (*riqq*), and which means the absence of the capacity of taking decisions (*ḍaʿf ḥukumī*). Both criteria cannot be separated from each other, like (the criterion of being married) in the case of divorce.[35]

As long as both manumission and slavery are defined as legal statuses, both are regarded as inseparable entities. The second definition, however, explaining the Ḥanafī point of view, establishes a differentiation between the personal right of possession (*milk*), to which the slave owner is entitled, and the legal status of slavery (*riqq*). According to the Ḥanafī definition, manumission does not affect the legal status of the slave in question, but only removes the owner's right of possession,

34 Franz, "Slavery in Islam": 81–82. The quotation is followed by an extensive discussion of the question whether this principle is to be acknowledged as generally valid.

35 *Hidāya* III, 363. All translations from the Arabic, unless otherwise stated, are mine.

because the owner can make decisions only for such items as they possess.[36] In a case of shared ownership, a slave cannot become fully manumitted if only one owner gives up their right of possession, because the owner is not entitled to decide on possessions owned by others:

> Manumission (*iʿtāq*) is the establishment of the status of being manumitted (*ʿitq*). It is established by the removal (*izāla*) of possession (*milk*). Possession is (a person's) right, while slavery (*riqq*) is a legal status. [. . .] This means that (the owner) can remove (a part) of his right, without touching upon any other.[37]

This definition suggests that slave owners cannot affect the legal status of an enslaved person, but it does not explain which person or institution is entitled to do so. So the commentary does not present an absolute definition of either term, nor does the text mark one of the definitions as preferable. However, in the case of partially manumitted slaves, the *Hidāya* recommends that the remaining owners should either release them as well, or at least grant them the right to ransom themselves, for example in the context of a *kitāba* contract (see below).

It is also important to note that the *Hidāya* regards the conceptual terms it discusses as having different qualities. For example, al-Marghīnānī defines a phrase a slave-owner can use to manumit an enslaved person as "clear and well understood both in the legal terminology and in common use" (*ṣarīḥa fihi* and *mustaʿammila fīhi sharʿan wa ʿurfan*).[38] If a slave owner uses such a phrase in front of a slave, they will be manumitted fully and immediately, even if the owner did not intend to set them free. Such phrases operate with the two sematic fields *ḥurriyya* ("freedom") and *ʿitāq* ("manumission"), which may contain either a verbal construction or constructions with different active or passive participles of the verbs in question.[39] The text lists examples for synonym formulations: "'You are free,' or 'a manumitted person,' or 'manumitted,' or 'a freed person,' or 'I have set you free,' or 'I have manumitted you'" (*Anta ḥurr, au muʿattaq, au ʿatīq, au muḥarrar, au qad ḥarrartuka, au*

36 In the general remarks on manumission (*ʿitāq*) at the beginning of the *kitāb al-ʿitāq*, al-Marghinānī notes that a slave can only be legally released if the person releasing them has full legal capacity and the slave is in their possession, cf. *Hidāya* III, 346–47. For the definition of enslaved persons as *milk* in Mālikī law, see Oßwald, *Das islamische Sklavenrecht*: 59–61.

37 *Hidāya* III, 363–64.

38 *Hidāya* III, 347.

39 As a Semitic language, Arabic is based on a system of so-called verbal roots, which are formed of a combination of three, sometimes four, basal consonants that each define a semantic field, from which further verbs and nouns can be derived by the use of fixed morphological patterns. For a discussion of the semantic field *ḥurriyya*, see below. For an introduction into traditional Arabic grammar and morphology, see Jonathan Owens, "Traditional Arabic Grammar," in *Morphology. An International Handbook on Inflection and Word-Formation*, vol. 1, ed. Geert Booij, Chrisitian Lehmann and Joachim Mugdan (Berlin and New York: De Gruyter, 2000): 67–75.

qad iʿtaqadtuka).[40] As al-Marghīnānī describes these phrases as equally effective in leading to full and immediate manumission, we may conclude that the verbal roots *ḥurriyya* and *ʿitāq* relate to the same concept of freedom, the first describing the legal status of being free and enjoying full legal capacity, the second the legal process of becoming free. Other terms are regarded to have a certain ambiguity, for example phrases that use verbs or nouns from the semantic field *milk*. This semantic field relates to ownership, chiefly from the slave-owners' perspective in the context of manumission. According to al-Marghinānī, phrases such as "I no longer have any ownership rights over you" (*lā milkun lī ʿalaika*)[41] are considered ambiguous and therefore only effect a manumission if that is the owner's intention.[42] Ambiguity may also result from the use of different languages, as al-Marghīnānī explains. Both the Arabic and Persian form of address "oh free one" (arab. *yā ḥurr/yā ḥurra*, pers. *yā āzād*) to an enslaved person by their owner are regarded as clear and thus sufficient to manumit a slave immediately, even if this was not the intention of the slave-owner. So the Arabic and Persian terms seem to be regarded as synonymous. However, al-Marghīnānī mentions an exceptional case: if *āzād* happens to be the slave's personal name, the address *yā āzād* from an Arabic-speaking owner would not effect an immediate manumission against the owner's intentions. To clarify the intention of setting such a slave free, it would however suffice to use the Arabic formulation *yā ḥurr*, which cannot be mistaken for the slave's personal name.[43]

5 Semantics of Manumissions and the Continuum of Dependency

The *Kitāb al-ʿitāq* discusses a great variety of possible ways of manumitting a slave, all of which are commonly found in Islamic legal treatises.[44] There are several ways of manumitting a slave or granting them the possibility to ransom themselves. Several of these legal procedures result in (temporal) statuses of partial enslavement, or partial manumission. As mentioned above, partial manumission can occur when one of several joint owners of an enslaved person decides to release their share of

40 *Hidāya* III, 347. Arabic is a consonant script, so it is frequently not clear from the written text whether the female or male – or both – grammatical forms are referred to. In the transliterations given here, I only display the male forms for ease of reading.

41 *Hidāya* III, 348.

42 *Hidāya* III, 348–49.

43 *Hidāya* III, 348. For the semantics of the Persian *āzād* in Ottoman Ḥanafī documents, see the article by Veruschka Wagner in this volume.

44 For a general overview, see Franz, "Slavery in Islam." For a case study on Mālikī law see Oßwald, *Das islamische Sklavenrecht*.

the slave. Other procedures involve contractually guaranteed manumission at a specified time in the future; or they may grant the enslaved person certain rights, for example the right to accumulate possessions and dispose freely of them. These forms of partial enslavement still feature characteristics of strong asymmetrical dependency: while some cases include a contractual agreement between owner and slave, others leave the slave without any written guarantee and can easily be retracted by the owner or their heirs. The aim of the following discussion is to locate the different forms of partial manumission on a continuum of dependency[45] in order to gain better insights into the architecture of concepts of strong asymmetrical dependency in Ḥanafī law, and the emic classification of legal statuses between the two extremes of *ʿubudiyya*, *riqq* ("slavery") and *ḥurriyya* ("freedom"). They represent the extreme ends of the continuum of dependency sketched here. My criteria are as follows: 1) The binding character of the contract or agreement between owner and enslaved; 2) the differentiation of legal capacity: partially enslaved people with the prospect of manumission may gain limited legal capacity either on their own account, or as deputies of their owners. Depending on the form of partial manumission, some partially enslaved persons thus enjoy more, or different, capacities than others; 3) the semantic relations established between the different statuses in their definition by al-Marghīnānī. This is a tentative first approach to classifying the semantics of dependency on the basis of a relatively small text basis. It should not be understood in any shape or form as an attempt at an overall concept for Ḥanafī law on the subcontinent, nor of Islamic law at large.

A pressing question that arises from reading the *Kitāb al-ʿitāq* concerns the status of a formerly enslaved person. Where on the continuum between their former status and that of a freeborn Muslim do they fall? To put it plainly: is the status of a *muʿattaq* ("manumitted one") equal to the status of *ḥurr* ("free"), i.e. are they equal in status to a freeborn Muslim? My earlier comparison of different phrases for manumitting a slave suggested that the semantic fields *ḥurriyya* and *ʿitāq* were considered synonymous,[46] but the way the two terms *muʿattaq* and *ḥurr* are used in the present text sample indicate different connotations. In the *Kitāb al-ʿitāq*, al-Marghīnānī uses only the term *muʿattaq* (or other derivates from the root) to describe the status of manumitted slaves, which suggests a differentiation between this semantic field and the field of *ḥurriyya*. So *muʿattaq* should be placed slightly below *ḥurr* on the continuum of dependency. This assumption is supported by the fact that after the dissolution of their legal bond to their former master, manumitted slaves enter into a new form of social dependence towards them. This social status of *walāʾ* (*al-ʿitq*), "the enduring

45 Eltis and Engerman, "Dependency, Servility and Coerced Labor in Time and Space."

46 Jeffrey gives "to be free" as the original meaning of the root in ancient Arabic poetry, cf. Jeffrey, *The Foreign Vocabulary of The Qur'ān*: 211.

attachment of the manumitted to the liberator,"[47] keeps a manumitted slave in a lifelong social connection to their former master or the latter's heirs, which includes certain obligations such as asking for permission to marry.[48] Even full manumission thus keeps the formerly enslaved in a form of dependence and thus cannot be understood as equal to the status of a freeborn person (*ḥurr*). On the continuum of dependency, I therefore placed the status of full manumission in the same range as *walāʾ*/ *mawlā* close to *ḥurr*, but slightly further down.

Muʿattaq ("manumitted") works as an umbrella term for all fully manumitted former slaves. This legal status can be achieved directly and without preconditions,[49] for example when the sole owner manumits by using an unambiguous formula, as discussed above. Manumission can also come about under certain preconditions, such as a vow by the owner (*al-khilf bi-l-ʿitāq*);[50] or by self-ransom either with a contract (*kitāba*) or without (*ʿitāq ʿalā juʿl*).[51] Lastly, manumission may be contractually deferred to a specified date, or enacted after the master's death (*tadbīr*).[52]

In the case of both contractual and non-contractual self-ransom, the fulfilment of the conditions depends on the actions of the slaves: they have to pay a certain amount of money or provide a service to achieve manumission, in some cases within a set period of time. Once the contract has been concluded, the (at this point still enslaved) holders obtain certain rights that are denied to fully enslaved people. If they do not manage to meet the conditions, they fall back into full enslavement. However, if the conditions for a manumission set at a later date are independent of the actions of the slave, such as when the master fixes a specific date of release, the legal status of a slave with the prospect of conditional manumission changes from the moment these conditions have been fixed and they cannot fall back into full enslavement. In both cases, the slave thus enters one of a number of legal statuses between slavery and full manumission. Each of these legal statuses is named according

47 Franz, "Slavery in Islam": 78. See also Daniel Pipes, "Mawlas: Freed Slaves and Converts in Early Islam," in *Slavery and Abolition* 1 (1980): 132–77. Reprinted in Robert Hoyland, ed., *Muslims and Others in Early Islamic Society*, The Formation of the Classical Islamic World 18 (Farnham: Routledge, 2004): 277–322, 37 and Ulrike Mitter, *Das frühislamische Patronat: Eine Studie zu den Anfängen des islamischen Rechts*, Kultur, Recht und Politik in muslimischen Gesellschaften 8 (Würzburg: Ergon, 2006).

48 On the different conceptualizations of *walāʾ*, see e.g. Arent Jan Wensinck and Patricia Crone, "Mawlā," in *Encyclopaedia of Islam, Second Edition*, ed. Pery Bearman et al., http://dx.doi.org/10.1163/1573-3912_islam_COM_0714 [accessed 17.05.2022], and Patricia Crone, *Roman, Provincial and Islamic Law: The Origins of the Islamic Patronate*, Cambridge Studies in Islamic Civilization (New York: Cambridge University Press, 1987); as well as Pipes, "Mawlas."

49 For unconditional manumission in early Islamic law see Ulrike Mitter, "Unconditional Manumission of Slaves in Early Islamic Law: A *Ḥadīth* Analysis," in *Der Islam* 78 (2001): 35–72.

50 See the relevant chapter, *Hidāya* III, 389–91.

51 *Hidāya* III, 392–99; *Hidāya* IV, 338–400.

52 *Hidāya* III, 400–402.

to the manner of conditional manumission decided by the owner or agreed with the slave. Another form of conditional manumission concerns a female slave who bears her owner's child. Once the owner recognizes the child (who is then born free), the woman enters the legal status of *umm walad* ("mother of the child")[53] and is automatically manumitted upon his death.

In his analysis of Mālikī law, Rainer Oßwald proposed to unite all forms of partial manumission (or enslavement) under the umbrella term "Hybridsklave" (hybrid slave); he defines the shared feature of all these forms as a "Beimengung" (an admixture) of freedom to the enslaved status.[54] But the different forms of partial manumission result in very different sets of hybrid legal statuses and differently restricted forms of legal capacity. In the following analysis of four terms used to denote variations of *hybrid enslavement*, I propose to evaluate these differentiations as criteria for placing the different hybrid forms on the continuum of dependency (Figs. 3 and 4).

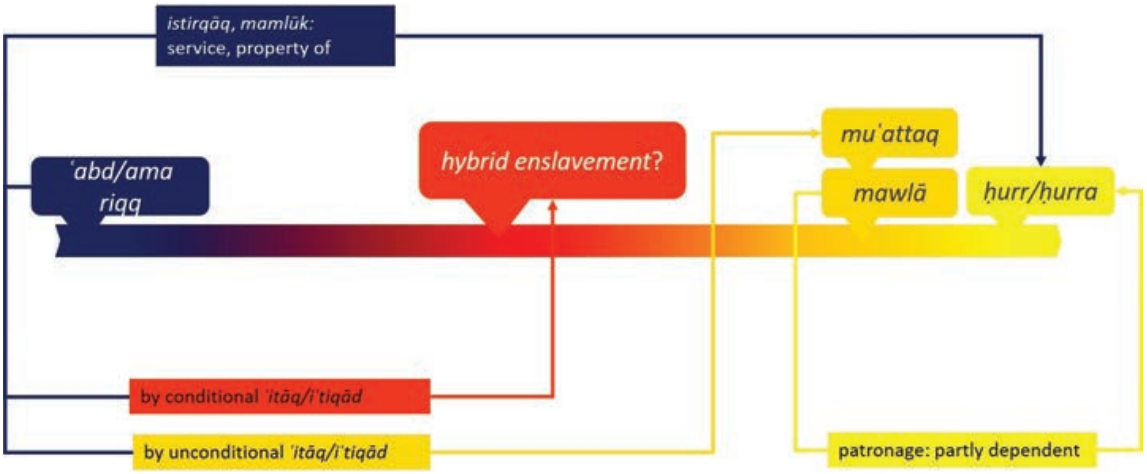

Fig. 3: Outline of the continuum of dependency. Graphic by A. Kollatz.

5.1 Contractual Conditional Manumission: *kitāba / mukātab*

While Islamic law does not provide for contract-based enslavement, e.g. of debtors, it does allow contractually agreed self-ransom. From a legal point of view this is a contract (*kitāba*) which regulates the manumission of an enslaved person upon the payment of a certain sum. For this reason the *Hidāya* does not discuss the *kitāba* in the *Book on Manumission*. Instead, there is a separate *Kitāb al-mukātab* ("Book on the holder of a *kitāba* contract") with six chapters which discuss, for example, how a *kitāba* contract needs to be worded to be considered valid, the rights and obligations of

53 *Hidāya* III, 403–14.l.
54 Oßwald, *Das islamische Sklavenrecht*: 207–8.

a *mukātab*, and special cases like the *kitāba* for a slave in shared ownership, or the question which legal status the child born by a *mukātaba* to her owner will have.[55] The *Hidāya* interprets holders of such a *kitāba* as slaves who for a number of reasons are no longer completely dependent on their owners. As soon as the contract is drawn up, a *mukātab* has the right to acquire property (which is a prerequisite for the self-ransom) and to dispose freely of their possessions. This is very different from a fully enslaved person, who is not allowed to own property (*lā milk li-l-mamlūk*, "the owned one has no possession").[56] Interestingly, the right of accumulating possessions includes the right to buy slaves, a legally complicated constellation on which the *Hidāya* has a separate chapter.[57] However, the *mukātab* still remains in a state of full enslavement with respect to the work they owe their owner.[58] The *Book on Manumission* does, however, briefly discuss *kitāba* in the context of the manumission of a slave owned by more than one owner. Once more, we clearly see the high degree of ambiguity that results from the variable definitions of manumission. A *mukātab* who agreed a *kitāba* with their single owner will eventually fall back into the status of full enslavement if they cannot pay the ransom within the time agreed and so fails to fulfill their part of the contract. But a *mukātab* who contracts a *kitāba* with just one of their several owners will never fall back into full enslavement. In this case, the process of self-ransom is interpreted as only affecting the property rights (*milk*) of the owner with whom the contract was agreed. The *mukātab* cannot lose the property rights that have come to them even upon incomplete payment, and so cannot revert into full enslavement.[59] Such subtleties ultimately make it impossible to determine the status of the *kitāba* at a fixed point in the continuum of dependency. We should instead expect a number of very different combinations of, on the one hand, a *mukātab*'s capacity to act, and on the other their continuing dependency.

5.2 Non-Contractual Manumission Upon Payment: *ʿitāq ʿalā juʿl* and *maʾdhūn*

In contrast to the *mukātab*, who may revert to a fully enslaved status if they fail to fulfil their contractual obligations, and who in any case remains a slave in terms of their tasks, the *Hidāya* states that a slave to whom the owner promises release for a certain price (*juʿl*) is subject to immediate manumission. The first paragraph of the "chapter on manumission for a certain price" (*bāb al-ʿitq ʿalā juʿl*) compares this

55 *Hidāya* VI, 338–400.
56 *Hidāya* III, 346.
57 *Hidāya* VI, 360–66.
58 *Hidāya* III, 364–65.
59 *Hidāya* III, 365.

process to a contract of sale, by which the buyer receives the merchandise immediately but has to pay off their debts subsequently.

> If someone releases his slave (*ʿabd*) for money and the slave accepts, he is (immediately) free (*ḥurr*). For example, if someone says 'For a thousand dirhams you are free', the slave is released at the moment this is spoken (*bi-qaulihi*), because this is an exchange of property for a different kind of property (*muʿāwaḍa al-māl bi-ghair al-māl*) [. . .] As in a contract of sale, he is free (*ḥurr*) at the moment he agrees to the contract. The price he has to pay is a debt upon his person. This differs from *kitāba*, because the latter comes into force only upon full payment and concerns the termination (*qiyām*) of enslavement (*riqq*).[60]

Again, the defining criterion is the nature of the item involved: while *ʿitāq ʿalā juʿl* refers solely to property rights (*milk*), *kitāba* is about a contract that changes the legal status of the slave. Ultimately, therefore, *ʿitāq ʿalā juʿl* comprises two logical steps: first, the enslaved buys the title to themselves. From the legal point of view, this is a sales contract by which the property right is transferred to the buyer with immediate effect, even before full payment of the contracted price has been made. As such, it does not affect the legal status of the enslaved. But since no human being can own themselves, they are automatically declared free (*ḥurr*) in a second step. This form of sales contract, by which an enslaved person is immediately and fully freed but may still have to pay off a debt, is probably the most direct and safest way to leave the slave status. This also explains why there is no specific term for slaves released in this way: the process turns them directly into *muʿattaq*s. However, even if they are no longer threatened by re-enslavement, a debtor continues to be in a strong asymmetrical relationship of dependency to their former owner. They also lose their entitlement to the care (however limited) which slave owners were required to provide to both slaves and *mukātab*s.

The owner can also make full payment of the price a condition, in which case the slave is manumitted only upon such payment. In the meantime, the *Hidāya* tells us, they count as *maʾdhūn*, because they are neither completely released nor in possession of a written guarantee for their right to be freed by a *kitāba* contract.[61] By demanding a compensation for manumission from the *maʾdhūn*, the owner implicitly grants them the right to accumulate property, similar to the case of the *mukātab*. However, according to the *Hidāya* there is no legal consensus on the question of whether the owner's promise is to be regarded as legally binding. In the case of a contractual *kitāba* the owner must completely manumit his *mukātab* after full payment, but a *maʾdhūn* remains dependent on their owner's willingness to keep to the verbal agreement – or on

60 The text goes on to explain that this form of contract resembles marriage and divorce contracts, because in all three cases, property is used to "buy" something that is not property. Cf. *Hidāya* III, 393.
61 *Hidāya* III, 393.

a judge's willingness to interpret it as a binding contract.[62] As *maʾdhūn*s can still be sold and remain under their owner's authority until full payment,[63] I placed this status of dependency next to full enslavement at the lowest point of the continuum of dependency.

5.3 Unilateral Manumission Practices: Vows, *tadbīr/mudabbar* and *istilād/umm walad*

Finally, it is also possible for the owner to make the manumission of a slave subject to conditions that cannot be influenced by the slave. Nur Sobers Khan proposed a classification of manumission practices according to the criterion of whether manumission was effected solely by the owner (*unilateral* manumission), or with the consent or cooperation of the enslaved person, which we might describe as *bilateral* manumission, though she does not use this term.[64] None of the types of manumission discussed in this last section can be influenced by the enslaved person, and we might therefore describe them as *unilateral*, thereby distinguishing them from the practices discussed earlier. However, even these manumission types result in a gradual *upward* shift of the enslaved person's legal status on the continuum of dependency, even though they do not necessarily lead to full manumission.

The *Hidāya* mentions vows by the owner and discusses several examples of legally binding or invalid wordings.[65] Since such vows do not result in special legal statuses between full enslavement and freedom I will not discuss them here. A special case is the owner's commitment to grant the slave manumission upon their death, the guarantee being called *tadbīr*.[66] Slaves whose status is tied to such a promise or oath enter the status of *mudabbar*. The *Hidāya* defines the promise of *tadbīr* as a "clear" (*ṣarīḥ*) statement of manumission planned for the future (*ithbāt al-ʿitq ʿan dabr*); therefore, a *mudabbar* may not be sold or otherwise transferred to another

62 *Hidāya* III, 393–95.

63 *Hidāya* III, 395.

64 Nur Sobers-Khan, *Slaves Without Shackles. Forced Labour and Manumission in the Galata Court Registers, 1560–1572* (Berlin: Klaus Schwarz Verlag, 2014): 70, where she defines the Ottoman practice of *ʿitāq* as "unilateral." It must be noted that the Ottoman practice of *ʿitāq* as described by Sobers-Khan differs from the rather general designation of the word in the *Hidāya*, where it serves as an umbrella term for the various manumission practices discussed in it.

65 *Hidāya* III, 389–91, *bāb al-ḥilf bi-l-ʿitāq*.

66 Cf. *Hidāya* III, 400–402, *bāb al-tadbīr* (chapter on *tadbīr*). In its original sense, *tadbīr* means "to plan" or "to look forward to some action to be implemented in the future." Cf. Hans Wehr, s. v. "dabara," in *A Dictionary of Modern Written Arabic: Arabic-English*, ed. J. Milton Cowan (Urbana IL: Spoken Language Services, 1994).

owner. In this aspect, the status of *mudabbar* resembles that of the *mukātab* in Ḥanafī doctrine.[67] *Tadbīr* is defined first as a gift, but later, the *Hidāya* prefers to define *tadbīr* as an inheritance (*waṣīya*). If one were to understand *tadbīr* as a gift, the *mudabbar* would receive full freedom upon the death of the owner. Yet if *tadbīr* is defined as an inheritance, the *Hidāya* again interprets enslaved persons including *mudabbar*s as property. So the *mudabbar* paradoxically is both part of the estate and an heir at the same time. Since all property must be divided among the heirs, the *mudabbar* only receives the title to one third of himself, while the other two thirds go to the other heirs or to the treasury. He will have to ransom the remaining two thirds from the owner's heirs, if they agree, and otherwise remains partly dependent.[68] So a *mudabbar* does not directly advance to the status of a manumitted person (*muʿattaq*), but rather into that of a partially released person; their status seems to lie somewhere between the contractually secured *mukātab* and the *maʾdhūn*. Since the promise of manumission is linked to the death of the owner, a *mudabbar* may not be sold[69] – this would violate the conditions. They do, however, remain completely dependent on their owner in all other ways, and do not obtain any further rights, such as the right to acquire property, because the right of ownership remains untouched.[70]

Finally, the *Hidāya* also discusses a form of conditional manumission that results in a temporal intermediary status of dependency achievable for female slaves. If a female slave bears the child of her owner, and the owner recognizes this child as his own, the female slave (*ama*) will gain the status of *umm walad* ("mother of the child") upon the birth of the child.[71] There has been some debate on whether a woman can also achieve this status in the case of a miscarriage, but that is not of interest for the purpose of this article. The status of *umm walad* safeguards the living conditions of the woman to a degree that might even appear favorable compared to the status of a married woman. An *umm walad* cannot be sold (like the *mukātab* and the *mudabbar*), nor can she be coerced into concubinage or given to other men for that purpose.[72] Her owner has to offer her a decent standard of living, as he would to a wife from a lower class family; but he cannot end the relationship by divorce as he can a marriage. As such, he is obliged to look after the *umm walad* until his death, unless he marries her off to another man. Apart from sexual services, an *umm walad* however is required to render the same sorts of services as an enslaved person and so retains the status on an enslaved person in this respect.

67 *Hidāya* III, 400.
68 *Hidāya* III, 402.
69 *Hidāya* III, 400.
70 *Hidāya* III, 402.
71 *Hidāya* III, 403–14, *bāb al-istilād* ("chapter on the [manumission following] the birth of a child").
72 *Hidāya* III, 403.

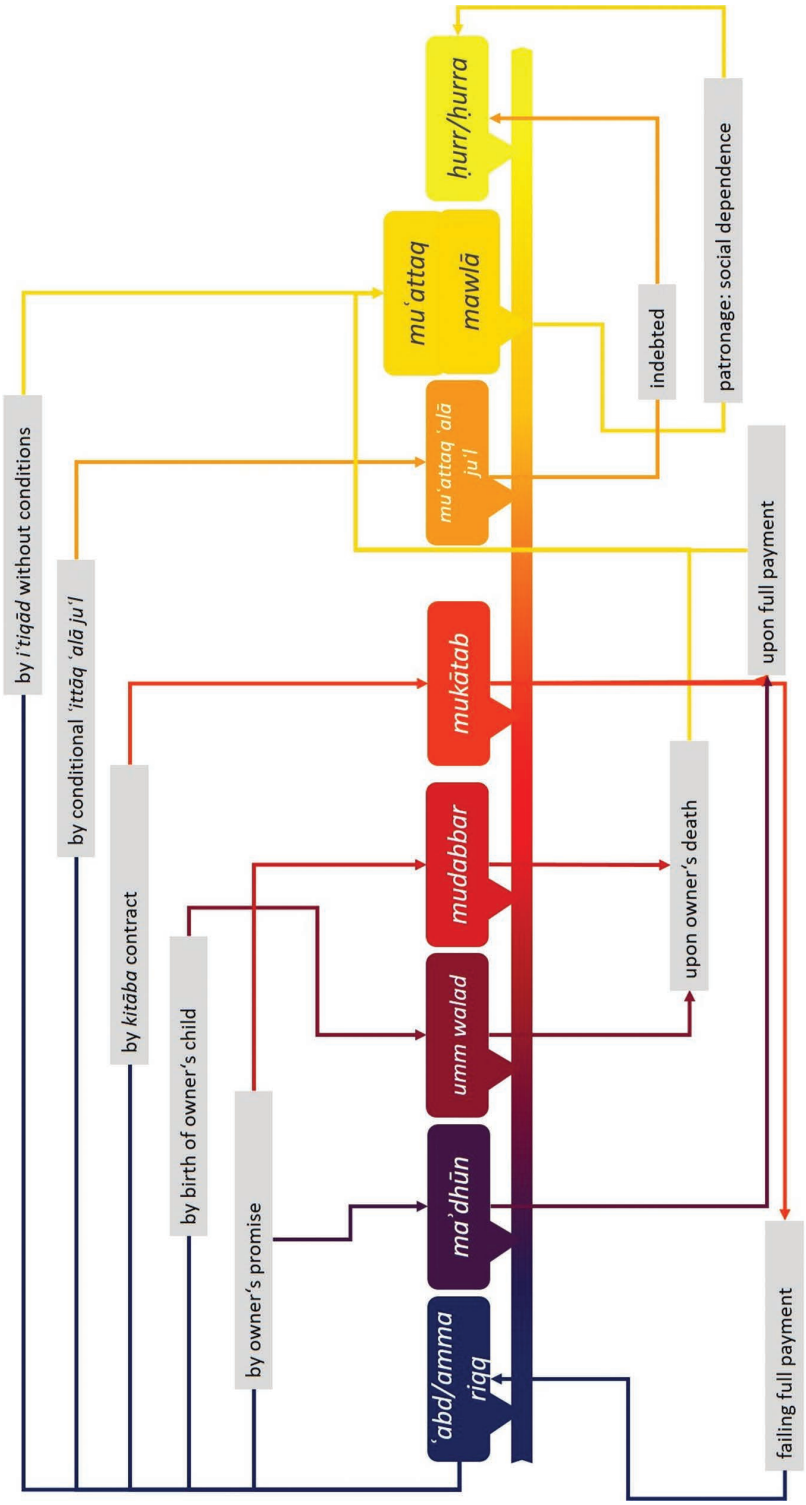

Fig. 4: Hybrid statuses on the continuum of dependency (tentative order). Graphic by A. Kollatz.

She is only manumitted fully upon the death of her owner. Unlike the *mudabbar*, she does not form part of the deceased owner's estate.[73]

6 Conclusion

The *Hidāya* describes a number of ways of achieving partial of full manumission. Similar manumission practices are also described in other Islamic *madhhab*s, and have been analyzed e.g. by Rainer Oßwald for the Mālikī school of law; and by Nur Sobers-Khan for Ḥanafī manumission documents from the Ottoman Empire.[74] While Rainer Oßwald suggested that the manumission practices in question should be described as *hybrid enslavement* ("Hybridsklaven"), Nur Sobers Khan proposed to distinguish unilateral – and thus, implicitly, also bilateral – forms of manumission. As a result of my historical-semantic analysis in this article, I would suggest the duration of the process as a third criterion of definition. While some rare forms of manumission discussed in the *Hidāya* lead to immediate and full manumission in the legal sense (e.g. the manumission without condition, the *ʿitāq ʿalā juʿl*), most other practices might be described as *gradual*. These forms cause a slow upwards movement on the continuum of dependency, which may lead only to partial manumission – and, as such, to temporal or on-going hybrid legal statuses that constitute a stronger or lesser form of asymmetrical dependency. The different manumission practices discussed in this article are regarded as distinct legal procedures (contract, oral promise, contract of sale, etc.) by the *Hidāya* and therefore result in very different *combinations*, e.g. of legal capacity in certain areas with absolute dependency in others. Some forms of manumission that proceed via intermediate legal statuses protect the formerly fully enslaved person from a relapse into full enslavement, while others may preserve the intermediate status or even lead to a relapse into full enslavement, as in the case of *mukātab*. In some cases, even complete manumission intended by the owner, as in the case of *tadbīr*, may result in a partially enslaved status which can only be resolved through new agreements, e.g. *kitāba*. From the normative perspective of the *Hidāya*, partial manumissions are limited either temporally or by certain conditions, or by a combination of the two. The application of these normative standards results in a great variability in practice. We should therefore assume the existence of a large number of gradations of different legal and social dependencies between the absolute opposites of *full enslavement* and *freedom* or *manumission*, some of which in their practical implementation may have diverged considerably from the norms.

If we turn away from a clear dichotomy of *enslaved* and *free* (which, however, is also present in the historical semantics of Islamic legal texts) it becomes evident

73 *Hidāya* III, 406–7.

74 Sobers-Khan, *Slaves Without Shackles*.

that the normative legal texts not only discuss a number of different forms of strong asymmetrical dependency, but also distinguish them in semantic terms. The high degree of ambiguity and discursivity of the *Hidāya* bears witness to how difficult to grasp these legal statuses must have been for legal theorists. Clearly, this is not an a priori defined normative system, but rather an attempt at legal containment of practices that evolved, and continued to evolve, over time. The fact that the *Hidāya* puts a strong emphasis on discussing legally valid, clear or ambiguous wordings also shows that the negotiation and definition of legal status in the context of strong asymmetrical dependency must always have been a complex undertaking, and difficult to implement for both legal theorists and practitioners. Marc Bloch's dictum about historians and their struggle with emic semantics probably applies just as much to the historical Ḥanafī legal theorists in Transoxania and India as it does to us who, from the perspective of slavery and dependency studies, are today trying to clarify historical semantics: "To the great despair of historians, men fail to change their vocabulary every time they change their customs."[75]

Obviously, this effect is amplified when the texts and their underlying semantic connections are translated into another language, as a comparison of the semantic attributions between the Arabic original and the English translation by Charles Hamilton has shown. In the discussion of the various hybrid forms, I purposely refrained from quoting the Arabic original text together with Hamilton's translation. The latter is in fact not so much a translation as a paraphrase of the original which intervenes in the text, in sometimes heavily interpretative ways. His translation across emic semantic fields deserves particular mention. This technique enables the translator to bring the text statements closer to the etic historical semantics of strong asymmetrical dependency in his target language, i.e. English. This leads to the impression that many of the legal statuses that arise from the various forms of manumission are not directly related to *slavery*. The actual variety of strong asymmetrical dependency relationships described in the legal commentary is obscured by this technique, though they were not only a constitutive element of Muslim society in India, but also in all other parts of the Islamicate world. The two extremes of *slavery* and *freedom*, as they are established by the translation, seem to be a clear dichotomy, behind which the gradations of forms of strong asymmetrical dependency determined by legal theory fade away. For the historical recipients of the colonial translation, this impression must have been reinforced when, after the formal abolition of slavery, the *Book on Manumission* was omitted from the second edition of the translation. However, we may assume that the hybrid and ambiguous forms of strong asymmetrical dependency, and especially the social dependency of *muʿattaq*s on their former owners, remained formative principles of social interaction and hierarchy even after the formal abolition of slavery.

75 Marc Bloch, *Reflections on the Nature and Uses of History and the Techniques and Methods of Those Who Write It*, trans. Peter Putnam (New York: Vintage, 1953): 34.

It would be beyond the scope of this essay to further investigate the relationship between the original as hypotext and the translation as hypertext. But a comparison of the key terms identified in the translation and the corresponding places in the original text alone has shown that the semantic concepts of the two texts do not match perfectly. The translation process began with the Arabic text analyzed here, and led through the Persian translation, which is only available in manuscript, to the British-colonial paraphrase. In order to understand at which point in the process these shifts entered the text, it would be necessary to examine the different text levels in detail and to compare the emic semantics in each case. My analysis of the emic terminology in the Arabic text could be a first step on this path. The results of such a comparison would then also have to be matched with practical legal documents, e.g. from the Mughal period or the early colonial period. This analysis would be a necessary step to understand the legal and social implementation of normative semantics in each time and society. If we want to further investigate emic historical semantics of strong asymmetrical dependency in Arabic or Persian texts, the only path open to us at present is that of dense qualitative studies, since translations in OCR'able languages cannot be carried out at all without a reconfiguration of the historical semantics inherent in the text.

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3. Research Lenses

3.1. Semantics, Lexical Fields, Narratives

Semantics, Lexical Fields

Josef Köstlbauer. "'I Have No Shortage of Moors': Mission, Representation, and the Elusive Semantics of Slavery in Eighteenth-Century Moravian Sources," in *Beyond Exceptionalism. Traces of Slavery and the Slave Trade in Early Modern Germany, 1650-1850*, ed. Rebekka von Mallinckrodt, Josef Köstlbauer and Sarah Lentz (Berlin: De Gruyter, 2021): 108–136.

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Josef Köstlbauer

4 "I Have No Shortage of Moors": Mission, Representation, and the Elusive Semantics of Slavery in Eighteenth-Century Moravian Sources

In a letter written in apparent haste to request the expeditious transfer of an enslaved young woman named Cecilia, Count Nikolaus Ludwig von Zinzendorf assured the recipient, Danish plantation owner Johan Lorentz Carstens, that his only concern was for the woman's soul. "After all," he added, "I have no shortage of Moors."[1]

Committed to paper as a thoughtless aside seemingly bespeaking aristocratic self-confidence and sense of entitlement, this statement is remarkable. Not only does it attest to the extension of slavery and the slave trade to Northern and Central Europe, it also provides an insight into how Moravians perceived enslaved men and women living among them in Germany, as well as the motivations for bringing them there. What is more, it represents a small breach of the peculiar silence encountered in the sources when researching the presence of enslaved persons in the Moravian communal settlements (*Gemeinorte*). Typically, Moravian archives remain mute as far as the ambiguous status and slavery background of Africans or West Indian Creoles living in the communities is concerned. On the surface, they appear as brothers and sisters who ideally provided edifying examples of missionary achievement and spiritual awakening. The experience of slavery – shared in different ways by slaves and enslavers – and its confrontation with Moravian life in Europe stay hidden beneath this surface. Therefore, research on non-Europeans in the *Gemeinorte* is especially concerned with things left unsaid: It has to contend with the lacunae and omissions in the written discourse.

1 Unity Archives Herrnhut (UA), R.15.B.a.1.IV.2.g, Nikolaus Ludwig von Zinzendorf to Johan Lorentz Carstens, March 15, 1741. The case is discussed in more detail below. In the original German, Zinzendorf used the female term *Mohrinnen*. Indeed, there were four women or girls and one boy from St. Thomas living in Marienborn and Herrnhaag in 1740.

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The Moravian Brethren – also known as the Moravian Church or the (renewed) *Unitas Fratrum* – were a radical pietistic community formed in Upper Lusatia in the 1720s by the charismatic Count Nikolaus Ludwig von Zinzendorf together with adherents of the old Protestant church of the Bohemian Brethren who had fled from prosecution in their Moravian homeland.[2] Even within the highly dynamic world of early modern Protestantism, the Moravian Church was extraordinary in many ways, not least because of its rapid growth and global expansion. As unlikely as it may seem, for a certain time this religious community emerging from the eastern fringes of the Empire formed a small but remarkable entryway into Germany for enslaved people. Thirty-seven individuals of non-European origin, mostly converts from colonial areas, are documented to have lived in or visited German *Gemeinorte*. Among them were thirteen individuals who evidently or very likely came as slaves or captives, of which twelve were of African or Creole extraction and came to Europe from the West Indies or North America. Others were former slaves or appear to have been in positions of uncategorized but nevertheless significant dependency.[3]

I argue that the Moravians are significant for historical research on traces of the slave trade in two respects: Firstly, the enslaved and formerly enslaved individuals they brought to Europe are evidence of the inevitable – though often obscure – extension of colonial slaveries into Europe. Secondly, the Moravian example poignantly demonstrates the difficulties encountered when researching slavery in Europe. The lives of slaves usually left only scant traces in the archives owing to their subaltern position. In addition, their status often remained ambiguous, with slavery hidden beneath other forms of service or dependency.[4] This is true for the Moravian cases as well: It is difficult to ascertain whether an individual was acquired as a slave and/or remained a slave, and what this meant to the involved parties.

The first part of this article briefly introduces the eighteenth-century Moravian stance regarding slavery. The second part investigates Moravian motivations for transferring individuals from colonial slavery contexts to Europe and the representative function assigned to them within Moravian social and spiritual contexts. In the third part, the cases of two enslaved individuals in Germany document how Moravians were willing to claim proprietorial rights rooted in slavery. Analyzing the

2 The community's statutes were formulated in 1727. On the beginnings, see Hanns-Joachim Wollstadt, *Geordnetes Dienen in der christlichen Gemeinde* (Göttingen: Vandenhoeck & Ruprecht, 1966), 24–48; Paul Peucker, "The 1727 Statutes of Herrnhut," *Journal of Moravian History* 20, no. 1 (2020).

3 Paul Peucker has written an important article assembling information on almost all non-European brothers and sisters coming to Germany. See Peucker, "Aus allen Nationen: Nichteuropäer in den deutschen Brüdergemeinden des 18. Jahrhunderts," *Unitas Fratrum* 59/60 (2007).

4 Rebekka v. Mallinckrodt, "There are no Slaves in Prussia?" in *Slavery Hinterland: Transatlantic Slavery and Continental Europe, 1680–1850*, ed. Felix Brahm and Eve Rosenhaft (Woodbridge: Boydell Press, 2016); Anne Kuhlmann, "Ambiguous Duty: Black Servants at German Ancien Régime Courts," in *Germany and the Black Diaspora: Points of Contact, 1250–1914*, ed. Mischa Honeck, Martin Klimke, and Anne Kuhlmann-Smirnov (New York: Berghahn Books, 2013).

ambiguous and at times contradictory terminology of these and additional sources, I will explore what they can tell us about perceptions, meanings, and practices involving enslaved individuals in Moravian Germany.

Moravians and Slavery

The Moravians' involvement with slavery goes back to the very beginnings of their missionary endeavors in the West Indies in 1732. Within just a few years, the Brethren not only established a successful mission among the slave population in the Danish colonies of St. Thomas, Saint John, and St. Croix, but also became slave owners themselves. Until the nineteenth century, slavery remained a part of Moravian economy in many parts of the Atlantic world, from Suriname and Berbice to Antigua, Jamaica, or North Carolina.[5]

Evidently, the Moravians did not oppose slavery as an institution. Since slave owners on St. Thomas initially opposed missionary activities among the enslaved fiercely and often violently, a position of compliance was deemed advisable, and the Moravians were quick to express their acceptance of colonial slavery. Upon leaving St. Thomas after a short visit in 1738–39, Count Zinzendorf delivered a famous farewell speech to an assembly of slaves in which he explained the slaves' position to be God-given. "King, lord, and slave" all had to adhere to the places assigned to them by the Lord.

5 On early Moravian missionary endeavors, see Peter Vogt, "Die Mission der Herrnhuter Brüdergemeinde und ihre Bedeutung für den Neubeginn der protestantischen Missionen am Ende des 18. Jahrhunderts," *Pietismus und Neuzeit* 35 (2009). An essential account of the mission in the Danish West Indies is Christian Georg Andreas Oldendorp, *Historie der caribischen Inseln Sanct Thomas, Sanct Crux und Sanct Jan: Kommentierte Ausgabe des vollständigen Manuskripts aus dem Archiv der Evangelischen Brüder-Unität*, ed. Gudrun Meier et al., 2 vols. (Berlin: VWB, 2000). This work was originally published by the Moravian Church in 1777 in a massively revised and abridged version by editor Johann Jakob Bossart. For a critique of Bossart's work, see Ingeborg Baldauf, "Christan Georg Andreas Oldendorp als Historiker: Freiheit und Grenzen eines Autors in der Brüderkirche," in *Christan Georg Andreas Oldendorp: Historie der caraibischen Inseln Sanct Thomas, Sanct Crux und Sanct Jan. Kommentarband, ed.* Gudrun Meier et. al. (Herrnhut: Herrnhuter Verlag, 2010).

The involvement of the Moravians with Atlantic slavery has received a fair share of scholarly attention. To name but a few works: Jon F. Sensbach, *A Separate Canaan: The Making of an Afro-Moravian World in North Carolina, 1763–1840* (Chapel Hill: University of North Carolina Press, 1998); Jon F. Sensbach, *Rebecca's Revival: Creating Black Christianity in the Atlantic World* (Cambridge: Harvard University Press, 2006); Jan Hüsgen, *Mission und Sklaverei: Die Herrnhuter Brüdergemeine und die Sklavenemanzipation in Britisch- und Dänisch-Westindien* (Stuttgart: Franz Steiner, 2016); Louise Sebro, "Mellem afrikaner og kreol: etnisk identitet og social navigation i Dansk Vestindien 1730–1770" (PhD Diss, Lund University, 2010); Richard S. Dunn, *A Tale of Two Plantations: Slave Life and Labor in Jamaica and Virginia* (Cambridge: Harvard University Press, 2014); Katharine Gerbner, *Christian Slavery: Conversion and Race in the Protestant Atlantic World* (Philadelphia: University of Pennsylvania Press, 2018).

Apparently, God had punished the "first Negroes [. . .], turning their entire lineage into slaves."[6] What the enslaved men and women made of Zinzendorf's reasoning remains unknown.[7]

Even though the Moravians defended slavery and owned slaves themselves, they did not aspire to become part of planter society. For their mission to succeed, they had to carve out a unique position for themselves. Obviously, they could not eschew the color divide that formed the foundation of racialized slavery in the colonies – but they did distance themselves from planter society in order to gain access to the prospective converts' hearts and minds. This is manifest in Moravian rhetoric in that the missionaries spoke to the enslaved of an "internal slavery" trapping all sinners regardless of skin color. Compared to this, "external slavery" seemed ephemeral.[8] Today, such a position might be construed as cynical or exhibiting indifference to the everyday plight of slaves in the plantation economy. But in eighteenth-century St. Thomas, it transmitted a message of empowerment: The pious slave rose far above the sinful master. What was more, in the 1740s, many Moravians including Zinzendorf considered the second arrival of Christ to be imminent.[9] Such eschatological anticipations might have added considerably to the urgency of the Moravian message.

In addition, there was an ostensible equality pervading life in the Moravian mission congregations that stood in stark contrast to the colonial practices of slavery surrounding them. Everyone was addressed as brother or sister regardless of their class or skin color.[10] Free as well as enslaved converts could attain positions within

6 UA, R.15.B.a.3.64, Zinzendorf's farewell address, February 15, 1739, 21–22. In interpreting slavery as godly punishment, Zinzendorf alluded to the Curse of Ham, Genesis 9, 18–27, a well-established legitimation of slavery. On the origins of this interpretation, see M. Lindsay Kaplan, *Figuring Racism in Medieval Christianity* (Oxford: Oxford University Press, 2019), 135–165. Referencing pertinent passages from the Pauline epistles (Eph 6,5–9; Kol 3,22; 1 Tim 6,1–2, Philemon) some decades later, August Gottlieb Spangenberg basically expounded on the same motif used by Zinzendorf in 1739. See Spangenberg, *Idea fidei Fratrum, od. kurzer Begriff der christl. Lehre in den evangelischen Brüdergemeinen* (Barby: Unitas Fratrum, 1779), 78–79, 396; Spangenberg, *Von der Arbeit der evangelischen Brüder unter den Heiden* (Barby: Christian Friedrich Laux, 1782), 65–66. See also Craig D. Atwood, "Apologizing for the Moravians: Spangenberg's Idea fidei fratrum," *Journal of Moravian History* 8, no. 1 (2010).

7 Zinzendorf read a Creole translation to the crowd. Oldendorp, *Historie*, 2: 349.

8 Katherine Gerbner has emphasized this dichotomy of external and internal slavery. See Gerbner, *Christian Slavery*, 147–163.

9 Dietrich Meyer, "Chiliastische Hoffnung und eschatologische Erwartung innerhalb der Brüdergemeine und der Mission bei Zinzendorf und Spangenberg," in *Geschichtsbewusstsein und Zukunftserwartung in Pietismus und Erweckungsbewegung,* ed. Wolfgang Breul and Jan Carsten Schnurr (Göttingen: Vandenhoeck & Ruprecht, 2013); Erich Beyreuther, "Mission und Kirche," in *Studien zur Theologie Zinzendorfs: Gesammelte Aufsätze,* ed. Erich Beyreuther, 2nd ed. (Hildesheim: Olms, 2000), 168–170; Vogt, "Mission der Herrnhuter Brüdergemeinde," 218–219.

10 This has recently been emphasized by Heike Raphael-Hernandez, "The Right to Freedom: Eighteenth-Century Slave Resistance and Early Moravian Missions in the Danish West Indies and Dutch Suriname," *Atlantic Studies* 14, no. 4 (2017): 459.

the church's hierarchy and become *Helpers* and *Elders* of their congregations.[11] Nevertheless, the actual practices in the missions were not necessarily on par with the equality expressed in Moravian rhetoric: Slaves owned by the mission were expected to perform slave work in the fields, households, and workshops, and they were supervised and punished "according to the custom of the country" by the European brothers and sisters.[12]

Obedience was also expected of the European Moravians, for example when they were assigned a new occupation or ordered to a new place of residence. Such decisions were often made by casting lots, with the result regarded as Christ's will.[13] But still, these European men and women were no slaves, and the ideal of obedience they followed was an integral part of the Moravian commitment to communal life and labor. There was always the possibility of leaving the community if one was dissatisfied, as indeed a number of members did.[14]

Tellingly, there is no indication that the Moravians ever felt obliged to manumit even fully integrated congregation members. Oldendorp reports that, in 1745, the missionaries on St. Thomas exchanged one of their slaves for Abraham, an Elder of the mission congregation who belonged to a neighboring plantation, so that he could concentrate exclusively on his pastoral duties.[15] Remarkably, in his extensive revision of Oldendorp's original manuscript, editor Johann Jakob Bossart made a point of emphasizing that being acquired by his fellow Moravians did not mean that Abraham had been manumitted.[16]

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11 For example, Rebecca Freundlichin/Protten or Maria Andressen. See Sensbach, *Rebecca's Revival*; Peucker, "Aus allen Nationen," 1–4.

12 Cf. UA, R.2.B.45.1.d, Minutes of the Marienborn synod, August 5, 1769; R.15.B.a.21.b. Memorandum regarding the plantations of the Brothers on St. Thomas, August 16, 1769, 6–11. This has also been explored by Jan Hüsgen and Jon Sensbach: Cf. Hüsgen, *Mission und Sklaverei*, 113–118; Sensbach, *A Separate Canaan*, 90–91.

13 Elisabeth W. Sommer, *Serving Two Masters: Moravian Brethren in Germany and North Carolina, 1727–1801* (Lexington: University Press of Kentucky, 2015), 53–54, 65–68, 91–99; Stephanie Böß, *Gottesacker-Geschichten als Gedächtnis: Eine Ethnographie zur Herrnhuter Erinnerungskultur am Beispiel von Neudietendorfer Lebensläufen* (Münster: Waxmann, 2015), 177–181.

14 Obviously, both social and financial pressures might be brought to bear on alienated members. This was alleged in the (somewhat vitriolic) criticism of the Moravians by Jean Francois Reynier. See Reynier, "Das Geheimnis der Zinzendorfischen Secte Oder eine Lebens-Beschreibung Johann Franz Regnier, woraus zu ersehen was vor ein schädlich Ding es sey, sich von Menschen führen zu lassen," in *Bewährte Nachrichten von Herrnhutischen Sachen*, ed. Johann Philipp Fresenius, (Frankfurt: Buchner, 1747), 363–364.

15 Oldendorp, *Historie*, 2: 678–679.

16 Of course, Bossart may have been wrong (as he was in other cases); unfortunately, he provided no sources for this interesting apposition, nor did he explain why he considered it necessary. For Bossart's work, see footnote 4.

Representation

The dominant motivation for assembling a gathering of "Moors", as implied in Zinzendorf's statement, was the need for representation. Be they slaves from the West Indies, Inuit from Greenland, or Arawak from Suriname – upon arrival in Europe, they were all assigned a specific role in the enactment of Moravian (self-)representation.[17] They became potent symbols of the success of the Moravian mission, and as such could effectively assist in securing outside support. Furthermore, their presence held an eschatological promise: It was a sign of the imminent return of Christ and a humanity united in Christendom. The symbolic value attached to these individuals also led to their portrayal in Moravian works of art (see Fig. 4.1). It almost seems as though the Moravians were trying to instigate events by simulating them.

Especially the men, women, and children designated as "Moors" (*Mohren* – a German term usually applied to dark-skinned individuals of African or East Asian descent) were performing a vital service: They produced status for the Moravian community and represented a distinct Moravian vision, both to the brothers and sisters they interacted with and to outside visitors. The significance of this labor also served to increase the ambivalence of their status: Highly visible and highly regarded, their position depended on how well they knew to fulfil this role. And while the term "labor" is usually not applied to representative functions in early modern contexts, I employ it here to underline the fact that in baroque culture, one had to *perform* in a very literal sense.

Using a non-European convert to represent missionary success was by no means novel. During his time as a student in Halle (1710–1716), Zinzendorf himself met the Tamils Timotheus and Peter Maleiappen from the Tranquebar mission.[18] As a young man, he witnessed the visit of the Greenlanders Pooq and Qiperoq to Copenhagen.[19] In general, dark-skinned servants were a common element of the baroque culture of representation that was not restricted to aristocratic courts; merchants, investors, mariners, and many others with access to Atlantic or East Asian slave trading networks acquired slave servants.[20] Zinzendorf was eager to buy slaves while travelling

17 On Inuit, see Peucker, "Aus allen Nationen," 11–12, 27–28, 30–31, 34.

18 Kurt Liebau, "Die ersten Tamilen aus der Dänisch-Halleschen Mission in Europa: Vom Objekt zum Subjekt kultureller Interaktion," in *Fremde Erfahrungen: Asiaten und Afrikaner in Deutschland, Österreich und in der Schweiz bis 1945*, ed. Gerhard Höpp (Berlin: Verlag Das Arabische Buch, 1996), 15–20.

19 Michael Harbsmeier, "Invented Explorations: Inuit Experiences of Denmark (1605–1932)," in *Cross-Cultural Encounters and Constructions of Knowledge in the 18th and 19th Century: Non-European and European Travel of Exploration in Comparative Perspective*, ed. Philippe Despoix and Justus Fetscher (Kassel: Kassel University Press, 2004), 88, 96–98.

20 Rebekka v. Mallinckrodt, "Verschleppte Kinder im Heiligen Römischen Reich," in *Transkulturelle Mehrfachzugehörigkeit als kulturhistorisches Phänomen: Räume – Materialitäten – Erinnerungen*, ed. Dagmar Freist, Sabine Kyora, and Melanie Unseld (Bielefeld: transcript, 2019), 19–27; Anne Kuhlmann-Smirnov, *Schwarze Europäer im Alten Reich: Handel, Migration, Hof* (Göttingen: V & R Unipress, 2013), 170–183, 219–224.

to St. Thomas in 1738–1739.[21] His and other Moravians' purchases of slaves in this early period satisfied different but mutually reinforcing desires: The ambition for aristocratic representation, the wish to demonstrate missionary success, and the longing for a direct and personal connection to the evangelization of the "heathens" by incorporating converts (or prospective converts) into one's household. Sending a slave to Europe might have seemed much easier than sending a (free) servant or convert: Where an Inuit would perhaps need to be convinced or cajoled, a slave could simply be ordered.

The transfer of converts from the mission areas to European communal settlements largely ceased after 1750, with Zinzendorf and the Brethren having apparently lost their zeal for this practice of representing their missionary endeavors. The reasons may have been manifold; Paul Peucker has hypothesized that it was due to the sad fact that many of the individuals brought to Germany died within a few years after their arrival.[22] This is supported by a statement by August Gottlieb Spangenberg in a memorandum from 1752.[23] Furthermore, the high-flying expectations of the Moravians may have been disappointed when none of the "Moors" brought to Europe developed into the type of global indigenous missionary envisioned by Zinzendorf. Financial considerations may have been a motivation as well: None of the men and women brought from the West Indies had been trained in a trade, so they had to be provided for or, if they were unmarried, help in the choir houses for single brothers or sisters.[24] Non-European children received schooling and training in crafts like European children.

Of Things Unsaid: Semantics of Slavery and Dependency in Moravian Sources

In the colonial setting of the Danish West Indies, British North America, or Suriname, slaves were clearly classified as such by the Moravians. Their names appear on lists of slaves or on bills of sale, and they are frequently mentioned in correspondences and congregational diaries. As has been pointed out, once enslaved individuals left the colonial context and entered Europe, they acquired a new significance and function by becoming representatives of missionary success and playing a part in Moravian eschatological imagery. Since slavery was not a prerequisite for this function, it

21 UA, R.15.B.a.2.a.3, Zinzendorf's diary of his journey to St. Thomas and back 1738–1739, 39.

22 Peucker, "Aus allen Nationen," 16–17.

23 UA, R.14.A.19.18, Memorandum by Spangenberg, February 2, 1752.

24 Moravian communal settlements were organized into so-called choirs: one for married couples, one each for the single sisters and brothers, and one for children. Cf. Katherine M. Faull (ed.), *Speaking to Body and Soul: Instructions for the Moravian Choir Helper 1785–1785* (University Park: University of Pennsylvania Press, 2017), 4–6, 171.

was apparently elided in the records. Source types like slave lists or sale receipts do not exist for European congregations. Instead, the traces of enslaved individuals are dispersed across different sources like communal diaries, correspondences, memoirs, letters and reports, conference protocols, or church registers. There is only the most circumstantial information on whether and how a possible slave status or slave past was perceived within the community, and conclusions on how the affected individuals perceived it themselves can only be drawn by inference.

This leads to a fundamental methodological problem posed by eighteenth-century Moravian records: They were produced within a media system communicating narratives of community, spirituality, and missionary success.[25] Communal diaries, for instance, meticulously reported the coming and going of brothers and sisters and informed about meetings and festivities. They were sent to congregations around the globe and read aloud during meetings, thus fostering a sense of community and intimacy that transcended space and time. But biographical information and reflections on personal experience and emotion were only of interest as far as they related to a person's spiritual awakening or communal life. Essentially, the story offered by the Moravian archives is one of movement, work, and spirituality; it tells little of subjection or dependency, especially as far as non-Europeans are concerned. Where voices of the enslaved are present in sources, they are transformed by the rhetoric and topoi of Moravian discourse.

The religious bias pervading Moravian records thus served to obscure slavery in European contexts. Never is anyone explicitly referred to as a slave, though individuals from Africa, the Americas, or Asia are unfailingly singled out using the adjective "Black" or labels like "Moor," or by way of more specific geographic and ethnic designations like "from St. Thomas." And never is the (from our perspective) fundamental ambiguity of communal religious equality and slave status reflected upon. As a result, the enslaved persons living in Europe remain mere shadows to us, rendered two-dimensional in the narrow perspective afforded by the sources.

This silence in the records should not be construed as evidence that the shackles of slavery somehow fell off a person when they set foot on European soil. Neither was there any form of German "free soil principle" at work, nor did membership in the Moravian church translate into automatic manumission. Therefore, in the cases where records report that a person was bought or was a slave in a colonial slaving zone, one can sensibly assume this status to have remained with them.[26] And although life in the close-knit community of Moravian settlements along with the symbolic prestige accorded to converts may have rendered this legal relationship dormant (for lack of a better word), it was by no means resolved.

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25 Gisela Mettele, *Weltbürgertum oder Gottesreich: Die Herrnhuter Brüdergemeine als globale Gemeinschaft 1727–1857* (Göttingen: Vandenhoeck & Ruprecht, 2009).

26 This view is shared by Paul Peucker, "Aus allen Nationen," 17, and Hüsgen, *Mission und Sklaverei*, 96.

Consequently, researching the traces of slavery in Moravian communities in eighteenth-century Germany is very much concerned with things left unsaid. It is a description of lacunae and a matter of informed speculation or conjecture. One approach to resolving this conundrum lies in careful semantic analysis of the language employed by the Moravians in individual cases and connecting it to the available historical details on the specific circumstances.

Case Studies

To exemplify this approach, I will delve into the only two cases in which individuals already in Germany were explicitly labeled as slaves and proprietorial rights were claimed by Moravians. They serve to prove that community members were willing to claim authority over individuals that went beyond church discipline, domestic servitude, or serfdom and was in fact rooted in slavery. Both cases also show slavery assuming multiple forms and changing significance as a result of chance and circumstance. Having thus established that while the slave status of individuals may have been concealed, it was not necessarily rescinded, I will look at the remaining cases of enslaved individuals whose slave status has to be deduced from a more oblique terminology used in the records.

Cecilia: Slavery, Gender, Age, and Representation

A young woman referred to simply as Cecilia in the sources was part of the small retinue of servants accompanying eminent Danish Creole planter Johan Lorentz Carstens and his pregnant wife Jacoba, née van Holten, when they left St. Thomas to resettle in Denmark in the summer of 1739. As it is the only identification available, I am forced to use this name as well. But it must be kept in mind that like other enslaved people, Cecilia probably identified with several names, each tied to specific contexts and/or stages of her life. Her story also provided the citation in the introduction to this article.[27]

The company arrived in the Netherlands in July 1739 and travelled on to Copenhagen after a short visit to Marienborn. Carstens brought with him a group of slaves who had been bought by Count Zinzendorf a few months earlier during his visit to St. Thomas.[28] They are mentioned in Carstens' letters ("three blacks for the dear brother Count Sinsendorff [sic],"[29] but there is no reference to Cecilia, which makes it very likely that she was a regular part of the Carstens household and there was no

27 An overview over the case is also provided in Peucker, "Aus allen Nationen," 8–10.
28 UA, R.15.B.a.2.a.3, Zinzendorf's diary, 39.
29 UA, R.15.B.a.11.39, Carstens to LeLong, July 5, 1739.

intention at the time to send or sell her to the Moravians. A 1740 census entry for the Carstens household in Copenhagen lists (among others) three maids and one "Negresse [sic] without pay."[30] One may assume the latter was Cecilia. Why was she not listed as a slave? Presumably because what was of interest in the census was taxes, and taxes had to be paid for servants. The designation may thus have been a qualifying statement resulting from an uncertainty whether Cecilia, who was not party to a service contract, classified as a taxable servant or not. The Carstens family's entourage included at least one other slave: Carstens' trusted servant and Moravian helper Domingo Gesoe.[31]

The first mention of Cecilia by name appears in a letter dated April 11, 1740 – although judging from its content, other letters had been exchanged before.[32] Zinzendorf wrote of the wish of his wife, Countess Erdmuthe Dorothea, to have Cecilia. How this came about remains unknown. Perhaps the Countess had met Cecilia and resolved to obtain her when the Carstens family had visited Marienborn. It also seems plausible that Zinzendorf himself wanted to add Cecilia to the circle of recently acquired young women, men, and children from St. Thomas. In this case, the Countess may have come into play only because Cecilia was to be provided for in her household.

Whatever the specific circumstances, Carstens initially agreed to sell Cecilia, placing her price at 250 *Rigsdaler*.[33] But shortly thereafter, his relationship with the Moravians began to deteriorate. Zinzendorf had ordered a Moravian couple named Peter to Carstens with the intention of sister Peter taking over Cecilia's position as nurse to the children.[34] This emphasizes that Cecilia held the position of a trusted servant. After a falling-out between Carstens and brother Peter, however, the latter left in a huff taking his wife with him. Carstens subsequently retracted his consent to the sale, citing his wife's need for Cecilia's continued service as she had just given birth to a son.[35] This may have been a stopgap measure at first, as a further slave woman was scheduled to arrive from St. Thomas.[36] But it soon became evident that Jacoba Carstens had decided to completely renege on the deal and keep Cecilia in her service. A bitter dispute ensued during which Erdmuthe Dorothea von Zinzendorf unsuccessfully tried to present the case to the Danish king and the Count issued

30 Cited according to Thorkild Hansen, *Islands of Slaves* (Accra: Sub-Saharan Publishers, 2005), (Slavernes øer), 82.

31 Gesoe remained in Copenhagen until the end of May UA, R.15.B.a.11.89, Carstens to Zinzendorf, May 31, 1740.

32 UA, R.15.B.a.1.IV.2.d, Zinzendorf to Carstens, April 11, 1740. I would like to thank Julia Holzman for kindly helping me with the translation of correspondence written in Dutch.

33 UA, R.11.A.9.2, Carstens to Zinzendorf, April 23, 1740.

34 I was unable to identify the first names.

35 UA, R.15.B.a.11.89, Carstens to Zinzendorf, May 31, 1740; UA, R.11.a.9.6.b, Böhner to Zinzendorf, July 9, 1740.

36 UA, R.11.a.9.6.h, Böhner to Zinzendorf, September 13, 1740.

empty ultimatums.[37] It was all to no avail, however, and Cecilia ultimately remained with the Carstens. Even sister Peter's return to her position did not change the situation. Visiting Moravians were no longer allowed to speak with Cecilia, and to their chagrin she received religious instruction at Copenhagen's Lutheran Church.[38]

The correspondence generated in this case distinctly illustrates perceptions and practices of slavery. Significantly, the status of the young woman seems to have been clear to all involved parties: She was a slave imported from the colonies, and her stay in the Netherlands, Germany, or Denmark did not change that fact in any way. The straightforward financial character of the intended transaction makes this quite evident. Even more to the point, when confronted with reports that Cecilia herself did not want to live in Marienborn, Zinzendorf outright refuted her having a say in the matter: "What sort of will does an unconverted girl and slave have" ("ein unbekehrtes Mensch und eine Sclavin")?[39] The Count was obviously very much aware of the young woman's slave status and expected her to readily and unquestioningly obey her masters' orders.

But it was not solely about slavery. An additional three aspects that profoundly affected Cecilia's position intersected in Zinzendorf's curt statement: She was a heathen, a woman, and a young one at that. The patriarchal sentiment exhibited by Zinzendorf associated a marked inferiority of rank, limited autonomy of action, and an obligation of obedience with each of these qualities.

Furthermore, the Count's desire to obtain Cecilia must also be seen in the context of his strategy for representing his missionary and eschatological vision. In a letter from 1742, Zinzendorf wrote that Cecilia had been considered as a wife for "Andreas, the Moor," a brother from St. Thomas living in Marienborn and Herrnhaag. Undoubtedly, two "Moorish" converts, united with each other according to Moravian custom as a missionary couple, promised significant representational value.[40]

Cecilia's case also offers glimpses of how position and personal relationships framed actual practices of slavery and influenced the scope of action of enslaved individuals. It is evident from the letters that the young woman was asked by her master

37 UA, R.11.a.9.4, Erdmuthe Dorothea Zinzendorf to the King of Denmark, August 11, 1740; UA, R.15.B.a.1.IV,2.i, Zinzendorf to Carstens, June 30, 1741; UA, R.11.a.9.10, Nikolaus Ludwig von Zinzendorf to the King of Denmark, June 30, 1741.

38 UA, R.11.a.9.6.k, Böhner to Zinzendorf, Sept. 24, 1740; UA, R.11.a.9.6.l, Böhner to Zinzendorf, October 1, 1740; UA, R.11.a.9.6.o, Böhner to Erdmuthe Dorothea von Zinzendorf, November 5, 1740.

39 UA, R.15.B.a.1.IV.2.c, Zinzendorf to Br. Peter, June 27, 1740. Peucker also presents this as significant evidence.

40 Andreas was eventually married to Maria, a vice-elder of the St. Thomas congregation, in 1743. See Josef Köstlbauer, "Ambiguous Passages: Non-Europeans Brought to Europe by the Moravian Brethren during the Eighteenth Century," in *Globalized Peripheries: Central Europe and the Atlantic World, 1680–1860*, ed. Jutta Wimmler and Klaus Weber (Woodbridge: Boydell Press, 2020), 176–178; Paul Peucker, "Aus allen Nationen: Nichteuropäer in den deutschen Brüdergemeinden des 18. Jahrhunderts," *Unitas Fratrum* 59/60 (2007): 1–2.

and mistress whether she wanted to move to Marienborn, and that she apparently agreed to do so at first.[41] Perhaps she wanted to become part of the religious community there, or she was attracted by the fact that there was a small group of people from St. Thomas living in Marienborn and Herrnhaag, at least some of whom she already knew. Soon thereafter, however, Cecilia reversed her position – at least according to what Johan Lorentz Carstens' letters tell us – and decided to remain in his wife's service. It is unclear whether her wish was the sole determining factor for Carstens' refusal to sell her. Undoubtedly, Jacoba Carstens' wishes were of central importance in the matter: Having just given birth to a child in a newly established home in a new country, she attached great importance to having a trusted female servant and nurse for her children. After the trouble with the Peters, and the overbearing demeanor of Zinzendorf and his envoys, she had had enough. Furthermore, while sister Peter was apparently regarded favorably, Cecilia had been with the family much longer – and she was the sole remaining servant from Jacoba Carstens' former household on St. Thomas.[42] This placed the young woman in a position of trust and intimacy not easily replicated by someone else. Moravian reports also indicate that Cecilia had asked to be allowed to return to St. Thomas, probably after her service was deemed fulfilled. This was likely tied to an agreement regarding her manumission.[43] Again, this points to a special position held by Cecilia as a valued member of the household and a resultant ability to negotiate certain aspects of her situation.

Cecilia remained a slave even though her masters were willing to listen to her wishes and valued her according to a patriarchal sense of mutual obligation between higher and lower rank. To Zinzendorf, on the other hand, Cecilia's slave status seems to have primarily meant increased availability. There was no need to convince her – though this could perhaps be achieved later – as she could simply be bought. And since she was already in Europe, she could be acquired with much less effort than other individuals from the West Indies, who had to be purchased overseas and sent on a costly journey across the Atlantic.

Samuel Johannes: Runaway, Slave, Serf, or Servant

The second case of an individual explicitly labelled a slave involved a young man described as being of Malabar origin.[44] He had been bought in 1739 as a twelve-year-old by VOC employee Christian Dober in the Southern Indian port of Tuticoryn

41 UA, R.11.A.9.2, Carstens to Zinzendorf, April 23, 1740.

42 Carstens said as much: UA, R.15.B.a.11.89, Carstens to Zinzendorf, May 31, 1740.

43 This is mentioned in two letters from Moravian envoy Böhner to Zinzendorf: UA, R.11.a.9.6.h, Böhner to Zinzendorf, September 13, 1740; UA, R.11.a.9.6.l, Böhner to Zinzendorf, October 1, 1740.

44 The case is also detailed in Peucker, "Aus allen Nationen," 21–23, 33–34.

(Thoothukudi).[45] Years later, former Moravian Johan Jacob Sutor reported that Samuel Johannes had told him personally that he had been abducted from his father.[46] The document certifying the sale gives his name as Maden of the Sanas family. Dober renamed him Felix, and on January 10, 1746 in Marienborn, he was baptized Samuel Johannes by Zinzendorf himself.[47]

Dober returned to Europe in 1742 because he wanted to join the Moravian Church and live in the Moravian community. He took young Maden/Felix with him, and Moravian missionary David Nitschman wrote in his travel diary that Dober had promised him the child as a gift.[48] It remains unclear, however, whether Dober brought the boy along with the intention of handing him over to the Brethren or whether he actually planned to present him as a prestigious gift to Zinzendorf. As we will see, Countess Erdmuthe Dorothea von Zinzendorf later claimed that Dober had given Maden/Felix to her immediately after his arrival. While no written records of this transaction can be identified (and may have never existed), it would seem a viable strategy for Dober to facilitate his own admission into the Moravian community and increase his reputation with church leaders. Countess Zinzendorf probably became the recipient of this peculiar present because her husband was travelling through British North America at the time.

Dober left Maden/Felix with the Moravians in s'Heerendiek after arriving in the Netherlands on July 20, 1742.[49] From there the boy was sent to the children's home in Marienborn together with another boy named Andrew from South Carolina.[50] Maden/Felix was formally admitted into the community and baptized Samuel Johannes in 1746. He received training as a tailor and later attended the seminary in Barby.[51]

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45 UA, R.21.A.28.47, Certificate of sale of the slave boy Maden to Christian Dober, June 1, 1739. The age of twelve is given in Samuel Johannes' obituary in the Bethlehem diary. Cf. Moravian Archives Bethlehem (MAB), Diary of the Bethlehem congregation, vol. 26, 1763–1764, 93–95. Acquiring slave servants was quite common for Europeans in East India. Cf. Linda Mbeki and Matthias van Rossum, "Private Slave Trade in the Dutch Indian Ocean World: A Study into the Networks and Backgrounds of the Slavers and the Enslaved in South Asia and South Africa," *Slavery & Abolition* 38, no. 1 (2017): 95–116; Marina Carter and Nira Wickramasinghe, "Forcing the Archive: Involuntary Migrants 'of Ceylon' in the Indian Ocean World of the 18–19th Centuries," *South Asian History and Culture* 9, no. 2 (2017): 194–206; Richard B. Allen, "Children and the European Slave Trading in the Indian Ocean during the Eighteenth and Early Nineteenth Centuries," in *Children in Slavery through the Ages*, ed. Gwyn Campbell et al. (2009), 35–54; Gerhard Koch, ed., *Imhoff Indienfahrer: Ein Reisebericht aus dem 18. Jahrhundert in Briefen und Bildern* (Göttingen: Wallstein, 2001).

46 Alexander Volck, *Das entdeckte Geheimniss der Bosheit der Herrnhutischen Secte zu Errettung vieler unschuldigen Seelen [. . .] in sechs Gesprächen dargelegt* (Frankfurt: Heinrich Ludwig Brönner, 1750), 561.

47 Peucker, "*Aus allen Nationen*," 33.

48 UA, R.15.S.2, Diary of David Nitschmann's (the Syndic) and August Christian Friedrich Ellert's journey to Ceylon. Vol. 2. August 17, 1740–November 24, 1741.

49 Dutch National Archives, 1.04.02 Dutch East India Company (VOC), 6035, fol. 31, Christiaan Tober.

50 UA, R.8.33.b.3, Wetterau diary, August 2, 1742; UA, R.4.B.V.b.3.8., Catalog Lindheim 1744.

51 UA, R.27.291.13, Register of seminarists, Barby 1750.

In March 1754, he was suddenly ordered to Herrnhut. While there are no sources detailing the reasons for this summons, Paul Peucker has pointed to some evidence for growing dissatisfaction with the young man's conduct.[52] Once in Herrnhut, Maden/Felix/Samuel Johannes was placed in the service of Baron von Schell, from where he fled after fourteen days. The Berthelsdorf seigniorial court immediately ordered his apprehension.[53]

On the first leg of his flight, Maden/Felix/Samuel Johannes found refuge on the nearby estate Unwürde of Chamberlain Karl Gotthelf von Hund and Altengrotkau, an active Freemason, who refused to hand him over to the Moravian search parties. Upon hearing of his whereabouts, Countess Zinzendorf had a letter sent to von Hund requesting Samuel Johannes' return.[54] This document contains the semantic ambiguities and intersecting concepts of societal hierarchy and servitude in condensed form. Its terminology hints at a significant uncertainty regarding the legal status of Maden/Felix/Samuel Johannes. To the Countess and the Berthelsdorf seigniorial court, everything in the absconded man's biography indicated that he was not free, but this knowledge had to be translated into a legally applicable category. In the very first sentence he is designated a "runaway black Malabar" and "born slave" who had been "gifted" to the Countess. Mentioning his slave origin emphasized a condition of legal subordination, though he was not directly specified as a slave belonging to the Countess. Instead, the document attempts to assert the fundamental rightfulness of her claim by piling on a multitude of mutually reinforcing categories of dependence and servitude.

In the same vein, the letter relates how Christian Dober consigned the youth to Countess Zinzendorf's care and "free disposition," and proceeds to justify her authority over "the runaway black Malabar" through the obligations she assumed as a Christian and patron. This is further emphasized by detailing the sums she spent on the Christian education, baptism, and training of the "wild slave." In short, she did everything a "master, parent, guardian could do for a serf (*Leibeigener*) and ward." Here the mutually related positions of the Countess and the runaway are construed on two separate levels: mistress and slave/serf as well as guardian and ward. From the former arises an obligation of obedience and deference, from the latter an obligation of loyalty and gratitude. Therefore, the Countess had the sole right "besides God" to claim "possession" and "usage" of the described man. Samuel Johannes, on the other hand, was not "suis iuris" since he was a "a true born serf" ("würklich leibeigen gebohrener")

52 Peucker, "Aus allen Nationen," 21.

53 UA, R.6.a.A.74.4, Requisition for the apprehension of a Black Malabar named Samuel Johannes, March 27, 1754.

54 UA, R.6.a.A.74.4, Erdmuthe Dorothea von Zinzendorf to Chamberlain von Hund at Unwürde, March 27, 1754; Heike Raphael-Hernandez has used this document to illustrate the importance of class in Moravian attitudes regarding slavery. Cf. Raphael-Hernandez, "The Right to Freedom," 463.

to the Countess, and as such was bound to remain in subservience until he received a letter of release.

Equating slavery with serfdom (*Leibeigenschaft*) was common in German language usage of the era and tied to polemic debates about serfdom.[55] Yet the various (and diverging) legal relationships labelled *Leibeigenschaft* in Central Europe were hardly slavery.[56] In Upper Lusatia, for example, a form of serfdom officially called *Erbuntertänigkeit* and colloquially referred to as *Leibeigenschaft* by contemporaries was common. But the *Erbuntertanen* were bound to the land they lived and worked on, not to a lord.[57] Such serfs were also part of the Countess' estate at Berthelsdorf. Since the Moravians were well-informed about West Indian slavery as well as feudal labor regimes, they would not have confused the status of Lusatian serfs with that of slaves. Instead, the synonymous use of slavery and serfdom conforms to an abstract usage of the terms employed by contemporaries to denote a condition of marked dependency and subservience.

Interestingly enough, in the Countess' letter to Hund, the term slave is in fact used solely in connection with the colonial origins of Samuel Johannes, while later on he is designated a serf. The document refrains from explicitly claiming that he was being held in perpetual slavery since arriving in Germany based on the laws of the colonies. This hints at doubts regarding the legal applicability in a German principality.

Other documents produced in the context of this case exhibit an equally carefree synonymous use of the terms "serf" and "slave." After remaining hidden on the estates of Chamberlain von Hund for some time, Maden/Felix/Samuel Johannes made his way to Barby in April 1754 and surrendered himself. An order to keep him under arrest sent on behalf of Countess Zinzendorf to the court at Barby speaks of a "serf bought in East India."[58] At the same time, the royal superintendent and the bailiff in Barby laconically claimed that there were no serfs in Germany. This seems an unlikely statement, since serfdom was obviously known to exist in German

55 Cf. David M. Luebke, "Erfahrungen von Leibeigenschaft: Konturen eines Diskurses im Südschwarzwald, 1660–1745," in *Leibeigenschaft: Bäuerliche Unfreiheit in der frühen Neuzeit,* ed. Jan Klussmann (Cologne: Böhlau, 2003), 187–197. Research on Southern Germany has demonstrated that after 1660, *Leibeigenschaft* turned into a common synonym for arbitrary tyranny. Cf. Renate Blickle, "Frei von fremder Willkür: Zu den gesellschaftlichen Ursprüngen der frühen Menschenrechte. Das Beispiel Altbayern," in *Leibeigenschaft: Bäuerliche Unfreiheit in der frühen Neuzeit,* ed. Jan Klussmann (Cologne: Böhlau, 2003), 157–174. Especially in debates about the injustices of demesne lordship, such as excessive labour obligations, the equation to slavery was used with obvious polemical intent.

56 Markus Cerman, *Villagers and Lords in Eastern Europe, 1300–1800* (Basingstoke: Palgrave MacMillan, 2012).

57 Hermann Knothe, "Die Stellung der Gutsunterthanen in der Oberlausitz zu ihren Gutsherrschaften von den ältesten Zeiten bis zur Ablösung der Zinsen und Dienste," *Neues lausitzisches Magazin* 61 (1885).

58 UA, R.6.a.A.74, Order by Siegmund August von Gersdorf on behalf of Countess Zinzendorf, Herrnhut, May 4, 1754.

principalities. Either both of these officials had very limited judicial knowledge, or – more likely – they were actually referring to slavery, using the term in the abstract sense described above.[59]

Part of the uncertainty regarding Maden/Felix/Samuel Johannes' status may have been due to a lack of documentation. The letters written by the Countess or at her behest repeatedly specify the wrong year for his arrival in Europe (1740 instead of 1742). This indicates that the circumstances of his arrival were reported from memory and not after consultation of relevant documents – which may not even have been available in Berthelsdorf.

Samuel Johannes was eventually transported from Barby to Herrnhut based on legal provisions pertaining to servants.[60] As if to prove the Countess' authority, he was then sent to the Moravian town of Bethlehem in Pennsylvania within a few months, where he spent the remainder of his life.[61] Nothing in the sources tells us whether he was considered a slave there and if so, how it influenced his position. By crossing the Atlantic, he entered a colonial slaving zone where slavery was widespread and obvious. This included Bethlehem, where several enslaved Africans were employed at the time. In contrast to them, however, Maden/Felix/Samuel Johannes was not designated a slave in the Bethlehem records, nor was he labeled a "Negro," a term used synonymously with slave in the colonies. Instead, he is repeatedly referenced as a "Malabar."[62] This specific ethnic label suggests that he was regarded to be in a separate category of sorts. Furthermore, his childhood and education in Marienborn and Barby may have trumped the stigma of his slavery background – an assumption reinforced by his marriage to Magdalena Mingo, a free woman of African Creole and Danish ancestry who had likewise lived in Marienborn and Herrnhaag for several years. Marriages among Moravians were mostly arranged, and the two "Moors" from Germany were perhaps considered an obvious match.[63]

Given the constant communication and movement between Bethlehem and Germany, it seems likely that Countess Zinzendorf's claim to Maden/Felix/Samuel Johannes was known. But since she was far away, this may not have impacted his daily

59 UA, R.6.a.A.74, Pro nota regarding the extradition request from May 11, 1754.

60 UA, R.6.a.A.74, Pro nota regarding the extradition request from May 11, 1754; UA, R.6.a.A.74, Passport by the bailiff of Barby, May 18, 1754.

61 He died on May 24, 1763. MAB, Diary of the Bethlehem congregation, vol. 26, 93–95; MAB, ChReg 11, Bethlehem church register, May 24, 1763, 283.

62 Cf. MAB, Diary of the Bethlehem congregation, vol. 26, 93.

63 They were married in a mass ceremony together with thirteen other couples (all of them European). Cf. MAB, Diary of the Bethlehem congregation, vol. 17, April 20, 1757, 99–101. I would like to thank Paul Peucker and Tom McCullough for kindly aiding me in my research on Magdalena Mingo. Her father was the abovementioned Domingo Gesoe. Cf. Louise Sebro, "Freedom, Autonomy, and Independence: Exceptional African Caribbean Life Experiences in St. Thomas, the Danish West Indies, in the Middle of the 18th Century," in *Ports of Globalisation, Places of Creolisation: Nordic Possessions in the Atlantic World during the Era of the Slave Trade*, ed. Holger Weiss (Leiden: Brill, 2015), 226–229.

life in Bethlehem. Absconding from Bethlehem like he did from Herrnhut might have been a different matter, however: Outside Bethlehem, most colonists would have readily regarded the color of his skin as a marker of slavery.[64]

The case of Maden/Felix/Samuel Johannes is especially striking because it shows slavery changing from a dormant state into an actively invoked claim of legal proprietorship, thereby fraying into several and partly overlapping categories of dependency. Both his and Cecilia's case are relatively well-documented owing to the conflicts they were involved in, which led to several unusual statements in the context of Moravian sources that reveal mundane perceptions of slavery. Nevertheless, both cases also evidence the persistent difficulty of pinning down the meanings and consequences of slavery in specific circumstances and for different participants. This assessment is reinforced by examining sources pertaining to the remaining verifiably enslaved individuals.

Bought: Oly/Carmel/Josua, Jupiter/Immanuel, Gratia/Anna, Andres/David, Anna Maria, Bartel/Immanuel/Andreas, Mientje/Hanna, Fortune/Johann Friedrich

There were seven other verifiably enslaved individuals brought to Germany, all but one of whom came from St. Thomas. Their slave status is evident from sources confirming that they were, in fact, bought. Typically, enslaved individuals were purchased in the colonies – Cecilia would have been the only slave acquired by Moravians in Europe. It is noticeable that buying slaves in the colonies was reported quite unabashedly in the Moravian records, suggesting that this was regarded a trivial matter.

The very first individual ever brought to Germany from St. Thomas in 1735 was an enslaved child known as Oly or Carmel.[65] A year later, Bishop Nitschmann happily reported that he had purchased "a little Moor, a bright boy of eight years" named Jupiter in New York and taken him along to Herrnhut.[66] Similarly, the minutes of the Ebersdorf synod of 1739 stated matter-of-factly that Zinzendorf had bought six individuals during his journey to St. Thomas: "Two little Moors" as well as "2 bought from St. Jan. 1 wild

64 On provisions regarding slaves, see "An Act for the Better Regulating of Negroes in this Province, March 25, 1725," in *The Statutes At Large of Pennsylvania From 1682–1801*, vol. 4. (Philadelphia: Clarence M. Busch, 1897), 59–64.

65 C. G. Marche, ed., *Der freywilligen Nachlese, bey den bißherigen gelehrten und erbaulichen Monaths-Schrifften* (Frankfurt: Marche, 1740), 579–580. Oly/Carmel was baptized Josua in 1735 and died in Herrnhut on March 23, 1736. He was buried in the God's Acre there. For more information, see Peucker, "Aus allen Nationen," 29–30; for sources regarding the baptism of Oly/Carmel/Josua, see Kröger, *Johann Leonhard Dober*, 99–106.

66 MAB, David Nitschmann Papers 11, Letter by David Nitschmann [the Bishop], August 3, 1736. Jupiter, baptized Immanuel, died in 1739; see Peucker, "Aus allen Nationen," 27.

man from New England, who is totally red [sic]. 1 man-eater. Together they did cost 700 thalers."[67] Remarkably, it was not buying human beings but rather New World clichés that seemed worth noting here: wild men, red skin, and cannibalism.

The "two little Moors" were five-year-old Gratia and two-year-old Andres, who were intended as representative companions/servants for Zinzendorf's children.[68] They were brought to Europe by Johann Lorentz Carstens together with Cecilia and Anna Maria, a "maiden helper" of the St. Thomas congregation who had been bought by its members in 1738.[69] The "wild man" was a Native American known as Sam, an "Anakunkas Indian from Boston" according to a receipt.[70] The "man-eater" was a Native American boy whose name is unknown; he is also described as a "garcon indien insulaire."[71] Apparently, Zinzendorf originally wanted the latter two brought to Europe, but they were taken to St. Thomas instead, where both of them died within a year.[72]

The two persons "from St. Jan" were the abovementioned Andreas "the Moor" and his brother Johannes, both congregation members who had been sold off by their master from St. Thomas to neighboring St. John in 1738. Zinzendorf himself initiated their purchase to return them to the congregation, and Andreas eventually accompanied the Count to Europe. At first, he was intended as a sort of envoy of the slaves of St. Thomas to the King of Denmark, but instead he became a permanent member of Zinzendorf's retinue.[73] Like Anna Maria, he is an example of enslaved adult brothers or sisters sent to Europe to represent the mission. This group also includes Mientje, later baptized Hanna, who had been acquired by the Brethren on St. Thomas in 1739 or 1740. She is named in a list of slave baptisms from St. Thomas[74]

67 UA, R.2.A.2, Ebersdorf synod, June 1739.

68 UA, R.15.B.a.2.a.3, Zinzendorf's diary, 39. Gratia, baptized Anna, died on October 22, 1742; Andres, baptized David, died on September 8, 1741.

69 UA, R.15.B.a.3.31, Relation of the purchase of the first plantation. Copy of the original from 1738. 1755. Before her baptism Anna Maria was known as Anna.

70 UA, R.15.B.a.11.19, Money order for purchase of Indian Sam (copy), February 27, 1739; UA, Zinzendorf's diary, 39. A Native American nation named Anakunkas cannot be verified. UA, R.15.b.a.3.79, letter by Jan Meyer regarding the purchase of the "wild Indian Sam," June 2, 1739.

71 UA, R.15.B.a.11.18, Money order for purchase of a "garcon indien insulaire," February 27, 1739. For a discussion of both Native Americans' origins, see Köstlbauer, "Ambiguous Passages," 180.

72 Christian Georg Andreas Oldendorp, *Geschichte der Mission der evangelischen Brüder auf den caraibischen Inseln S. Thomas, S. Croix und S. Jan*, ed. Johann Jakob Bossart, 2 vols. (Barby: Christian Friedrich Laur, 1777), 600. Both cases are discussed in Peucker, "Aus allen Nationen," 8.

73 Oldendorp, *Historie*, 2: 272–277, 376; UA, R.15.B.a.2.a.3, Zinzendorf's diary 21, 39. Prior to his baptism, Andreas was known as Bartel or as Immanuel; UA, R.15.B.a.11.3, Receipt for sale of the enslaved men Bertel and Peter (copy), February 10, 1739; Rigsarkivet, 446, The West India and Guinea Company. Accounts from St. Thomas and St. Jan: The Bookkeeper. Land lists for St. Thomas, 1738, fol. 125; see also Peucker, "Aus allen Nationen," 23–24.

74 UA, R.15.B.b.24.2, Catalog of congregation on St. Thomas, St. Croix, and St. John, 1736–1759, 6.

and mentioned in a letter by Friedrich Martin.[75] She was sent to Germany in 1741, where she lived and worked in Lindheim and Herrnhaag until her death in 1747.[76]

The final case of an enslaved individual taken to Europe was that of a nine-year-old African boy called Fortune. Nicholas Garrison, a prominent Moravian ship captain, brought him to Herrnhut from Suriname in 1757. According to Fortune's memoir, Garrison had bought him because "he recognized his pleasant, cheerful, and honest character, which was very different from the character of the other Negroes, and thought he might come to love the Savior; and therefore, he felt a great affection for him."[77] Again we can infer the same convergence of missionary motivation and the availability of enslaved persons that also characterized Zinzendorf's purchases of "Moors." And here too, the act of buying a slave seems to have been considered trivial enough to merit no further comment. Fortune was eventually sent to nearby Niesky, where he died in 1763 after having been baptized Johann Friedrich.

Given or Gifted: Guley, Christian Zedmann, Quaquu/Coffe/Peter/Johannes, Andrew/Johannes, Jupiter/Johannes, Janke/Johannes Renatus

There are an additional six individuals reported to have been given or gifted to Moravians. Such terminology is obviously rife with ambiguity, and it therefore makes sense to look closely at the semantics employed in describing how these persons came into the European congregations.

A Persian woman named Guley and an Armenian named Christian Zedmann had been sent to or given to Zinzendorf in Riga in 1737 ("geschickt,"[78] "bekommen"[79]). They were presumably captives taken in the conflicts playing out in the Black Sea region at the time. In Guley's case, this assumption is corroborated by the report that she had been forcibly baptized in the Orthodox faith. Such forced baptisms were practiced in Russia at the time since they allowed repatriation laws for captives to be circumvented.[80] Little is known about Zedmann except that he died in Pilgerruh in 1739; it is possible that he had no slavery background.

75 "Hanna, the negress, who was bought with the gifted money." UA, R.15.B.a.11.195, Friedrich Martin to Isaac Le Long, February 23, 1742.

76 UA, KB032, Herrnhaag church register, May 1, 1747; Peucker, "Aus allen Nationen," 27–28.

77 Gemeinarchiv Niesky, Memoir Fortune, 1763.

78 UA, R.15.A.2.1, Explanation of the painting of the first fruits, 1747.

79 UA, Congregational accounts, June 26, 1748, 379.

80 Alessandro Stanziani, "Serfs, Slaves, or Wage Earners? The Legal Status of Labour in Russia from a Comparative Perspective, from the Sixteenth to the Nineteenth Century," *Journal of Global History* 3, no. 2 (2008): 187. Paul Peucker has pointed out the theological dispute caused by Zinzendorf's wish to have her baptized a second time: Peucker, "Aus allen Nationen," 10, 26.

There were also four children "given" ("gegeben") or "gifted" ("geschenkt") to Moravians. In 1742, missionary Friedrich Martin reported in a letter that a boy named Coffe had been "given to him as a present by the child's mother to keep as my own child" six years earlier.[81] Coffe was a widely used slave name. According to the Herrnhaag church register, the boy's original name was Quaquu; the Moravians renamed him Peter.[82] His parents' names are known, but neither seems to have been among the men and women baptized by the missionaries respectively among the church members proper.[83] Quaquu/Coffe/Peter was sent to Marienborn in 1742 in the same group as Mientje/Hanna.[84] Shortly before his death on December 18, 1743, he was baptized, thus acquiring a fourth name: Johannes.[85]

Since slaves were usually not in a position to freely dispose of their own children, there are several possibilities for how Quaquu/Coffe/Peter/Johannes could have arrived in the Moravian community. Firstly, his mother may have been manumitted. This seems unlikely, however, since the number of free people of color on St. Thomas was small.[86] Secondly, his mother may have been a slave owned by the Brethren and could therefore give her son into Martin's care. Thirdly, the mother could have given her son to the Moravians with her master's consent.

The "giving" of children was presumably a strategy employed by parents to ensure their children were provided for. In 1738, the missionaries were already running an active school on St. Thomas. According to Oldendorp, they were asked to take on many more children than they could accept – not only African children but European ones as well.[87] This makes it likely that some sort of understanding regarding the tutoring of slave children (and the children of freedmen) existed between the missionaries and planters.

A further child, the South Carolinian Andrew (later baptized Johannes), was given to the Moravians in London. He had been brought to the British capital from

81 UA, Friedrich Martin to Isaac Le Long, Feb. 23, 1742. Oldendorp seems to have relied on the same source, cf. Oldendorp, *Historie*, 2: 195.

82 Peucker, "Aus allen Nationen," 28–29.

83 The parents' names were Aba and Jem. Peucker, "Aus allen Nationen," 28, citing UA, R.8.33.b, Wetterau diary, June 3, 1742. I have searched in vain for the parents in the various catalogs contained in UA, R.15.B.b.24 and in MAB, West Indies Papers, General, Papers Regarding Membership, 179, 180, 181, 185.

84 UA, R.8.33.b.2.b, Herrnhaag diary, June 3 and June 5, 1742. The group was led by the free African Creole woman Rebecca Freundlichin and her husband Matthäus Freundlich.

85 UA, R.22.12.15, Memoir Johannes, "sonst Peter genannt." Remarkably, the memoir contains no information on his African origins.

86 Neville A. T. Hall, *Slave Society in the Danish West Indies: St. Thomas, St. John, and St. Croix*, ed. B. W. Higman (Mona: University of the West Indies Press, 1992), 139–156.

87 Oldendorp, *Historie*, 2: 274–275.

North America by George Whitefield.[88] Whitefield had a close relationship with the Moravians at the time, and in May 1742 he gave Andrew to them "to bring him up for the Lord and dispose of him as they shall find fit."[89] How Whitefield had acquired the child remains unknown; his journals contain no mention of it.[90] In the register of the children's home in Lindheim, Andrew's father is listed as a slave and his mother – somewhat cryptically – as baptized.[91] This provides no valuable information on how Andrew came into Whitefield's possession, but it is notable that the Moravians in Germany documented his roots in slavery. Whether they felt this gave them more authority over the boy remains a matter of speculation.

While Quaquu/Coffe/Peter/Johannes and Andrew clearly came from a slavery context, the last two examples from Berbice highlight the fact that "being given" did not necessarily relate to slavery. "Gifted" by an "Indian woman" are the words used to describe how a barely one-year old boy named Jupiter (baptized Johannes) came to the missionaries, with no further details provided.[92] Interpreting the status of this Arawak child is complicated by the fact that enslavement of the indigenous population was not generally practiced by the Dutch in Berbice in the mid-eighteenth century. Nevertheless, so-called "red slaves" did exist, as Caribs and Arawak would sometimes bring captives taken from other indigenous nations to Paramaribo.[93]

Janke (baptized Johannes Renatus) was the son of an Arawak mother and a European father. After his mother's death, he was initially raised by his maternal family, but in 1741 his father "gifted" the five-year-old child "to the Brothers to do with him as they saw fit."[94] Considering these circumstances, Jancke/Johannes Renatus would hardly have been a slave. Nevertheless, the phrasing of the memoir and other sources shows that Moravians assumed far-reaching authority over him.[95] Its scope and possible expiration remain indeterminate, as the boy died in Hennersdorf in 1751.

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88 David Bentham, *Memoirs of James Hutton: Comprising the Annals of his Life, and Connection with the United Brethren* (London: Hamilton, Adams & Co., 1856); Stephen J. Stein, "George Whitefield on Slavery: Some New Evidence," *Church History* 42, no. 2 (1973).

89 Cited in Colin Podmore, *The Moravian Church in England, 1728–1760* (Oxford: Clarendon Press; Oxford University Press, 1998), 83.

90 George Whitefield, *A Continuation of the Reverend Mr. Whitefield's Journal, after his Arrival at Georgia, to a Few Days After His Second Return Thither from Philadelphia* (London: James Hutton, 1741).

91 UA, R.4.B.V.b.3.8., Register of children's home at Lindheim, 1744. Both Andrew and Quaquu/Coffe/Peter/Johannes died in Marienborn in 1743. Cf. Peucker, "Aus allen Nationen," 28–29.

92 He was brought to Herrnhaag in 1747, UA, R.22.01.a.69, Memoir Ludwig Christoph Dehne, 1769; UA, Congregational accounts, July 19 and August 12, 1747, 287 and 365–366. He died around a month after his arrival, UA, KB032, Herrnhaag church register, September 18, 1747.

93 Wim S. Hoogbergen, *The Boni Maroon Wars in Suriname* (Leiden: Brill, 1990), 24.

94 Cf. UA, SHAHt 162.210, Memoir Johannes Renatus, 1751.

95 MAB, Bethlehem diary, vol. 7, April 16, 1748, 228; UA, R.22.05.28, Memoir Johannes Renatus, 1751.

Conclusion

Slavery is one of the major undercurrents integrating the histories of Africa, America, Asia, and Europe. To this day, its repercussions are felt on the societal as well as the individual level. This article assembles documentary evidence for the fact that the trade in humans reached far into territories of the Holy Roman Empire during the eighteenth century. Both enslaved and formerly enslaved individuals were brought into German principalities; orders for human beings intended for service in Europe were placed; human beings were held in bondage, fled, and were searched for, found, and returned. What is more, the conceptual frame of colonial slavery entered German discourse during the eighteenth century as well. Intermingling with established concepts of serfdom and servitude, it produced heterogenous and sometimes contradictory terminology. The Moravians of the Zinzendorf era, with their global reach but strong German element, are in many ways exemplary for this period of discursive change, when old and new semantics were used side by side and the colonial discourse with its emergent racist foundation had not yet established itself in German societies. The Brethren bought West Indian "Negroes" to bring them to Germany, where they designated them as "Moors" and assigned them positions as symbols of missionary success, as eschatological signs of a world about to witness the savior revealed, and as prestigious servants in aristocratic households – in short, they employed these men, women, and children in the labor of representation.

On the preceding pages, I have discussed slavery in Moravian Germany by analyzing the semantics used in the records – especially the terminology used to describe how these men, women, and children came into the German congregations. Nevertheless, much remains opaque to the gaze of the inquiring historian: We can still only guess, for example, what the knowledge of slavery meant to the enslaved or formerly enslaved individuals living in Moravian settlements in Germany. Their European brothers and sisters seem to have regarded the matter as unimportant once a "Moor" had been integrated into the community. Furthermore, as buyers of enslaved individuals, Zinzendorf and the Brethren maneuvered within well-established practices, which goes some way towards explaining the lack of attention accorded to the actual acts of purchasing slaves. But the individuals concerned would have had a different and very distinct knowledge of bondage. How did their slavery past inform the way they regarded their positions and options within the community? Did they fear alienating the Brethren because of the specter of being relegated back to the slavery they had known in the West Indies? What message did the case of Samuel Johannes and his apprehension and exile to America send to them? We do not know, since Moravian media practices did not provide a means of communicating such concerns. Then again, the status of slavery may have been less important in early Moravian thinking than the mobility and obedience expected from all congregation members. The multiple forms or practices of power and hierarchy intersecting in such cases may effectively be impossible to disentangle.

Paul Peucker has suggested a model of two spheres inhabited by eighteenth-century Moravians: one worldly, the other the religious community.[96] Existing side by side, the former knew social hierarchy including masters and servants, while the latter knew neither rank nor race, only brothers and sisters. Peucker questions whether Moravians could reliably separate these two worlds. Slightly off-centering this heuristic model, I would argue that the power asymmetries and

Fig. 4.1: The First Fruits, oil on canvas by Johann Valentin Haidt, Bethlehem, probably soon after 1754. Courtesy of The Moravian Archives, Bethlehem, PA, Painting Collection 19. The painting depicts a group of Moravian converts from different nations, known as the "first fruits," gathered around the throne of Christ (Rev. 7:9, Rev. 14:4). Some of the portrayed individuals are mentioned in the text: Guley, first from left; Sam, "an Anakunkas," fourth from left; Christian Zedmann, fifth from left; Gratia/Anna Gratia, sixth from left; Oly/Carmel/Josua and Jupiter/Immanuel, center in runners' liveries; Mientje/Hanna, center, kissing the feet of Christ; Bartel/Immanuel/Andreas, "the Moor," ninth from right in blue coat; Anna/Anna Maria, seventh from right, sitting; Andrew/Johannes, sixth from right, kneeling in the background; Maria Andressen, fifth from right; Jupiter/Johannes, third from right (on the arm of an Arawak man); for further information, see Rüdiger Kröger, "Die Erstlingsbilder in der Brüdergemeine," *Unitas Fratrum* 67/68 (2012): 135–163.

96 Peucker, "Aus allen Nationen," 19.

societal hierarchy remained ever-present in Moravian life, even if this fact may have been partly obscured by communal rhetoric and organization. The examples of Cecilia and Samuel Johannes show that slavery was part of the practices of governing and disciplining that existed in Moravian communities in eighteenth-century Germany. Whether it was invoked was not a matter of principle but rather of context and circumstance – and the Brethren's egalitarian rhetoric notwithstanding, power was distributed very unequally in such situations.

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Rebekka von Mallinckrodt

5 Slavery and the Law in Eighteenth-Century Germany

Among the many definitions of slavery, the legal definition is neither the only one nor even the one most commonly encountered in current research. As stated by Orlando Patterson in his classic *Slavery and Social Death*, legally defined systems of slavery represent exceptions in global history, and the legal situation is insufficient to describe the social, cultural, and mental dimensions of the state of enslavement adequately and without contradictions.[1] Instead, Patterson cites violent domination, natal alienation, and dishonor as the three defining elements of slavery that differentiate it clearly from other forms of unfreedom.[2] Michael Zeuske, on the other hand, uses the term "capitalization of bodies" to emphasize the aspect of economic exploitation even without legally existing slavery.[3] According to Zeuske, focusing on the legally established institution obstructs the view onto the many concealed and smaller-scale forms of abduction and exploitation as well as onto the mutability and thus the continuity of enslavement practices from prehistory to the present. Other researchers highlight the transformation and overlapping of the status of enslavement with other forms of unfreedom and dependence such as war captivity, bondage, or servantship – but also aspects such as young age, female gender, extraneous religion, or dark skin color. They stress that only interdependent consideration of all these factors enables a thorough evaluation of the historical situation.[4]

All of these approaches highlight important facets. Against the background of the state of research on the Old Empire, however, which is characterized by noticeable restraint in employing the term "slavery" in connection with early modern Germany,

1 Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge, MA: Harvard University Press, 1982), especially 21–22. According to Patterson, slaves were regularly legally called to account and punished for offenses even though they were assumed to have no legal capacity (ibid.).

2 Patterson, *Slavery and Social Death*, 10.

3 Michael Zeuske, *Handbuch Geschichte der Sklaverei: Eine Globalgeschichte von den Anfängen bis zur Gegenwart* (Berlin: De Gruyter, 2013), especially 1–26.

4 Cf. the contribution by Josef Köstlbauer in this volume as well as Stefan Hanß and Juliane Schiel, "Semantiken, Praktiken und transkulturelle Perspektiven," in *Mediterranean Slavery Revisited 500–1800*, ed. Stefan Hanß and Juliane Schiel (Zurich: Chronos, 2014), 25–43, here 29, 31–32, 36.

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3. Research Lenses

3.1. Semantics, Lexical Fields, Narratives

Semantics, Lexical Fields

Martin Schermaier. "*Familia* and Dependency in Roman Law Texts," in *Slavery and other Forms of Strong Asymmetrical Dependencies. Semantics and Lexical Fields*, ed. Jeannine Bischoff and Stephan Conermann (Berlin: De Gruyter, 2022): 127–150.

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Martin Schermaier

Familia and Dependency in Roman Law Texts

1 Changing Concepts and Unchanging Terms?

Some terms for institutionalized forms of dependency originally developed in Roman law still dominate today's terminology. When we read *servus*, we think of a slave; when we read *dominus*, we think of a slave's owner; and when we read *libertas* we think of freedom. Such terms determine our perceptions when talking about dependency. But in using these terms, do we really mean the same things?

Words are indispensable for conceptualizing social phenomena. We can conceptualize only what we can express in language. If we agree that a specific word depicts a complex of meaning, we should be sure that the relationship between word and meaning is stable. Otherwise, communication is impossible, or at least rather difficult. This is even more true with legal terms. Most legal terms are abbreviations of complex social phenomena. If we are not able to rely on their specific meaning, we are forced to negotiate our assessment of such phenomena in each individual case. This is time-consuming and creates uncertainty. Therefore, we should expect legal terms not to change much over time. Of course, we do not use Latin anymore. But the English translations of the terms that denote dependency seem to be undisputed and as stable as their Latin counterparts. The constant use of the terms suggests their continuous meaning.

Such convictions are challenged by the fact that terminological borrowings like the word "family" had a different meaning in Latin. *Familia* in Roman law texts might also denote the slaves or freedmen in the household.[1] Someone who is not aware of that terminological difference might easily misconceive the relevant texts. On the other hand, the term *familia* also tells us something about Roman conditions of slavery. It does not describe an anonymous group of people oppressed by its owner but had, even in Roman times, a somewhat personal touch. *Familia*, that is something like "my people," those living with me. This example offers two insights: Meanings can be more ephemeral than we would suppose. However, a shift in meaning might indicate a shift in the associated social phenomena. "Slaves as part of the family" is a concept that challenges our modern perception of slavery. Is there, maybe, a difference between Roman slavery and that which we usually conceive of as "slavery"?

Such interrelations are familiar to all historians: Words we use today might have had a different meaning in past centuries. Terminological continuity is an illusion. Synonymous terms might conceal differences in concept. This makes it difficult

1 An overview on the different meanings of *familia* in classical Latin is provided by Richard Paul Saller, "Familia, Domus, and the Roman Conception of the Family," *Phoenix* 38 (1984): 336–55, here 4. More detailed Rudolf Leonhard, "familia," in *Realencyclopädie der classischen Altertumswissenschaft*, vol. 6/2, ed. August Friedrich Pauly and Georg Wissowa (Stuttgart: Metzler, 1909): 1980–84.

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to understand past worlds. To provide an insight into the legal terminology of dependency in Ancient Rome, I would like to concentrate on the term *familia* and explain its legal and colloquial meaning. We have to bear in mind that Roman law did not create terms of dependency as artificial constructs. It simply employed those which were already in use in everyday language. Over time, though, judicial practice and the activities of jurists, the *iurisprudentes*, infused these terms with particular meanings. In some cases, these were further determined by set definitions. Thus, these words became terms with clear connotations and clear limits in legal discourse. But not every word we trace in the legal sources was a legal term. The history of words is etymology, while the history of terms reflects social practices. And the history of law is not a history of words but of terms with specific meanings.

2 A Classical Text on *familia*: D. 50.16.195 (Ulpian 46 AD edictum)

As we are told by Domitius Ulpianus, a jurist who lived around 200 AC, *familia* has a threefold meaning:

D. 50.16.195.1 (Ulpian 46 AD edictum): "Familiae" appellatio qualiter accipiatur, videamus. et quidem varie accepta est: nam et in res et in personas deducitur. in res, ut puta in lege duodecim tabularum his verbis "adgnatus proximus familiam habeto". ad personas autem refertur familiae significatio ita, cum de patrono et liberto loquitur lex: "ex ea familia", inquit, "in eam familiam": et hic de singularibus personis legem loqui constat.

D. 50.16.195.1 (Ulpian, Edict, book 46): Let us consider how the designation of "household" is understood. And indeed it is understood in various ways; for it relates both to things and to persons: to things, as, for instance, in the *Law of the Twelve Tables* in the words "let the nearest agnate have the household." The designation of household, however, refers to persons when the law speaks of patron and freedman: "from that household" or "to that household"; and here it is agreed that the law is talking of individual persons.[2]

2 All English translations of texts from the Digests are taken from Alan Watson, *The Digest of Justinian*, vol. 4 (Philadelphia: University of Pennsylvania Press, 1985); this specific translation is on page 949.

(4) Item appellatur familia plurium personarum, quae ab eiusdem ultimi genitoris sanguine proficiscuntur (sicuti dicimus familiam Iuliam), quasi a fonte quodam memoriae.

(4) Likewise, the name of household is also used for several people who descend by blood from the same original founder, as we talk of the Julian household, going back as it were to the origin of records. (Watson, vol. IV, 950)

Familia can mean the whole "property" of a *pater familias*, but also only the group of slaves he holds. Furthermore, it can depict all free persons within a family – more or less the same meaning which the word "family" has today. But if we look to all available law texts, we find that only the first two meanings were condensed into a specific legal concept. In those instances, we can say that *familia* was not only a word, but a legal term. This is attested by various institutions which we repeatedly encounter in laws, legal literature, or court decisions, such as the *familiae emptor* (property) or the *familia publicanorum* (slaves owned by *publicani*).[3]

Already Ulpian was aware of the different meanings, and he tried to separate them by pointing to their specific applications. Some of these descriptions are set definitions. For Ulpian and other jurists, this was neither a question of practicability nor of aesthetics. Defining or at least describing legal terms is a prerequisite of legal science, or of *ars iuris*, as Cicero[4] would have called it.[5] Justinian's compilers

3 Cfr. D. 50.16.195.3 (Ulp. 46 AD ed.).

4 Cicero in his *de oratore* (1.190) announced his intention to write a book on *ius civile in artem redigere*, how knowledge and practice of civil law can be transformed to scholarship. Gellius (1.22.7) reports about such a book written by Cicero. This book is lost. On this topic Emilio Costa, *Cicerone giureconsulto* (Bologna: Nicola Zanichelli Editore, 1927); Ulrich von Lübtow, "Cicero und die Methode der römischen Jurisprudenz," in *Festschrift L. Wenger*, vol. 1, ed. Paul Koschaker (Munich: Beck, 1944): 224–35.; Fritz Schulz, *History of Roman Legal Science* (Oxford: Clarendon Press, 1946): 69; Aldo Schiavone, *Nascita della giurisprudenza: cultura aristocratica e pensiero giuridico nella Roma tardorepubblicana* (Bari: Laterza, 1976): 101; Ferdinando Bona, "L'ideale retorico ciceroniano ed il 'ius civile in artem redigere'," *Studia et Documenta Historiae Iuris* 46 (1980): 282–382; Franz Wieacker, *Römische Rechtsgeschichte*, vol. 1 (Munich: Beck, 1989): 628–29.

5 In Cic. de orat. 1.188 he writes: *Sit ergo in iure civili finis hic: legitimae atque usitatae in rebus causisque civium aequabilitatis conservatio.* [189] *Tum sunt notanda genera et ad certum numerum paucitatemque revocanda. Genus autem id est, quod sui similis communione quadam, specie autem differentis, duas aut pluris complectitur partis; partes autem sunt, quae generibus eis, ex quibus manant, subiciuntur; omniaque, quae sunt vel generum vel partium nomina, definitionibus, quam vim habeant, est exprimendum; est enim definitio rerum earum, quae sunt eius rei propriae, quam definire volumus, brevis et circumscripta quaedam explicatio.* ("Let the goal then of the common law be defined as the preservation, in the concerns and disputes of citizens, of an impartiality founded on statute and custom. We must next designate the general classes of cases, restricting these to a small fixed number. Now a general class is that which embraces two or more species, resembling one another in some common property while differing in some peculiarity. And species are subdivisions, ranged under those general classes from which they spring; while all names, whether of general classes or species, must be so defined as to show the significance of each. A definition of

inserted the text into the Digest, in title 50.16, dedicated to *de verborum significatione*, the signification of words. The method applied by Ulpian originates in Platonic dialectics.[6] It divides meanings by marking their differences (*diairésis*). In identifying legal terms of dependency, we can even use the help of Roman jurists. They themselves already reflected on the terms they were using in normative contexts.

Having identified words as legal terms, we are able to investigate their fate, their history. When did they emerge as terms? Which social practice or which legal normativity do they represent? Did the terms change their meanings, or not? Interestingly, many terms of dependency underwent a significant change during the mid-Republican expansion of Roman territory. This expansion glutted the Roman slave market and diminished the value of slaves and – as a further consequence – their legal status. But at the same time, the legal terms preserved older social orders, like the proverbial fly in amber.

3 *Familia Pecuniaque*: From Ulpian to the Twelve Tables

Ulpian first refers to the XII tables in D. 50.16.195, in order to explain the meaning of *familia*. Despite the quotation from the old law, Ulpian's text has no historical ambitions. He looks at the XII tables as an authority for the contemporary use of *familia* as a legal term. His aim is to show that the ambiguity of *familia* is not a result of imprecise usage, but goes back to the very foundations of Roman law. Already the XII tables, he says, applied *familia* to things and to persons alike. In order to uncover the original meaning, his text requires a *duplex interpretatio*: We have to distinguish Ulpian's own comprehension of *familia* from that of the Twelve Tables, which were composed almost 650 years earlier.

Unfortunately, it is rather unclear what the original wording in the XII tables really was. The categorical division between things (*res*) and persons (*personae*) does not go back to the times of the Twelve Tables, even though it appears to be self-evident. But the extant text is of classical origin only. Gaius in his *institutiones* may have been the first jurist who used the concept of things (understood as objects of rights) and persons (understood as entitled subjects) to establish opposite legal

course I may describe as a concise and accurate statement of the attributes belonging to the thing we would define," trans. Edward William Sutton, *Cicero De Oratore, in Two Volumes*, vol. 1, The Loeb Classical Library (London: Harvard University Press, 1948): 131, 133).

6 On this subject see Fritz Schulz, *History of Roman Legal Science* (Oxford: Clarendon Press, 1946): 62–69.

categories.[7] The texts of the Twelve Tables referred to by Ulpian do not even give a hint of that distinction. The short rule *adgnatus proximus familiam habeto* to which Ulpian refers first was part of XII Tab. 5.4. It stated that if a *pater familias* died without having made a will and without leaving any heirs of his own, the inheritance should go to the *adgnatus proximus*.[8] *Adgnati* (agnates) are those who had the same *pater familias* as the deceased. The other texts cited by Ulpian, which should refer to *liberti* (freedmen) by calling them *familia*,[9] cannot be assigned to a specific context. In XII Tab. 5.4 we would translate *familia* as "estate," thus describing goods and persons alike. There is no reason to doubt that Ulpian in his 46th book *ad edictum* (D. 50.16.195.1) quoted correctly. But it is interesting that he relates *familia* in XII Tab. 5.4 to things only.

The original text of the XII tables is unknown to us. We only have some fragments which have been handed down by other authors. They help to explain the context of Ulpian's citation in D. 50.16.195.1 and to disclose their different interpretation in the history of Roman law. We start with XII Tab. 5.4–5, which is referred to by Ulpian (twice), as well as by Cicero:

Cic. inv. 2.148: [. . .] SI PATERFAMILIAS INTESTATE MORITUR, FAMILIA PECUNIAQUE EIUS AGNATUM GENTILIUMQUE ESTO.

Coll. 16.4.1 (= Ulp. reg.): Id enim cautum est lege duodecim tabularum hac: SI INTESTATUS MORITUR, CUI SUUS HERES NEC ESCIT, AGNATUS PROXIMUS FAMILIAM HABETO. 2. Si agnatus defuncti non sit, eadem lex duodecim tabularum gentiles ad hereditatem vocat his verbis: SI AGNATUS NEC ESCIT, GENTILES FAMILIAM HABENTO.

Cic. inv. 2.148: [. . .] If a head of a household dies intestate, his household and property shall go to the agnates and gentiles.[10]

Coll. 16.4.1 (= Ulp. reg.): For thus is it laid down in the following law of the Twelve Tables: "If one dies intestate and has left no self-successor, let the nearest agnate have his estate." 2. If the deceased has no agnate, the same law of the Twelve Tables calls Gentiles of the deceased to the succession in the following terms: "If there is no agnate, let the Gentiles have the estate."[11]

7 Cf. Gai. inst. 1.8: *Omne autem ius, quo utimur, vel ad personas pertinet vel ad res vel ad actiones*. ("The whole of the law observed by us relates either to persons or to things or to actions," trans. Francis de Zulueta, *The Institutes of Gaius*, 2 vols. (Oxford: Clarendon Press, 1946): vol. 1, 5).

8 XII Tab. 5.4 (= Coll. 16.4.1): *Si intestatus moritur, cui suus heres nec escit, agnatus proximus familiam habeto*. ("If he dies without a testament and has no own heirs, the next agnate should have the familia"). Slightly different is Cic. inv. 1.248.

9 In D. 50.16.195.1: *ex ea familia* and *in eam familiam*.

10 Harry Mortimer Hubbel, *Cicero De Inventione*, The Loeb Classical Library (London: Heinemann London; Harvard University Press, 1949): 317.

11 Moses Hyamson, *Mosaicarum et Romanarum Legum Collatio* (London: Oxford University Press, 1913): 145–47.

Ulp. 46 AD ed. (D. 50.16.195.1): [. . .] in res, ut puta in lege duodecim tabularum his verbis ADGNATUS PROXIMUS FAMILIAM HABETO.	D. 50.16.195.1 (Ulpian, Edict, book 46): [. . .] to things, as, for instance, in the *Law of the Twelve Tables* in the words "let the nearest agnate have the household." (Watson, vol. IV, 949)

It is again Ulpian in his book *regularum* ("on rules"), conserved in the *Collatio legum Mosaicarum et Romanarum*,[12] who handed down to us the most probable wording. Here, too, *familia* designates the estate as a whole: If there is neither a will nor an heir apparent, the nearest agnate receives the inheritance; if there is no agnate, it goes to the *gens*. Cicero's account of the same passage distinguishes between *familia* and *pecunia*. This is striking, because elsewhere Cicero tells us that in his boyhood, he still had to learn the Twelve Tables by heart.[13] But in this instance, his excerpt from the XII tables is a summary rather than a quote. This is made clear by the fact that he does not rank agnates and *gens*. The dualism of *familia* and *pecunia* indicates a distinction between persons who belonged to the deceased and his other assets. *Pecunia* originally meant livestock and later money, and in Cicero's time may already have signified tangible assets in general.[14] That is a preliminary stage of what Ulpian in D. 50.16.195.1 calls the division between *res* (things) and *personae*. But there is a big difference: Whereas Ulpian interprets *familia* in that instance (XII Tab. 5.4) as an entity of things, Cicero seems to make a difference between property in humans (*familia*) and in things (*pecunia*). But maybe the relation between *familia* and *pecunia* is even more complicated.[15]

A similar difference might have been alluded to by another provision of the Twelve Tables, XII Tab. 5.3:

12 On this late antique collection of biblical and Roman law texts see for example Detlef Liebs, *Die Jurisprudenz im spätantiken Italien (260–640 n.Chr.)* (Berlin: Duncker & Humblot, 1987): 162–74; Giorgio Barone-Adesi, *L'età della Lex Dei* (Napoli: Jovene Editore, 1992); Robert M. Frakes: *Compiling the Collatio Legum Mosaicarum et Romanarum in Late Antiquity* (Oxford: Oxford University Press, 2011).

13 Cic. leg. 2.59.

14 In later times this is undisputed, cf. D. 50.16.178 pr. (Ulp. 49 AD Sab.): *'Pecuniae' verbum non solum numeratam pecuniam complectitur, verum omnem omnino pecuniam, hoc est omnia corpora: nam corpora quoque pecuniae appellatione contineri nemo est qui ambiget* ("The designation 'money' does not only include coinage but absolutely every kind of money, that is, every substance; for there is no one who doubts that substances are also included in the designation of money"; trans. Watson, *The Digest of Justinian*, vol. 4, 948). Similarly D. 50.16.97 (Celsus 32 dig.); D. 50.16.222 (Hermog. 2 iur. epit.); D. 35.2.1 pr. (Paul. sing. ad leg. Falc.); cf. e.g. Leonhard, "familia": 1980–81.

15 See below, at 4.1.

Cic. inv. 2.148: [. . .] PATERFAMILIAS UTI SUPER FAMILIA PECUNIAQUE SUA LEGASSIT, ITA IUS ESTO.

Cic. inv. 2.148: [. . .] In whatever way a head of a household has made a will concerning his household and property, so let it be.[16]

Ulp. reg. 11.14: Testamento quoque nominatim tutores dati confirmantur eadem lege duodecim tabularum, his verbis: UTI LEGASSIT SUPER PECUNIA TUTELAVE SUAE REI, ITA IUS ESTO: qui tutores dativi appellantur.

Ulp. reg. 11.14: That the elected tutors can be confirmed by name in the testament is provided by the Twelve Tables in this words: "As he disposed over estates and tutelages of his own, so let the law be." They are therefore called given tutors.

Gai. inst. 2.224: [. . .] idque lex XII tabularum permittere videbatur, qua cavetur, ut, quod quisque de re sua testatus esset, id ratum habetur, his verbis: UTI LEGASSIT SUAE REI, ITA IUS ESTO.

Gai. inst. 2.224: [. . .] That was thought to be permitted by the Twelve Tables, which provide that whatever will a man has made of his estate, it should be ratified, by its words: "As a man bequeaths his own, so let the law be."[17]

All three texts,[18] reconstructed as XII Tab. 5.3,[19] obviously refer to the same original, but they are different. Only one quote can be right, or at least closer to the original wording. Most authors[20] prefer the text of Ulpians' *liber singularis regularum* (Ulp. reg.),[21] a text

16 Harry Mortimer Hubbel, trans., *Cicero De Inventione*, The Loeb Classical Library (London: Heinemann London; Harvard University Press, 1949): 317.

17 William M. Gordon and Olivia F. Robinson, *The Institutes Of Gaius* (London: Duckworth, 1988): 235.

18 These three texts represent the most precise quotations, but there are numerous other texts that quote XII Tab. 5.3. A conclusive enumeration of the sources is provided by Daniela di Ottavio, *Uti legassit . . . ita ius esto. Alle radici della successione testamentaria in diritto romano* (Naples: Jovene editore, 2016): 4–5.

19 See Salvatore Riccobono et al., eds., *Fontes iuris romani antejustiniani in usum scholarum*, part 1: *leges* (Florence: Barbèra, 1968): 37–38.

20 An overview is given by Maria Floriana Cursi, "La mancipatio e la mancipatio familiae," in *XI Tabulae. Testo e commento*, vol. 1, ed. Maria Floriani Cursi (Napoli: Edizioni Scientifiche Italiane, 2018): 357–58; see also di Ottavio, *Uti legassit*: 60, who is not sure if the original text had *suae rei* or *familia*. Pasquale Voci, *Diritto ereditario romano*, vol. 1, 2nd ed. (Milano: Giuffrè, 1967): 4 insisted on *suae rei*.

21 Cf. Martin Avenarius, *Der pseudo-ulpianische liber singularis regularum. Entstehung, Eigenart und Überlieferung einer hochklassischen Juristenschrift* (Göttingen: Wallstein, 2005) and Martin Avenarius, ed. and trans., *Die pseudo-Ulpianische Einzelschrift über die Rechtsregeln (liber singularis regularum)* (Göttingen: Wallstein, 2005).

handed down to us by an early medieval[22] manuscript.[23] Cicero's version, as we have already seen, is a summary of what the Twelve Tables said. According to Ulpian, the XII tables did not mention *familia* but referred to *pecunia* and *tutela*. Ulpian interprets *tutela* as pointing to the fact that the testator appoints a *tutor*, a legal guardian, for his wife and children. But the genitive *suae rei* sounds odd. Literally translated, it would be "guardianship over things." Maybe the Twelve Tables had *suae rei* only and did not mention either *pecunia*, *tutela* or *familia*. In that case, we should prefer the version in Gai. inst. 2.224 or D. 50.15.120 (Pomp. 5 ad Quintum Mucium). As we know from other fragments, the Twelve Tables used the term *res* on several occasions.[24] But in most of these cases, *res* signifies the object of a trial – not the wealth of a testator. On the other hand, as di Ottavio argues, with only the phrase *suae rei*, the meter of the provision would be irregular.[25]

Older scholars agreed[26] that the expression *pecunia tutelave suae rei* is a bracket term, similar to a chiasmus: In the technical sense, *legare suae rei* means "disposing of one's possessions": cattle (or money?) and the legal guardianship are added right in the middle of this construction in order to clarify that they are part of the overall *res sua*. Behrends argued differently. According to him, *tutela* means the "Verwaltungszuständigkeit" (competence to administrate) of the *pater familias* in general.[27] But even in that case, the occurrence of *res* is strange. We would expect *familia* only, because this is the central term in the following provision (XII Tab. 5.4). Beyond that, it is the *mancipatio familiae* which enacted the oldest form of a will (the *testamentum per aes et libram*[28]).

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22 Vat. reg. lat. 1128. On that manuscript see, for example, Wolfgang Kaiser, "Review: Der pseudo-ulpianische liber singularis regularum. Entstehung, Eigenart und Überlieferung einer hochklassischen Juristenschrift, by Martin Avenarius," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte Romanistische Abteilung* 127 (2010): 560–607.

23 The manuscript is accessible on https://digi.vatlib.it/view/MSS_Reg.lat.1128 [accessed 17.05.2022].

24 Cf. di Ottavio, *Uti legassit*: 66–72.

25 Di Ottavio, *Uti legassit*: 79–86. We must bear in mind that the XII tables are described as *carmen*, a song (Cic. leg. 2.59). For a discussion see, for example, Marie Theres Fögen, *Das Lied vom Gesetz* (Munich: Carl-Friedrich-von-Siemens-Stiftung, 2007).

26 Cf. already Friedrich Adolph Schilling, *Bemerkungen über römische Rechtsgeschichte: Eine Kritik über Hugo's Lehrbuch der Geschichte des Römischen Rechts bis auf Justinian* (Leipzig: Johann Ambrosius Barth Verlag, 1829): 97–98; Christian Friedrich von Glück, *Ausführliche Erläuterung der Pandecten nach Hellfeld, ein Commentar*, vol. 34, part 1 (Erlangen: Palm, 1830): 100, n. 17.

27 Okko Behrends, "Das Vindikationsmodell als 'grundrechtliches' System der ältesten römischen Siedlungsorganisation. Zugleich ein Beitrag zu den ältesten Grundlagen des römischen Personen-, Sachen- und Obligationenrechts," in *Libertas. Grundrechtliche und rechtsstaatliche Gewährungen in Antike und Gegenwart. Symposion aus Anlaß des 80. Geburtstages von Franz Wieacker*, ed. Okko Behrends and Malte Disselhorst (Ebelsbach: Verlag Rolf Greimer, 1991): 1–59, 42.

28 On that Eduard Hölder, "Das testamentum per aes et libram," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte Romanistische Abteilung* 1 (1880): 67–87.; Francesca Terranova, *Ricerche sul testamentum per aes et libram*, vol. 1 (Turin: Giappichelli, 2011); a shorter presentation (in English) is

This is what Crawford might have had in mind when he reconstructed the provision as, *uti legassit super familia pecuniave tutelave sua, ita ius esto*.[29] This reconstruction sounds logical, because slaves and freedmen formed neither part of the *pecunia* nor did they come under *tutela*. As we already mentioned, only wife and children were in need of a tutor if the *pater familias* died. Cicero's version (*pecunia/familia*) excludes testamentary provisions for wife and children, unless we accept that they were implied in the term *familia*. Anyway, Cicero himself seems to have made such a division, thus including free and unfree members of the household in the term *familia*. What the original wording of XII Tab. 5.3 really was will probably remain a mystery.

4 A Change in Meaning: From the Twelve Tables to Ulpian

The different reports on the wording of the Twelve Tables suggest that *familia* underwent a terminological change from the early (XII Tables) to the late Republic (Cicero) and, finally, to the late Empire (Ulpian).[30] If we trust the text referred to by Ulpian (Coll. 16.4.1 and reg. 14.11), the Twelve Tables registered persons and goods in the household as *familia*, whereas Cicero classed slaves and freedmen as *familia* and goods as *pecunia*. Most significant is XII Tab. 5.4–5 (Coll. 16.4.1): A deceased without legal heirs has no children and no wife in his power. Thus, there was no need to arrange for tutors but only for slaves, freedmen and goods. The Twelve Tables comprised all that under *familia*. Cicero distinguished between persons (*familia*) and goods (*pecunia*). Conversely, Ulpian states explicitly that *familia* in that context only means goods.[31] At first glance, that seems to come close to what the Twelve Tables meant, but Cicero's wording suggests a shift: Other than the Twelve Tables, Cicero separates persons and goods into two different categories, and Ulpian's interpretation builds on that. According to his view, the *familia* in XII Tab. 5.4–5 denotes *res* (things) only and thus, the slaves and freedmen which are part of

provided by Alan Watson, *The Law of Succession in the Later Roman Republic* (Oxford: Clarendon Press, 1971): 11.

29 Michael Hewson Crawford, ed., *Roman Statutes*, vol. 2 (London: Institute of Classical Studies, University of London, 1996): 637–38.

30 This has already be outlined by Mayer-Maly, Theo. "familia," in: Drei Vorträge zum Privatrecht, ed. Franz Bydlinski, Theo Mayer-Maly, Fritz Sturm (Graz: Leykam, 2001): 25–29.

31 D. 50.16.195.1: [. . .] *et quidem varie accepta est: nam et in res et in personas deducitur. in res, ut puta in lege duodecim tabularum his verbis 'adgnatus proximus familiam habeto'* ("And indeed it is understood in various ways; for it relates both to things and to persons: to things, as, for instance, in the Law of the Twelve Tables in the words 'let the nearest agnate have the household'"; tansl. Watson, *The Digest of Justinian*, vol. 4: 949).

the inheritance are not *personae* but *res*. As said before, the Twelve Tables did not distinguish between persons and goods. They focus on the power of the *pater familias* and not on what is subjected to this power.

4.1 Persons and Things under the Control of the *Pater Familias*

This meaning of *familia* is underpinned by some old figures or regulations which similarly go back to the Twelve Tables, or at least to the time of the early Republic. It is the term of *pater familias* itself, which – as Ulpian explains correctly – refers to the power in the household (*domus*) and does not presuppose a biological "father":

D. 50.16.195.2 (Ulp. 46 AD edictum): [. . .] pater autem familias appellatur, qui in domo dominium habet, recteque hoc 7ominee appellatur, quamvis filium non habeat: non enim solam personam eius, sed et ius demonstramus:

D. 50.16.195.2 (Ulpian, Edict, book 46): [. . .] Someone is called the head of a household if he holds sway in a house, and he is rightly called by this name even if he does not have a son; for we do not only mean his person but also his legal status. (Watson, vol. IV, 950)

Non personam sed ius demonstramus, we specify not a person, but a right when we speak of a *pater familias*. It is his prerogative, his *ius*, to be the only person in a household with property rights over people and things. To have *dominium in domo* ("ownership on the house") is Ulpian's contemporary interpretation. At his time, jurists distinguished ownership (*dominium*) of things including slaves from *potestas* over children and *manus* over a wife. In order to make clear that the existence of a wife and children are not a precondition for being *pater familias*, Ulpian concentrates on the "house" owned by him. But the original meaning was that the *pater familias* owns everything in his household, things as well as persons, regardless of their status.

This original meaning of *familia* is present even in the *actio familiae erciscundae*, an action that every heir could employ in order to divide up the community of heirs.[32] This action did not aim at separating heirs but at ascribing a certain part of the heritage to each. So *familia* denoted the heritage, not the group of heirs. The same connotation is present in the *familiae emptor*, a fiduciary to whom the *pater familias* transferred his assets in a formal way and instructed him to distribute them

32 For this subject see, for example, Hein L.W. Nelson, "Zur Terminologie der römischen Erbschaftsteilung. Ercto non cito, familia erciscunda," *Glotta* 44 (1966): 41–60; Geoffrey MacCormack, "The actio communi dividundo in Roman and Scots law," in *The Roman Law Tradition*, ed. Andrew D.E. Lewis and David J. Ibbetson (Cambridge: University Press, 1994): 159–81.

to the nominated heirs after the *pater familias*' death.[33] Interestingly, the formula which established such a trust, according to the testimony of Gaius, mentions *familia* and *pecunia* side by side:

Gai. inst. 2.104: [. . .] FAMILIAM PECUNIAMQUE TUAM ENDO MANDATELA TUA CUSTODELAQUE MEA ESSE AIO, EAQUE QUO TU IURE TESTAMENTUM FACERE POSSIS SECUNDUM LEGEM PUBLICAM, HOC AERE – et ut quidam adiciunt – AENEAQUE LIBRA, ESTO MIHI EMPTA. [. . .]

Gai. inst. 2.104: [. . .] "I declare that your family and property are in my administration and custody; let them be bought to me with this bronze and (as some add) the bronze scales, so that you can lawfully make a will according to the public statute."[34]

The archaic style indicates an early period of Roman law, maybe contemporary with the Twelve Tables or slightly later. The terms *familia* and *pecunia* seem to allude to the classical contrast pair of persons v. things, but it is most likely that they have another meaning. Scholars have suggested three explanations: Most believe that the terms are used synonymously;[35] some think that *familia* means the household as an entity, *pecunia* the single things in it.[36] Others, especially in older literature, believe that *familia* means *res mancipi* only, that is slaves, cattle, Italian land, and some easements on land, with *pecunia* referring to all other things.[37] This would have enormous consequences for the interpretation of the provisions of the Twelve Tables on testaments. XII Tab. 5.3, which – according to Ulp. reg. 11.14 – allows the writing of a will on *pecunia* and *tutela* only[38] would leave the more important things (the *res mancipi*) to the legal heirs.

Our focal point is different: The use of *familia* in the formula of the *emptio familiae* by the executer of the will indicates that *familia* comprises persons and things alike. *Familia* at that early stage is a collective term for the objects under the control of the *pater familias*. In later times, the technical term for such objects is *res*. This is

33 By way of the *testamentum per aes et libram*, cf. Hölder, "Das testamentum per aes et libram"; Terranova, *Ricerche sul testamentum per aes et libram*.

34 William M. Gordon and Olivia F. Robinson, *The Institutes of Gaius* (London: Duckworth, 1988): 171, 173.

35 Cf. Max Kaser, *Das Römische Privatrecht, Erster Abschnitt: Das altrömische, das vorklassische und klassische Recht*, 2nd ed. (Munich: Beck, 1971): 97 (with older literature).

36 So, for example, Joseph Bonnet, *Des mots familia et pecunia dans la loi des Douze Tables* (Paris: L. Larose et Forcel, 1900): 43–54, esp. 51.

37 Rudolf von Jhering, *Entwicklungsgeschichte des römischen Rechts* (Leipzig: Breitkopf & Härtel, 1894): 81–91; Otto Karlowa, *Römische Rechtsgeschichte*, vol. 2 (Leipzig: Veit, 1901): 76. A somewhat similar interpretation is given by János Zlinszky, "Familia pecuniaque," *Index* 16 (1988): 31–42: The pair of terms combined reflects the agricultural origins of Rome: *Familia* represents the persons and goods involved in farming, *pecunia* the wealth of nomadic herders.

38 On this subject see Riccobono et al., *Fontes iuris romani*: 37–38.

what Gaius tells us in his institutes when distinguishing between corporeal and incorporeal things or human and divine things.[39] And Pomponius, a contemporary of Gaius, replaces *familia* by *res* in his record on XII Tab. 5.3:

D. 50.16.120 (Pomp. 5 AD Quintum Mucium): Verbis legis duodecim tabularum his "uti legassit suae rei, ita ius esto" latissima potestas tributa videtur et heredis instituendi et legata et libertates dandi, tutelas quoque constituendi. sed id interpretatione coangustatum est vel legum vel auctoritate iura constituentium

D. 50.16.120 (Pomponius, Quintus Musicus, book 5): In these words of the *Law of the Twelve Tables*, "uti legassit suae rei, ita jus esto," the widest possible power seems to be conferred of naming an heir and granting legacies and establishing tutelages; but this has been narrowed by interpretation or the authority of laws or those who establish law. (Watson, vol. IV, 943)

By that it becomes clear why Ulpian understood *familia* in XII Tab. 5.4[40] as *res*, even though he was convinced that it should include slaves and freedmen. The division between things and persons, unknown to the Twelve Tables, led the classical jurists to understand *familia* as "things" (*res*) when it referred to the inheritance. I stress this point because in other contexts some jurists insist that slaves are persons.[41]

4.2 *Familia* as Collective Name for Slaves

All these observations allow us to reconstruct different meanings of *familia* over the course of time: In the old provisions which originated in the early Republic, *familia* designated the household, all people living and all things existing under the power of a *pater familias*. It therefore comprised free people as well as slaves and freedmen. Later, this power of the *pater familias* was differentiated into *manus* (over a wife) and *potestas* (over children and freedmen) on the one hand, and *dominium* on the other. We have to bear in mind that even *dominium* originally had a wider connotation, comprising the *domus* and all its persons and things.[42] But in legal texts from the late Republic and the Empire, *dominium* is reserved for objects of property. This implicates a clear distinction between free persons on the one hand, and slaves and things on the other. This changed the meaning of *familia* as well: Already Plautus

39 Gai. inst. 2.1–14 = D. 1.8.1 (Gai. 2 inst.).

40 D. 50.16.195.1, as he cites: *adgnatus proximus familiam habeto*.

41 Gai. inst. 1.9 (= D. 1.5.3): *Et quidem summa divisio de iure personarum haec est, quod omnes homines aut liberi sunt aut servi* ("And the most important division in the law of persons is that there all people are either free or slaves.").

42 Saller, "'Familia, Domus'": 342–49.

used the word to refer to the slaves in a household,[43] and this signification became most frequent in legal texts. An infamous example is the *senatus consultum Silanianum*, according to which the *familia*[44] of a *dominus* who had been killed at home could be tortured to death in order to find out who murdered him.[45]

But even in other and less sanguinary contexts we encounter *familia* as a legal term for a group of slaves, for example in the *familia publicanorum* or, later on, in the *familia Caesaris*. The *familia publicanorum* are the slaves and wage workers[46] of a group of contractors who had taken on a public task (and were therefore called *publicani*), for example the collection of taxes.[47] Such tax farming could be enormously expensive, and therefore a number of people invested together and formed a company. Their slaves were called *familia publicanorum*, which hints at the modern construct of the society itself (the *societas publicanorum*[48]) having a corporate personality;[49] as such, it was the owner of those slaves. The *familia publicanorum* is therefore described

43 Plaut. Capt. 307–8: *et quidem si, proinde ut ipse fui imperator familiae / habeam dominum, non verear ne iniuste aut graviter mi imperet* ("And indeed, if I might have such a master as I myself was when I was the head of a household, I should have no fear of being treated unjustly or harshly." Trans. Paul Nixon, *Plautus, in Five Volumes*, vol. 1, The Loeb Classical Library (London: Harvard University Press; Heinemann London, 1956): 491); Poen. 181–86: *Rogato, servos veneritne ad eum tuos. / Ille me censebit quaeri: continuo tibi / negabit. Quid tu dubitas quin exempulo / dupli tibi, auri et hominis, fur leno siet? / Neque is unde efficiat, habet. Ubi in ius venerit, addicet praetor familiam totam tibi* ("Then you ask him if your slave is at his house. He'll suppose it's me you're after: so he'll promptly say no. Can you doubt he will forthwith be liable to you for twice the value of the money and the slave he stole? And he hasn't the wherewithal to settle. When he comes to court the praetor will adjudge his entire establishment to you"; trans. Paul Nixon, *Plautus*, vol. 4: 19). For this latter text see di Ottavio, *Uti legassit*: 63–64.

44 Cf. D. 29.5.1 pr. and 15 (Ulp. 50 AD ed.); Paul. sent. 3.5.1; for further sources see Leonhard, "familia": 1982.

45 On the SC Silanianum see for example Danilo Dalla, *Senatus consultum Silanianum* (Milano: Giuffrè, 1980); Alan Watson, *Roman Slave Law* (Baltimore and London: Hopkins University Press, 1987): 134–38; Joseph Georg Wolf, *Das Senatusconsultum Silanianum und die Senatsrede des C. Cassius Longinus aus dem Jahre 61 n. Chr.* (Heidelberg: Universitätsverlag Winter, 1988); Jill Harries, "The Senatus Consultum Silanianum: Court Decisions and Judicial Severity in the Early Roman Empire," in *New Frontiers. Law and Society in the Roman World*, ed. Paul J. du Plessis (Edinburgh: University Press, 2013): 51–72.

46 Cf. D. 39.4.1.5 (Ulp. 55 AD ed.): [. . .] *sive igitur liberi sind sive servi alieni* [. . .] ("[. . .] might they be free or slaves of another [. . .]").

47 On the *familia publicanorum* cf. Robert Röhle, "Zum Wortlaut des Edikts 'Quod publicanus vi ademerit'," *Tijdschrift voor Rechtsgeschiedenis* 46 (1978): 137–40; María-Eva Fernández Baquero, "Familia publicanorum," in *Fundamenta iuris: terminología, principios e interpretatio*, ed. Pedro Resina Sola (Almería: Universidad de Almería, 2012): 101–10.

48 Cf. Ulrike Malmendier, *Societas publicanorum. Staatliche Wirtschaftsaktivitäten in den Händen privater Unternehmer* (Cologne: Böhlau, 2002); Ulrike Malmendier, "Roman shares," in *The Origins of Value. The Financial Innovations that Created Modern Capital Markets*, ed. William Goetzmann and Geert Rouwenhorst (Oxford: Oxford University Press, 2005): 31–42.

49 Cf. Andreas M. Fleckner, *Antike Kapitalvereinigungen. Ein Beitrag zu den konzeptionellen und historischen Grundlagen der Aktiengesellschaft* (Cologne: Böhlau, 2010): 145–215, 372–420 (esp.

as *corpus servorum vectigalis causa paratorum* by Ulpian (D. 50.16.195.3), "a certain body of slaves collected for one purpose, namely in order to collect taxes." (trans. Watson). But as Ulpian himself stated elsewhere,[50] the individual slaves do not belong to the community of *publicani*, but to the individual members of the *societas*.

The *familia Caesaris* were the private slaves of a *princeps* who were engaged with public tasks.[51] The concept of private slaves working for the public did not emerge in the Empire. We find it already in the Republican administration, sometimes even in the shape of a *familia publica*,[52] that is a number of slaves owned by a municipal community.[53] The *familia Caesaris* thus imitates and replaces the Republican model – as in so many other instances.[54]

In addition to these well-known examples, Ulpian mentions some actions included in the *edictum praetoris* in which *familia* comprises the entity of slaves in a household. In most cases, such actions amplify the responsibility of the *dominus* for the behavior of their slaves. The *interdictum unde vi*, for example, states explicitly that a person who has been expelled from his land by force may claim restitution from the intruder, because he or his *familia* expelled him.[55] Such formula makes it

391–411); Geoffrey Poitras and Frederick Willeboordse, "The societas publicanorum and corporate personality in Roman private law," *Business History* 16 (2019): 1–24.

50 D. 39.4.1.5 (Ulp. 55 AD ed.): *Familiae nomen hic non tantum ad servos publicanorum referemus, verum et ad eos, qui in numero familiarium sunt publicani* ("The word '*familia*' in this context we take as referring not only to the slaves of tax farmers but to anyone who is one of their *familiars*," trans. Watson, *The Digest of Justinian*, vol. 3: 405).

51 On *familia Caesaris* Paul Richard Carey Weaver, *Familia Caesaris: A Social Study of the Emperor's Freedmen and Slaves* (Cambridge: University Press, 1972); Leonhard Schumacher, "Hausgesinde – Hofgesinde: terminologische Überlegungen zur Funktion der familia Caesaris im 1. Jh. n. Chr.," in *Fünfzig Jahre Forschungen zur antiken Sklaverei an der Mainzer Akademie 1950–2000*, ed. Heinz Bellen and Heinz Heinen (Stuttgart: Steiner, 2001): 331–52; Sabine Müller, "Familia Caesaris," in *The Encyclopedia of Ancient History*, October 26, 2012, https://doi.org/10.1002/9781444338386.wbeah22109 [accessed 17.05.2022].

52 Cf. D. 1.15.1 (Paul. sing. de officio praefecti vigilium).

53 On *servus publici* cf. William Warwick Buckland, *The Roman Law of Slavery. The Condition of the Slave in Private Law from Augustus to Justinian* (Cambridge: University Press, 1908): 318–30; Norbert Rouland, "A propos des 'servi publici populi romani'," *Chiron* 7 (1977): 261–78; Walter Eder, *Servitus publica. Untersuchungen zur Entstehung, Entwicklung und Funktion der öffentlichen Sklaverei in Rom* (Wiesbaden: Steiner, 1980); János Zlinszky, "Gemeineigentum am Beispiel der servi publici," in *Sklaverei und Freilassung im römischen Recht. Symposium für Hans Josef Wieling zum 70. Geburtstag*, ed. Thomas Finkenauer (Berlin: Springer, 2006): 317–26; Franco Luciani, "Public Slaves in Rome and in the Cities of the Latin West: New Additions to the Epigraphic Corpus," in *From Document to History. Epigraphic insights into the Greco-Roman World*, ed. Carlos F. Noreña and Nikolaos Papazarkadas (Leiden: Brill, 2019): 279–305.

54 Cf. Aloys Winterling, *Aula Caesaris. Studien zur Institutionalisierung des römischen Kaiserhofs in der Zeit von Augustus bis Commodus (31 v. Chr. – 192 n. Chr.)* (Munich: R. Oldenbourg, 1999).

55 Cf. Otto Lenel, *Das Edictum perpetuum, ein Versuch zu seiner Wiederherstellung*, 3rd ed. (Leipzig: Tauchnitz, 1927; Aalen: Scientia-Verlag, 1985): 461–69, esp. 465.

obvious that in classical legal sources, unlike those from the Republican era, *familia* usually points to the group of slaves (and/or freedmen) living in the household.

D. 50.16.195.3: [. . .] alia autem parte edicti omnes servi continentur: ut de hominibus coactis et vi bonorum raptorum, item redhibitoria, si deterior res reddatur emptoris opera aut familiae eius, et interdicto unde vi familiae appellatio omnes servos comprehendit. sed et filii continentur.

D. 50.16.195.3: [. . .] But in another part of the edict, all slaves are included as in the part dealing with gangs of men or force used to seize property or in the action for recovery if something is returned damaged by the activity of the purchaser or his household and in the interdict on the use of force the designation of household covers all slaves. (Watson, vol. IV, 950)

Most interesting in this context is the short note at the end: *sed et filii continentur* ("sons and daughters are as well included"). This is only true for the formula of the actions and interdicts mentioned by Ulpian, not for the *familia publicanorum* or similar contexts. As far as the responsibility of persons is concerned, law usually does not differentiate between slaves and children: both are under control of their master or their father, both can act or contract for the benefit of master or father, and both can be equipped with a *peculium*. Therefore, free persons are responsible both for their children and for their slaves.

4.3 *Familia* as "Family"

The division of *familia* into different forms of power relations paved the way for a third meaning, which however failed to establish itself as a legal term in the classical texts.[56] It is referred to by Ulpian in D. 50.16.195.2:

Familiae appellatio refertur et ad corporis cuiusdam significationem, quod aut iure proprio ipsorum aut communi universae cognationis continetur. iure proprio familiam dicimus plures personas, quae sunt sub unius potestate aut natura aut iure subiectae, ut puta patrem

The designation of households relates to any kind of body which is covered by a legal status peculiar to its members or common to an entire related group. We talk of several persons as a household under a peculiar legal status if they are naturally or legally subjected to the power

56 This is not sufficiently taken into account by Gardner who, in investigating classical family law, departs from the agnatic *familia*; Jane F. Gardner, *Family and familia in Roman Law and Life* (Oxford: Clarendon Press, 1998): 1–2.

familias, matrem familias, filium familias, filiam familias quique deinceps vicem eorum sequuntur, ut puta nepotes et neptes et deinceps.

of a single person as in the case of a head of a household, the wife of a head of a household, a son-in-power, a daughter-in-power, and those who thereafter follow them in turn, as, for instance, grandsons and granddaughters, and so on. (Watson, vol. IV, 949–950)

This part of Ulpian's text delineates the *familia* of the agnates, i.e. all free persons under the same *pater familias*. This designation could be classified as a vestige of the original meaning in the Twelve Tables, where *familia* denoted all people and things under the control of the *pater familias*. During the middle Republic two specific legal meanings were separated: *familia* as *inheritance*, and *familia* as a group of slaves or freedmen. The rest describes the power of the *pater familias* over his free people, i.e. the *patria potestas* over his born or adopted children[57] and the *manus* over his wife which, in Ulpian's text, is not mentioned anymore because by his time it had lost its significance.[58] Already in Cicero's time, a woman who did not come under her husband's *manus* could be included in the term *familia*.[59] This reflects its untechnical and somewhat blurred meaning – at least from the late Republic onwards. The increasing social and legal importance of blood ties gradually replaced the agnatic concept, and thus diminished its relevance as a kinship group. Saller lists a series of texts from the Empire which use *familia* in our modern connotation as group of cognates.[60]

This is also reflected by the law of the early Empire: The order of legal heirs based on agnatic relations is impaired by the praetor's measures to favor cognates in the legal order of succession[61] and by special laws which promoted legal succession between mother and children.[62] We may readily suppose that these alterations in the

57 Cf. also D. 40.16.40.2 (Ulp. 56 AD ed.).

58 Similar Saller, "'Familia, Domus'": 338–39; for a more general overview (oder perspective?) see Gardner, *Family and familia*: 29–42.

59 For example, in Cic. pro Caelio 33; cf. Saller, "'Familia, Domus'": 339.

60 Saller, "'Familia, Domus'": 340–42, such as Fronto 1,12; Suet. Tib. 3; Tac. ann. 6,51.

61 On the *bonorum possessio intestati* ("praetorian order of intestate succession") and its different ranks (i.e. *unde cognati*) Kaser, *Das Römische Privatrecht*: 697–701; Pasquale Voci, *Diritto ereditario romano*, vol. 1, 2nd ed. (Milano: Giuffrè, 1967): 177–201; Martin Schermaier and Helge Dedek, "Bonorum possessio," in *Encyclopedia of Ancient History*, October 26, 2012, https://doi.org/10.1002/9781444338386.wbeah13030 [accessed 17.05.2022].

62 Esp. the Senatusconsultum Tertullianum (from the time of Hadrian) and the Senatusconsultum Orfitianum (around AD 178); on both Marianne Meinhart, *Die Senatusconsulta Tertullianum und Orfitianum in ihrer Bedeutung für das klassische römische Recht* (Graz: Hermann Böhlaus Nachfolger, 1967); Pasquale Voci, *Diritto ereditario Romano*, vol. 2, 2nd ed. (Milano: Giuffrè, 1963): 17–25.; Kaser, *Das Römische Privatrecht*: 701–2; Kimberley Czajkowski, "Senatus consultum Tertullianum," in *Oxford*

law of succession are not the cause, but the effect of the diminishing importance of agnatic relationships in Roman society.[63] Nevertheless, we have a good deal of legal texts in which only the context decides whether *familia* relates to agnates or cognates. Cod. Theod. 7.20.8, a decree of the emperors Valentinian I and Valens, concerns the tax immunity of veterans for the land they are endowed with. If the veterans bring their *servulos familiasve* ("slaves and children") to live on the land, they are to be exempt from land tax forever. The wording reflects a clear distinction between the slaves and the free persons around the veteran, but it is unclear if *familia* points to those under power of the *pater familias* (agnates) or to those related by blood (cognates). But maybe this is the wrong question. From the point of view of the decree, what matters is not who is part of the family of the veteran, but who is his heir. At the time of Valentinian, the agnatic basis of the law of succession has fallen into abeyance, so *familia* means those free persons who will succeed him after his death. The *servuli* are mentioned because even they, if manumitted, might become heirs.

5 The Permanence of Legal Terms . . .

If we focus on the social construct behind *familia*, we become aware of fundamental changes to the meaning of the term. In the time of the Twelve Tables, *familia* denotes all persons and objects under the power of the *pater familias*. In the course of the middle Republic, the term develops two principal meanings: on the one hand, it is applied to the group of slaves in a household; on the other it embraces the members of the agnate family. And finally, during the Empire, *familia* is more and more often used to delineate the cognate family and so comes close to our modern connotation. In Ulpian's explanatory text (D. 50.16.195) all these meanings are listed side by side, as if they had evolved at the same time. But this interpretation is misleading: Ulpian reports all meanings because in his time they are still present in legal concepts and institutions. Norms and procedural instruments conserved the term in particular connotations. As long as these institutions are observed, the signification in question is frozen and so survives the shifts that the living language undergoes. Therefore, *familia* is a good example for the permanence of legal terms. Its main significations can be reproduced as follows (Fig. 1):

What does this mean for the study of historical forms of dependency? It will not change our admonition not to take any terms at face value in any form of historical inquiry. But we have to formulate an exception for legal studies: As long as certain

Classical Dictionary, February 25, 2019, https://doi.org/10.1093/acrefore/9780199381135.013.8275 [accessed 17.05.2022]; eadem, "Senatus consultum Orfitianum," in *Oxford Classical Dictionary*, January 25, 2019, https://doi.org/10.1093/acrefore/9780199381135.013.8276 [accessed 17.05.2022].

63 See, as well, Gardner, *Family and familia*: 212–20.

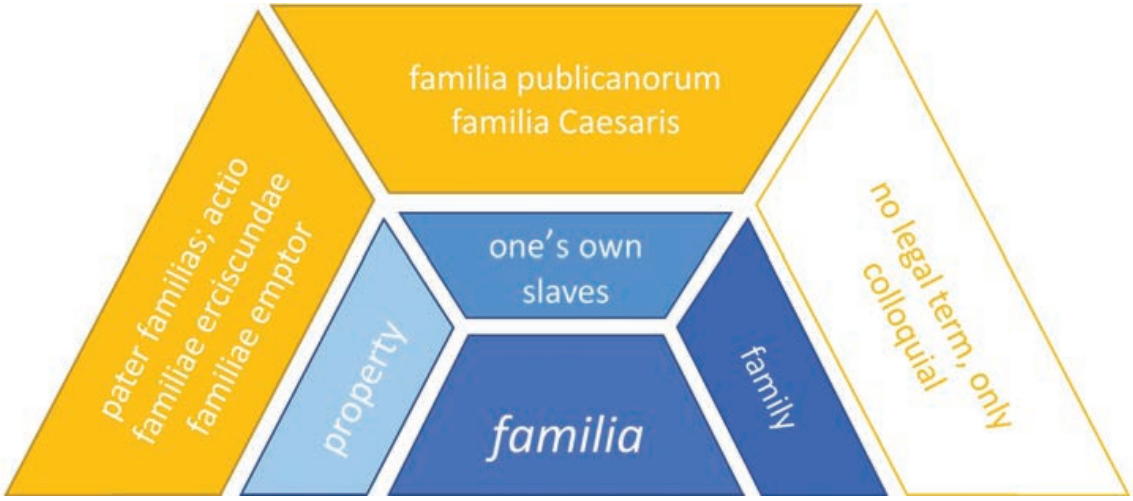

Fig. 1: Meanings of *familia* in Ulpian, D. 50.16.195.

institutions remain valid and rules are observed, the terms to which they refer usually keep their meaning and significance. Normativity fosters relevancy and thus stabilizes the acceptance of terms. The validity of early Republican norms and institutions was rarely challenged throughout Roman history. Many of the old rules contained in the Twelve Tables (ca. 450 BC) remained valid until Justinian's collection (529–534 AC) of classical law. Others were overruled by new provisions but only in a few cases[64] abrogated formally. This is why legal terms covering different concepts coexisted side by side and forced jurists (like Ulpian) to judge their meaning on a case-by-case basis.

This is one side of the coin. The other shows the coherence of institutions and social settings, even in cases of social or economic disruptions. It is a striking phenomenon that in Western societies, the same conflicts have been solved by the same – or at least similar – rules over long stretches of time. This continuity or recurrence of norms[65] and institutions is sometimes indicated by the terminology employed, but it goes even further. This can also be observed in the case of *familia*: In early Roman times, *familia* was the collective term for persons and goods under the power of a *pater familias*. From the point of view of the Twelve Tables, wife, children, slaves, and cattle were his property. This implied that he could reclaim persons and things from any other possessor. If, for example, someone robbed his slave or his children, the *pater familias* could recover them just as he would an ox or a sheep when it appeared to be in the possession of his neighbor. The action used was the so-called *rei vindicatio*, the standard action for an owner to claim his property. The ability to bring this action determined who was the owner. In Rome, ownership was not defined as an abstract power, but as possibility to claim restitution by way of *rei vindicatio*. From this

64 As, for example, most of the old *legis actiones* in the *lex Iulia iudiciorum privatorum* (17 BC).
65 Cf. Theo Mayer-Maly, "Die Wiederkehr von Rechtsfiguren," *Juristenzeitung* 26, no. 1 (1971): 1–3.

perspective, the legal position of slaves and children vis à vis the *pater familias* was similar or even, at least during the early period, the same.

Section 1632 of the German Civil Code provides for exactly the same thing: The guardian (typically one or both parents) can require the return of a child from any person who is unlawfully withholding it from the parent(s). In terms of the underlying concept, this is an owner's claim for restitution. But today, we would of course not consider a guardian or parent the owner of their child. Regarding a child as property would reduce it to the status of a mere thing, because according to section 903 of the German Civil Code, ownership manifests itself in the fact that one can "deal with the object at will." But a child is not an object, and we cannot do with it as we will. But the legal remedy provided in an identical situation (withholding of children) is the same in Roman and in modern civil law. Clearly, the concept of what constitutes property has significantly changed since Roman times, as have ideas of what parents and children are, what family is. These changes have caused a rupture in the system of claiming restitution. One claim became many, expressed in similar ways but conceptualized differently.

But though we now have a different idea of what property means or what family is, we use the same remedy as the Romans to help a father or a mother to claim back their child. From this we can draw an important lesson for evaluating Roman law: The mere fact that Roman *domini* were able to reclaim their slaves with the help of the *rei vindicatio* does not make them "owners of their slaves"[66] in the modern sense, and says little, if anything, about their legal relationship. Therefore, the well-known definition of slavery formulated by Moses I. Finley, which mentions three criteria: "the slave's property status, the totality of the power over him, and his kinlessness,"[67] is inaccurate in one point. What "property status" means depends on the concept of property applied. To reclaim a person from the possession of others does not make this person the property of the claimant. The strange consequence would be that even today, because of section 1632 BGB, children would be considered the property of their parents.[68] This again shows us that when we judge historical texts with modern terms and standards, we fall short of what these texts really contain.

66 Therefore, it is useless to say that in the time of the XII tables "slaves were fully owned by their masters," as Alan Watson does in *Rome of the XII tables: Persons and Property* (Princeton: University Press, 1975): 85. Similarly, but with a focus on classical law, Buckland, *The Roman Law of Slavery*: 10–38.

67 Moses I. Finley, *Ancient Slavery and Modern Ideology* (London: Chatto & Windus, 1980): 77.

68 A similar example is given by Orlando Patterson, *Slavery and Social Death. A Comparative Study with a New Preface* (Cambridge, MA: Harvard University Press, 2018): 21–22.

6 . . . and the Conceptual Changes Behind Them

Only a contextual analysis sheds light on the meaning of *familia* in Roman law texts. In Ulpian's time, the term's different meanings exist side by side and can only be grasped correctly in the context in which *familia* is used. Our inquiry, which analyzed the signification of *familia* over the course of time, suggests a fundamental change in the legal assessment of slaves. When Ulpian speaks of *familia* as an entity of slaves, he thinks of things (*res*). This may be correct for his time, but his synchronic interpretation does not do justice to the meaning of *familia* in the Twelve Tables. We already mentioned the fact that the categorical distinction between persons and things arose at a later stage of Roman history. Rather, the different provisions of the Twelve Tables hinge on whether someone is an object or a subject of rights and powers. Slaves could be either, or both.[69] In the provision on inheritance, they are objects of the power of the *pater familias*, just like his wife or children. But in the law of delict, slaves are protected like free persons. If, for example, a slave suffers a broken bone, the offender must pay half the amount that would be due if a free person suffered an injury.[70] While an enslaved person (*servus*) is worth less than a free one (*liber*), they are equal in terms of their entitlement to legal protection. This would significantly change about 150 years later: The *lex Aquilia*, a plebiscite from 286 BC, considers a slave not in the category of persons at all, but in the category of large livestock. In the case of injury or death of slaves or cattle, the guilty party owes compensation to the owner who has suffered a financial loss. This rule was applied to free persons only in exceptional cases, because *libertas inaestimabilis res est* – freedom cannot be valued in money.[71]

The different meanings of *familia* in Ulpian's text not only reflect the great variety of meanings, but also the conceptual change that slavery underwent during the Republic. The division of objects into things and persons and the development of the *status*-theory, which separated the *status familiae* from the *status libertatis*,[72] reflect the diminishing value und standing of slaves. On the other hand, we must not

69 This is expressed even by Buckland, *The Roman Law of Slavery*: 10–38 and 73–97, but using the classic division of *res* and "man"; following his example Watson, *Roman Slave Law*: 46–66 and 67–89.

70 XII Tab. 5.3 (passed down to us in Coll. 2.5.5): *Manu fustive si os fregit libero CCC si servo CL poenam subit* ("If a limb is broken by the force of a hand or a club there is a penalty of 300; if it occurs to a slave, 150").

71 D. 50.17.106 (Paulus 2 AD ed.).

72 As, for example, in Gaius (D. 1.5.3 = Gai. inst. 1.9): *Summa itaque de iure personarum divisio haec est, quod omnes homines aut liberi sunt aut servi* ("Certainly, the great divide in the law of persons is this: all men are either free men or slaves," trans. Watson, *The Digest of Justinian*, vol. 1: 16); on that Giovanni Negri, "Libertà e status libertatis. Nozioni generali introduttive." in *Homo, caput, persona. La costruzione giuridica dell'identità nell'esperienza romana*, ed. Alessandro Corbino, Michel Humbert, and Giovanni Negri (Pavia: Pavia University Press, 2010): 115–38.

underestimate the dependency of slaves even in the law of the Twelve Tables. Children and slaves alike, as objects under the power of the *pater familias,* were subject to his *ius vitae necisque* – his right over their life and death.[73] The divergent developments of the legal position of slaves and children respectively during the Republic is paralleled by the diminishing importance of the *ius vitae necisque*. But whereas the *pater familias*' "right to kill" or at least "to sit in judgement over" his children was already restricted during the early Republic,[74] we only know of legislation to curtail a master's power over his slaves under the Empire.[75] Obviously, dependencies within the private sphere did not receive the same amount of public attention. This accounts for the close correlation between the legal status of slaves and the social and political developments of the time.

The changing meaning of *familia* reflects such developments. We must be careful not to overlook them when reading texts like that of Ulpian, D. 50.16.195. He wants to give a synchronic account of what *familia* might mean in special contexts. But from the historian's point of view, it tells us a lot about the history of Roman slavery.

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73 Cf. Wolfgang Kunkel, "Das Konsilium im Hausgericht," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte Romanistische Abteilung* 83 (1966): 219–51, esp. 241–46; Kaser, *Das Römische Privatrecht*: 60–63; Gaius (D. 1.5.3 = Gai. inst. 1.9): *Summa itaque de iure personarum divisio haec est, quod omnes homines aut liberi sunt aut servi* ("Certainly, the great divide in the law of persons is this: all men are either free men or slaves," trans. Watson, *The Digest of Justinian*, vol. 1: 98; William V. Harris, "The Roman Father's Power of Life and Death," in *Studies in Roman Law in Memory of A. Arthur Schiller*, ed. Roger S. Bagnall and William V. Harris (Leiden: Brill, 1986): 81–95; Yan Thomas, "Remarques sur la jurisdiction domestique à Rome," in *Parenté et strategies familiales dans l'antiquité romaine*, ed. Jean Andreau and Hinnerk Bruhns (Rome: Ecole Française de Rome, 1990): 449–74; Nikolaus Benke, "On the Roman father's right to kill his adulterous children," *History of the Family* 17 (2012): 284–308; John Curran, "Ius vitae necisque: The Politics of Killing Children," *Journal of Ancient History* 6, no. 1 (2018): 111–35.

74 Tentatively, Kaser, *Das Römische Privatrecht*: 62; Curran's thesis that the *ius vitae necisque* was never exercised on children has good arguments, cf. Curran, "Ius vitae necisque": 129–31.

75 Kaser, *Das Römische Privatrecht*: 285–86.

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3. Research Lenses

3.1. Semantics, Lexical Fields, Narratives

Semantics, Lexical Fields

Ulrich Berges. “The Semantics of Dependency in the Book of Isaiah and Beyond,” in *Control, Coercion, and Constraint: The Role of Religion in Overcoming and Creating Structures of Dependency*, ed. Wolfram Kinzig and Barbara Loose (Berlin: De Gruyter, 2025): 27–44.

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Ulrich Berges

The Semantics of Dependency in the Book of Isaiah and Beyond

1 Introduction

The main title of the present volume, 'Control, Coercion, and Constraint', is supplemented by the subtitle 'the Role of Religion in Overcoming and Creating Structures of Dependency'. Furthermore, the invitation for this project stated:

> Religious narratives have served to justify the subjugation of individuals and entire peoples. Moreover, throughout history, religious institutions have often reflected the social hierarchies and inequalities of the societies around them – creating similarly rigid systems of dependency within their own structures. On the other hand, the realization of freedom and equality is often postponed to a distant future, to a later life, or even to the hereafter.[1]

The ambiguity of the relationship between dependency and religion is almost palpable. On the one hand, religious systems of all stripes are forming strong dependencies through their hierarchies; on the other hand, the same systems are often accompanied by promises of liberty and liberation. Thus, the overcoming and creation of asymmetrical dependencies are two sides of the same coin. This fact is particularly relevant in the context of the Old Testament (OT), the founding document of Judaism and Christianity. Recognition of the ambiguity generated by religion's simultaneous capacity to enshrine asymmetrical dependencies and promise liberation predates the advent of modern biblical scholarship and historical-critical methodologies. The vocabulary of the Old Testament itself reveals a certain consciousness of this ambivalence, particularly concerning the lexeme עבד (*ʿāḇaḏ*).

2 The Semantics of עבד in the Hebrew Bible

עבד (*ʿāḇaḏ*) is the lexeme that indicates the epitome of strong asymmetrical dependency in biblical Hebrew.[2] It covers a wide range of real dependencies. At the same

1 Author's English translation from the German original.

2 Cf. Helmer Ringgren, Horacio Simian-Yofre and Udo Rüterswörden, "עָבַד / עֶבֶד / עֲבֹדָה," in *Theological Dictionary of the Old Testament*, vol. 10, eds. Gerhard Johannes Botterweck, Heinz-Josef Fabry, and Helmer Ringgren (Grand Rapids: William B. Eerdmans Publishing Company, 2000): 376–405; Claus Westermann, "עֶבֶד," in *Theologisches Handwörterbuch zum Alten Testament*, vol. 2, eds. Ernst Jenni and Claus Westermann (Munich: Chr. Kaiser Verlag, 1976): 182–200; Eugene Carpenter, "עבד," in *New International Dictionary of Old Testament Theology & Exegesis*, vol. 3, ed. Willem VanGemeren

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time, its use in the Old Testament reveals a significant development in the metaphorical-theological conception of the term.[3]

The root is known in many Semitic languages, including Ugaritic, Arabic, Ethiopian, Aramaic, Syriac, and Phoenician. *ʿāḇaḏ* can refer to any form of work or labour. In the standard stem (Qal) in Biblical Hebrew, the verb means 'to work, to perform, to serve, [or] to worship'. In the causative stem (Hiphil), it means 'to let work, to make someone serve, [or] to enslave'.[4]

The Hebrew Bible employs a variety of derivatives of the root, all of which have something to do with work or labour. The activities and actors referenced by the derivatives operate on a more or less pronounced gradient of dependence מַעֲבָד: deed, act; עֶבֶד: servant, subordinate, slave; עֲבֹדָה: service, work, labour, worship; עֲבֵדָה: servants, workforce (only in Genesis 26:14; Job 1:3); עַבְדוּת: servitude; bondage (only in Ezra 9:8–9, 17). The root also appears within the context of personal names. In such instances, it often designates a subordination, e.g., *Ebed-melech* (עֶבֶד־מֶלֶךְ) in Jeremiah 38:7–9, *Abed-Nego* (עַבֵד נְגוֹא) (Daniel 3:29), and *Abdeel* (עַבְדְּאֵל) (Jeremiah 36:26). The noun עֶבֶד (ʿæḇæḏ) is of particular importance, since it ranges from the designation of a male slave (Exodus 20:17; Deuteronomy 23:16) to that of a minister who stands in the service of his king (e.g., 2 Kings 5:6; 22:12; 2 Chronicles 34:20). The connecting element is always the dependent position of the *ʿæḇœḏ* in relation to its master, be it an owner, a king, or even YHWH himself.

In some 300 cases, there is a non-metaphorical usage of the verb with the specifications: "to work / to till the ground" (e.g., Genesis 2:5; 4:12; Exodus 20:9; Ecclesiastes 5:12); "to labour for somebody else" (e.g., Genesis 29:15–17; Jeremiah 22:13); "to be a political vassal" (e.g., Genesis 15:14; Exodus 1:13; 6:5; 2 Kings 17:3; 18:7); "to serve in forced labour / corvée" (e.g., Genesis 49:15; Joshua 16:10; 1 Kings 9:21); "to serve in debt-slavery" (e.g., Exodus 21:2, 5–7; Leviticus 25:39–40, 46; Deuteronomy 15:12, 18; 23:15). In the metaphorical use of the verb the following categories play a role: "to be

(Carlisle: Paternoster Press, 1997): 304–9; Friedrich Vinzenz Reiterer, "Dienst," in *Wörterbuch alttestamentlicher Motive*, eds. Michael Fieger, Jutta Krispenz, and Jörg Lanckau (Darmstadt: Wissenschaftliche Buchgesellschaft, 2013): 101–6; Angelika Berlejung and Annette Merz, "Sklave / Sklavin," in *Handbuch theologischer Grundbegriffe zum Alten und Neuen Testament*, eds. Angelika Berlejung and Christian Frevel (Darmstadt: Wissenschaftliche Buchgesellschaft, 2006): 371–74.

3 See especially the various publications of Edward J. Bridge, "The Use of Slave Terms in Deference and in Relation to God in the Hebrew Bible" (PhD diss., Macquarie University Sydney, 2010); Edward J. Bridge, "Loyalty, Dependency and Status with YHWH: The Use of ʿbd in the Psalms," *Vetus Testamentum* 59, no. 3 (2009): 360–78; Edward J. Bridge, "The Use of עבד in Prophetic Literature," *Australian Biblical Review* 60 (2012): 32–48; Edward J. Bridge, "Female Slave vs Female Slave. אָמָה and שִׁפְחָה in the HB," *Journal of Hebrew Scriptures* 12 (2012): 1–21; Edward J. Bridge, "Enslaved to an Artifice: A Study into the Truth behind the Title of Deference, 'Slave / Servant', as used in the Ancient Near East before the Time of Alexander the Great," *Humanity* 2 (2008): 1–11; Edward J. Bridge, "The Metaphoric Use of Slave Terms in the Hebrew Bible," *Bulletin for Biblical Research* 23 (2013): 13–28.

4 Niphal, Pual, Hophal do not add anything new to the meaning of the root.

in an inferior status" (Genesis 25:23; the older son will serve the younger); "to serve in order to strengthen a mutual relationship" (1 Kings 12:7); "to serve YHWH / other deities" (e.g., Exodus 23:33; Numbers 8:25; 16:9; Deuteronomy 4:19; Isaiah 19:21; 43:23–24 [YHWH is enslaved / belaboured by the sins of his people]).[5]

The metaphorical use of the noun *ʿœḇœḏ* moves increasingly away from the original meaning of the lexeme, i.e., someone who works in a strongly subordinate fashion for somebody else. The noun is frequently used as an honorary title, applying, among other things, to high-ranking servants of a king (2 Kings 22:12). It is also used by vassal kings (2 Kings 17:3) when addressing the overlords to whom they are subservient (2 Kings 16:7). Furthermore, it is not difficult to see how the terminology could be used metaphorically to describe not only the asymmetrical relationships between human actors, but to delineate that of humans with YHWH, the divine master. For example, Abraham addresses God thus: 'My Lord, if I find favour with you, do not pass by your servant' (Genesis 18:3; cf. Exodus 32:13). Nearly all religious heroes of Ancient Israel, like the patriarchs, Moses, Joshua, David, Isaiah, and other prophets, Job, etc. receive the honorary title *ʿœḇœḏ*.[6] The same is true for women like Hannah, the mother of the prophet Samuel; she describes herself as God's handmaid (אֲמָה; 1 Samuel 1:11; for שִׁפְחָה, see Joel 3:2; Psalms 123:2).[7] Some foreign kings like the Babylonian Nebuchadnezzar (Jeremiah 25:9; 27:6; 43:10) and the Persian Cyrus (Isaiah 44:28; 45:1) are called YHWH's *ʿœḇœḏ* too because they depend on YHWH's world-wide rule.

On the metaphorical level, one encounters the noun עֲבֹדָה which indicates the service of God in the cult (e.g., Exodus 12:25; 30:16; Numbers 4:47). In the Book of Psalms, the petitioner designates himself often as *ʿœḇœḏ* (especially in Psalms 119 [14 times]; cf. Psalms 25, 27, 69, 109). The last usage occurs in Psalms 143:12: 'In your steadfast love cut off my enemies, and destroy all my adversaries, for I am your servant' (tr. NRSV). Remarkably, the notion that a person has been born into slavery is used metaphorically in the religious realm. For example: 'Turn to me and be gracious to me;

5 Bridge, "Use of Slave Terms": 58–63.

6 Abraham (Genesis 26:24; Psalms 105:6, 42); Isaak (Genesis 24:14; 1 Chronicles 16:13); Abraham, Isaak, Jacob (Exodus 32:13; Deuteronomy 9:27); Moses (some 40 times: Exodus 14:31; Numbers 12:7; Joshua 1:2, 7, 13, 15 etc.); Joshua (Joshua 24:29); David (1 Samuel 23:10; 25:39; Psalms 18:1; 36:1 etc.); the prophets (2 Kings 9:7; 17:3; Jeremiah 7:25; 26:5; Ezekiel 38:17; Amos 3:7; Daniel 9:11); Job (Job 1:8; 2:3; 42:7–8; only in the prologue and the epilogue).

7 For the differences between the usages, see *The Hebrew and Aramaic Lexicon of the Old Testament*, s.v. "שִׁפְחָה": '"שִׁפְחָה" is a girl who is not free but is as yet untouched, whose duty was primarily to serve the woman of the house [. . .] אָמָה is a woman who is not free, and who could be a man's secondary wife, as well as the wife of man who like her is bound in service'; see the critique of Bridge, "Female Slave": 21: 'Since שִׁפְחָה is mostly used for the patriarchs' slave wives in Genesis, the proposal that שִׁפְחָה refers to female slaves of the lowest status and אָמָה to female slaves in marriage contexts also cannot be sustained.'

give your strength to your male servant; save the child of your serving girl' (Psalms 86:16 (tr. NRSV); cf. 116:16).[8]

A unique feature occurs in the so-called Deutero-Isaiah (Isaiah 40–54; 55), where Israel / Jacob is depicted as the faithful and obedient *ʿæḇœḏ* of God. In the third part of the Book of Isaiah (Isaiah 54; 55–66), the term is used only in the plural (עֲבָדִים), designating the faithful remnant of post-exilic Israel (Isaiah 54:17; 56:6; 63:17; 65:8–9, 13–15; 66:14), in contrast to the unfaithful apostate cohort.[9]

Some conclusions may be drawn from this brief overview of the usage of the lexeme עבד in the OT. The increasingly metaphorical use of this word stems from the reality of strong asymmetrical dependency in Biblical Israel: '[. . .] the metaphorical use of slave terms in the Hebrew Bible, whether for deference, courtiers, kings, prophets and so on, is lexicalized language drawn from the institution of slavery.'[10] The term "lexicalized" refers to the fact that '[. . .] biblical writers and ancient Israelites would not have thought consciously of any associations of slavery that could be evoked in any particular use of the terms' (e.g., the self-designation of the pious petitioner as *ʿæḇœḏ*).[11]

The unconscious use of slave / servant terminology on the part of the biblical authors and their ancient and modern readers carries the risk that the root עבד is perceived only as a general marker of relationship, without considering the inherent asymmetry of the two parties involved. It has rightly been pointed out that the term is a 'dynamic concept of relations',[12] but it should be added that it always carries an asymmetrical gradient, which is to be expected in thoroughly hierarchical societies like those of the Ancient Near East, including Biblical Israel. In such societies, power relations are always unequal, a fact that is reflected in the use of slave-master terminology in the Old Testament.

According to Edward Bridge, the associations in the metaphorical use differ according to genre and context: when slave terminology is used in deference among humans, the emphasis lies upon the inferior status of the one who designates himself as *ʿæḇœḏ*; when used in relationship with God as אָדוֹן / κύριος "Lord" the associations are mainly loyalty and possession.[13] In contrast to the use among humans where the self-designation "your *ʿæḇœḏ*" can be employed deceptively (e.g., 2 Samuel 13:14; 14:22; 15:8), in deference to God, such misuse is impossible. As an *ʿæḇœḏ* of God, one is under the protection of the

8 Something similar occurs with the noun תּוֹשָׁב "resident alien / sojourner": 'Hear my prayer, YHWH, and give ear to my cry; hold not your peace at my tears! For I am a stranger with you, a sojourner, like all my fathers' (Psalms 39:13 [tr. NRSV]).

9 See Ulrich Berges, "The Servant(s) in Isaiah," in *The Oxford Handbook of Isaiah*, ed. Lena-Sofia Tiemeyer (Oxford: Oxford University Press, 2020): 318–33.

10 Bridge, "Use of Slave Terms": 294.

11 Bridge, "Use of Slave Terms": 294.

12 Ingried Riesener, *Der Stamm 'bd im Alten Testament. Eine Wortuntersuchung unter Berücksichtigung neuerer sprachwissenschaftlicher Methoden*, Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft 149 (Berlin: De Gruyter, 1978): 268: "dynamischer Relationsbegriff".

13 Bridge, "Use of Slave Terms": 294–96.

supreme Lord, to whom one owes unreserved loyalty.[14] A release out of this dependency is unthinkable unless one dies under the divine wrath and enters the realm of the netherworld (cf. Psalms 88:6).

3 The Semantic of Slavery and Servitude in the Book of Isaiah

That the nouns *ʿœḇœḏ* and *ʿᵃḇāḏim* play an important role in Isaiah 40–54 and Isaiah 55–66, respectively, is an undisputed fact in the exegesis of this major prophetic book. Much ink has been spilt on explorations of the individual and / or collective identity of the *ʿœḇœḏ*. The relationship between the passages in which Israel / Jacob is referenced through the use of this term (Isaiah 41:8–9; 42:19; 43:10; 44:1–2, 21; 45:4; 48:20) and those texts that lack such explicit identification (in the so-called servant songs: Isaiah 41:1–3; 49:1–3; 50:4–6; 52:13–15) is best explained by the literary creativity of the prophetic authors in exilic and post-exilic times: the nameless servant is first and foremost a literary fiction, a theological idea that is historically concretized in those deported to Babel who, after the Persian king Cyrus took power, returned to the heavily destroyed Jerusalem and Juda. Only while the faithful were returning home did the blind and deaf servant become a witness of divine liberation for Israel and the nations.[15] Once they completed their journey, it was the *ʿᵃḇāḏim* who strove to open the YHWH-religion to worshippers from the nations, regardless of ethnic origin, but with a strong focus on ethical behaviour (cf. Isaiah 56:1–3). This program led to a conflict between the *ʿᵃḇāḏim* and the priestly establishment at the Jerusalem Temple. Indeed, amid the dispute, the *ʿᵃḇāḏim* were almost "excommunicated" (Isaiah 65:1–3).

Nevertheless, these historical and theological details are not the subject of the following pages. Instead, the following sections focus on the question, which has so far been addressed only preliminarily, i.e., what associations are to be reckoned with in the *ʿœḇœḏ-ʿᵃḇāḏim* terminology in Isaiah 40–66? According to Edward Bridge, the possible associations attached to the slavery terminology in the Old Testament are "possession", "inferior status", "work, debt / poverty", "oppression", "propensity to run away", and as a derived connotation "loyalty".[16] The question arises: how many of these associ-

14 Bridge, "Use of Slave Terms": 295: 'Status due to association with power maps to a recognition even in the ancient world that a slave carries his master's authority when on his master's business.'

15 Ulrich Berges, *Jesaja 40–48*, 2nd ed., Herders Theologischer Kommentar zum Alten Testament 36 (Freiburg: Herder Verlag, 2020): 60–62: That Jacob / Israel is the *ʿœḇœḏ* of YHWH is seldom affirmed outside the Isaianic chapters, i.e., in 1 Kings 8:32, 36; 2 Chronicles 6:23, 27; Jeremiah 30:10; 46:27–28; Nehemiah 1:6, 10. These references are all of post-exilic origin.

16 Bridge, "The Use of עבד": 33: 'The aim of my study is to determine possible associations, or connotations, from the biblical practice of slavery evoked by the use of עבד to refer to people in relation to God.'

ations are evoked by the terms *ʿæḇœḏ* and *ʿᵃḇāḏim* in the second half of the Book of Isaiah? This question is anything but trivial since the result influences the translations of the terms in their literary contexts.

The question is also interesting from a literary-historical perspective. In the pre-exilic prophets, the term *ʿæḇœḏ* is not used in a religious context of deference. The word is only employed by the Deuteronomic and Deuteronomistic authors at the end of the eighth and in the seventh century BCE to contrast Assyrian hegemony with the relationship between YHWH and his dependents.[17] Something analogous happens to *ᵃḇoḏāh* in the priestly writings and the Chronicles since, in pre-exilic times, "work / labour" did not mean the cultic service to God.[18] Also striking is the fact that Levites and priests are never called *ʿᵃḇāḏim*, nor do they refer to themselves thus, which contrasts with descriptions of pious lay people (?) in the Book of Isaiah. That YHWH is the owner of his people, over whom he placed Moses as the supreme *ʿæḇœḏ* (slave / servant) over all his household, is made clear in Numbers 12:7.[19] Only with Moses does God, who spoke to the prophets through visions, speak face-to-face, e.g., 'not so with my servant Moses; he is entrusted with all my house' (tr. NRSV).[20]

Before we turn to the individual passages in Isaiah 40–66, it should be emphasized once again that the *ʿæḇœḏ* title for Jacob / Israel comes from the exilic and post-exilic periods. In the exile (587–539 BCE) and its aftermath, this designation includes the hope that YHWH will not let his people, i.e., his property, be lost: 'The demoralized nation in exile is contrasted with God's intense concern for them' (e.g., Isaiah 42:18–43:7; 45:9–14; 46:8–13; Jeremiah 30:10).[21]

A text like Isaiah 14:2 shows how, in retrospect, the Babylonian captivity was interpreted as slavery and the end of exile as a total change of fate: 'And the nations will take them and bring them to their place, and the house of Israel will possess the nations as male and female slaves in YHWH's land; they will take captive those who were their captors, and rule over those who oppressed them' (tr. NRSV).[22]

In Isaiah 20:3, the prophet is referred to in a word of God as עַבְדִּי ("my *ʿæḇœḏ*"), which is one of the honorary titles for the true prophets of YHWH. On the one hand, it refers to God's authoritative commission by which the prophet is enslaved to his duty,

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17 Cf. Riesener, *ʿbd im Alten Testament*: 270.

18 Cf. Riesener, *ʿbd im Alten Testament*: 271.

19 Martin Noth, *Das vierte Buch Mose. Numeri*, 4th ed., Das Alte Testament Deutsch 7 (Göttingen: Vandenhoeck & Ruprecht, 1982): 85: That God speaks with Moses from face to face is justified by his position '[. . .], die vergleichsweise bezeichnet wird als die Stellung des obersten Sklaven, der zugleich der Vertraute seines Herrn und dem das ganze "Hauswesen" seines Herrn anvertraut ist.'

20 Moses as the *ʿæḇœḏ* of God in the prophets and psalms only in Isaiah 63:11; Malachi 3:22; Psalms 105:26; Daniel 9:11.

21 Bridge, "The Use of עבד": 36.

22 Joseph Blenkinsopp, *Isaiah 1–39. A New Translation with Introduction and Commentary*, The Anchor Bible 19 (New York: Doubleday, 2000): 282: '[. . .] once they return foreigners will serve them as slaves or at least as *Gastarbeiter* (45:14; 49:7; 60:10–16; 61:5–7) [. . .].'

and on the other, to his total dependence on divine supremacy. It is probably not by coincidence that the title applies here and only here to the prophet Isaiah when he is forced by God to walk naked through Jerusalem for three years as a warning to the city's inhabitants and its leadership not to join the Philistine uprisings against Assur in the years 714–711 BCE. The term's association is broader than just a reference to Isaiah's prophetic action. It also invokes the cruel fate experienced by war captives. In Mesopotamia, armed conflict was the primary contributing factor to enslavement. The Old Testament itself evidences the reality of enslavement as a weapon or consequence of war.[23] For example, 1 Samuel 4:9 declares: 'Take courage, and be men, O Philistines, in order not to become slaves to the Hebrews as they have been to you; be men and fight.'[24]

The ubiquity of slavery in the Ancient Near East is difficult for modern readers to grasp. This hermeneutical blind spot influences modern translations of biblical passages, which were shaped by the asymmetrical dependencies of that distant period and cultural context(s). It is thus important to recognize that strong asymmetrical dependencies fundamentally shaped the lives and worldviews of those who wrote, redacted, and read Old Testament texts. Such a realisation helps modern readers to grasp why Isaiah 24:2, for example, depicts the destruction of the whole world order, which affects all social status groups, including slaves and their owners. The pericope also makes it clear that, in addition to speaking of male slaves, references to female slaves (as maids) also abound: 'And it shall be, as with the people, so with the priest; as with the slave, so with his master; as with the maid, so with her mistress, as with the buyer, so with the seller; as with the lender, so with the borrower; as with the creditor, so with the debtor' (tr. NRSV).[25] The reluctance to use the term slave and instead to opt for words like "servant" in modern translations must be examined against the background of the *de facto* slavery in Israel and its environment. Though "servant" might be an applicable English translation of the Hebrew terminologies

23 Helmer Ringgren, "עבד," in *Theologisches Wörterbuch zum Alten Testament*, vol. 5, eds. Gerhard Johannes Botterweck, Helmer Ringgren, and Heinz-Josef Fabry (Stuttgart: Kohlhammer, 1986): 996: 'Die Sklaven im alten Mesopotamien (sumer. *ùr*, akk. *wardum*/*ardu*, nbabyl. meist *qallu*) waren zunächst Kriegsgefangene, die für schwere öffentliche Arbeiten eingesetzt wurden'; Ignace Jay Gelb, "Prisoners of War in Early Mesopotamia," *Journal of Near Eastern Studies* 32, no. 1–2 (1973): 95: 'Immediately upon their capture, POWs are slave property of the crown / state. As such, they are abused and exploited in the extreme. They may be worked to death on monumental projects of the crown.'

24 For female slaves, Nahum 2:7: 'It is decreed that the city be exiled, its slave women led away, moaning like doves and beating their breasts' (NRSV). See also Deuteronomy 20:13–14.; Judges 5:30; Judith 16:4; cf. Dominik Markl, "Women in War in the Ancient Near East and the War Captive Wife in Deuteronomy," in *Sexualität und Sklaverei*, eds. Irmtraud Fischer and Daniela Feichtinger, Alter Orient und Altes Testament 456 (Münster: Ugarit-Verlag, 2018): 203–23.

25 Willem André Maria Beuken, *Jesaja 13–27*, Herders Theologischer Kommentar zum Alten Testament 35 (Freiburg: Herder Verlag, 2007): 315: 'wie dem Sklaven, so seinem Herrn; wie der Magd, so ihrer Gebieterin'; Otto Kaiser, *Der Prophet Jesaja. Kapitel 13–39*, 3rd ed., Das Alte Testament Deutsch 18 (Göttingen: Vandenhoeck & Ruprecht, 1983): 145–46: 'wie dem Sklaven so seinem Herrn, wie der Magd so ihrer Dame'; cf. Lutherbibel 2017, Elberfelder Bibel, Neue evangelistische Übersetzung: "Knecht / Magd"; differently Zürcher Bibel: "Sklave / Sklavin".

in some pericopes, such a lexical softening should not be undertaken without careful consideration of the asymmetrical dependencies that dominated Ancient Near Eastern societies, including biblical Israel. Whether and to what extent this caution applies to the term *ʿæḇœḏ* and the plural *ʿaḇāḏim* in Isa 40–66 is the subject of the next section.

3.1 The *ʿæḇœḏ* in Deutero-Isaiah (Isaiah 40–54)

In several places throughout Isaiah 40–49 Israel / Jacob, i.e., the exiled people, is addressed by YHWH as עַבְדִּי ("my *ʿæḇœḏ*") whom he has "chosen" (בחר), "called" (קרא), and "formed" (יצר) (cf. 41:8–9. 43:10. 44:1–2). This *ʿæḇœḏ*, who lived in forced labour in Mesopotamia until the Persians set him free, belongs to YHWH alone. The connotation of the term in question is one of possession. It also indicates that the institution of slavery extends into biblical conceptions of the relationship between human and divine actors. However, the difference between human-to-human slavery and human-to -YHWH slavery cannot be overlooked. Dependence on YHWH serves to protect his *ʿæḇœḏ* from enslavement to another human so long as the slave professes allegiance to his master and puts himself at the master's service.[26]

According to Claus Westermann, the primary association of the word is not that of being a subordinate but one of belonging to the master. He also states that the religious use is not to be derived from the profane but that both are equally original.[27] That said, Westermann underestimates the importance of the social institution of slavery for the metaphorical use of the term. The total dependence of the slave on his master is striking, especially when used in a religious context, even if the assumption of a dependency relation does not work to the detriment of the subordinate.[28]

The designation of the subordinate as *ʿæḇœḏ* undoubtedly belongs to the ancient royal ideology, which is also reflected in the image of King David (cf. 1 Kings 11:13, 34).[29] However, the connotation in Isaiah 40–54 is not only one of royal ideology. It also concerns the commissioning of the *ʿæḇœḏ*, his work, and the task assigned to him by YHWH. The chosen *ʿæḇœḏ* is appointed as a "messenger" (Isaiah 42:19), as a "witness" to the superiority and exclusivity of the God of Israel (Isaiah 43:10): 'Ultimately, a messenger does work for the sender, thus the metaphoric use of עבד for Israel as

26 Bridge, "The Use of עבד": 37.

27 Claus Westermann, "עֶבֶד": 191.

28 Claus Westermann, "עֶבֶד": 191: 'Es kann niemals Knechtschaft im negativen Sinn bedeuten.'; see the severe critique of Hector Avalos, *Slavery, Abolitionism, and the Ethics of Biblical Scholarship*, The Bible in the Modern World 38 (Sheffield: Sheffield Phoenix Press, 2013): 62–65: Regarding this mitigating interpretation of the lexeme עבד in Old Testament Scholarship; 71–72: According to him even circumcision has its roots in the institution of slavery.

29 Matthias Köckert, "Die Erwählung Israels und das Ziel der Wege Gottes im Jesajabuch," in *"Wer ist wie du, HERR, unter den Göttern?" Studien zur Theologie und Religionsgeschichte Israels. Festschrift für Otto Kaiser zum 70. Geburtstag*, eds. Ingo Kottsieper et al. (Göttingen: Vandenhoeck & Ruprecht, 1994): 282.

God's מלאך evokes the association of slavery, "work".'[30] This image of the messenger doing the work of the divine sender resembles that of a prophet, who has to submit completely to the will of God, even if it contradicts his own nature and ideas: 'From the moment he answered Yahweh's call, the classical prophet ceased to be a free man. He was now in bondage to the divine word. He must go where he was sent and say what he was commanded to say.'[31]

What does the bondage of the prophet to YHWH mean for the translation of *ʿæḇœḏ* in Isaiah 40–54? The translation "servant" can be accepted so long as the strong asymmetrical dependency in the relationship between the human "servant", and the divine Lord is kept in mind. To strengthen this assertion, one might also employ terms like "bondsman" or "serf".[32]

Isaiah 49:7 serves as a counterpoint to translations of *ʿæḇœḏ* that might downplay the connotation of strong asymmetrical dependency in the relationship between YHWH and the people in his possession. In that verse, *ʿæḇœḏ* is used to describe the exiled Israelites in contrast to oppressors. Here, the term clearly ought to be translated as "slave": 'Thus says YHWH, the Redeemer of Israel and his Holy One, to one deeply despised, abhorred by the nations, the slave of rulers. "Kings shall see and stand up, princes, and they shall prostrate themselves, because of YHWH, who is faithful, the Holy One of Israel, who has chosen you"' (tr. NRSV).

This verse from the editorial supplement (Isaiah 49:7–12) to the second song of the servant in Isaiah 49:1–6 interprets the exiled people and the desolate city Zion with reference to the fourth song as oppressed by the nations and forced into a slave existence.[33] If this oldest reading of Isaiah 53 interprets the character staged here as a "slave of rulers", the question is justified as to which elements in the fourth song were decisive for such an interpretation.

First, it is the term עַבְדִּי ("my *ʿæḇœḏ*") in Isaiah 52:13 and 53:11 that evokes the association of subordination and total dependence, especially after its anticipation in Isaiah 49:7. One of the main points of the fourth song is the protagonist's incredible reversal of fortune. The character transitions from the deepest humiliation to the

30 Bridge, "The Use of עבד": 37; see page 45: 'In effect, he is a messenger-slave who is fully obedient to Yhwh.'

31 David Arthur, *A Smooth Stone: Biblical Prophecy in Historical Perspective* (Lanham: University Press of America, 2001): 104, quoted in Bridge, "The Use of עבד": 41.

32 In German one might think of "Leibeigener" instead of "Knecht" or "Magd" which are due to the translation of Martin Luther and reflect the feudal conditions of the sixteenth century, thus Rainer Kessler, "Knechtschaft (AT)," Das Wissenschaftliche Bibellexikon im Internet, 2006, https://www.bibelwissenschaft.de/stichwort/23712/ [accessed 13.08.2022]; Rainer Kessler, "Sklaverei (AT)," Das Wissenschaftliche Bibellexikon im Internet, 2019, https://www.bibelwissenschaft.de/stichwort/28970/ [accessed 13.08.2022].

33 Odil Hannes Steck, "Der Gottesknecht als 'Bund' und 'Licht': Beobachtungen im Zweiten Jesaja," in *Zeitschrift für Theologie und Kirche* 90 (1993): 123; cf. Ulrich Berges, *Jesaja 49–54*, Herders Theologischer Kommentar zum Alten Testament 37 (Freiburg: Herder Verlag, 2015): 43–45, 225–26.

highest echelon, surpassed only by the royal position of the heavenly king, YHWH himself (cf. Isaiah 52:13 and Isaiah 6:1). There is only one other instance in the Book of Isaiah in which a comparable elevation can be found. Namely, the case of the female protagonist, Zion, who had to bend her back so that her conquerors could walk over her (Isaiah 51:23). The holy city is depicted as a female captive of war, deprived of her garments, humiliated by her conquerors, tied up with an iron collar around her neck, sold like a war-slave by her God (Isaiah 52:1–3).

Since the fates of the 'captive Jerusalem // captive daughter Zion' (Isaiah 52:2) must be seen in close relation to the suffering *'œḇœḏ* in Isaiah 53, the association of a slave figure with these characters is not far-fetched. Isaiah 49:7 provides support for this assertion. The redactors who supplemented the second poem (Isaiah 49:1–6) have taken the expression "despised" (נִבְזֶה) from Isaiah 53:3, where it is used twice. The word בזה expresses the deepest disregard that people can have for others; it implies worthlessness and abhorrence (cf. 1 Samuel 15:9; Jeremiah 22:28). Those addressed by this predicate are regarded by their fellowmen as ostracized outcasts. In social terms, they are non-existent.[34] No other passage expresses this state better than the lament in Psalms 22:7: 'I am a worm, and no man; a reproach of men, and despised of the people' (tr. KJV).

This stripping of social location perfectly matches the phenomenon that Orlando Patterson describes as social death: 'If the slave no longer belonged to a community, if he had no social existence outside of his master, then what was he? The initial response in almost all slaveholding societies was to define the slave as a socially dead person.'[35] The slave owner's authority over his property was virtually without limits; he could subject the slaves to corporal punishment that could even prove fatal.

The notion of social death is reflected in the persona of the suffering *'œḇœḏ* when he is described in Isaiah 53:4 as 'smitten of God and afflicted' (KJV). The interpretation that the primary cause of his suffering was an incurable (skin-) disease overlooks the fact that none of the terms here are otherwise used to refer to a disease without further addition or qualification.[36] The semantic elements "to touch" (נגע), "to smite" (נכה), "to strike down" (דכא), "to reach / to fall upon" (פגע) are also associated in the Old Testament with diseases whose cause is YHWH himself (cf. Genesis 19:11; Deuteronomy 28:22, 27–28, 35; 1 Samuel 5:6, 12; Isaiah 1:5) but the closest parallel can be found in Jeremiah 30:13–14: 'There is no one to uphold your cause, no medicine for your wound, no healing for you. All your lovers have forgotten you; they care nothing for you; for I have dealt you the blow of an enemy, the punishment of a merciless foe, because your guilt is great, because your sins are so numerous' (tr. NRSV). It is not the

34 Manfred Görg, "בָּזָה," in *Theologisches Wörterbuch zum Alten Testament*, vol. 1, eds. Gerhard Johannes Botterweck and Helmer Ringgren (Stuttgart: Kohlhammer, 1973): 584.

35 Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge, MA: Harvard University Press, 1982): 38.

36 In Leviticus 13–14; Deuteronomy 24:8 the disease infestation is always indicated by the combination of נֶגַע "touch / strike / plague" and צָרַעַת "human disease / leprosy".

diseases themselves that put down the *ʿæḇœḏ*, but the blows of God, for which, in Isaiah 53, he no longer needs enemies as executors.[37] In this context, it is not without significance that in the first instance of its use in Jeremiah 30:11, the *ʿæḇœḏ* title applies to Jacob, the exiled people of Israel. Secondly, it is important to note that the verb נכה "to smite" is also used in the legal provision that addresses a slave owner who has beaten his male or female slave to death (Exodus 21:20, 26).

The final characterization of the *ʿæḇœḏ* in Isaiah 53:4 is that he was 'afflicted' (מְעֻנֶּה) by God. The verb ענה II indicates a reduction in status by force: 'By applying physical or psychological violence, the status of a person is changed for the worse.'[38]

Indeed, Sarai used physical and psychological violence to negatively alter Hagar's status after the former asked the latter to bear a son for Abraham. Sarai dealt with Hagar so harshly – degrading her from second wife to a pure female slave – that Hagar fled with the child (Genesis 16:6). The same kind of degradation and loss of status was inflicted by God on his *ʿæḇœḏ* (Niphal ענה II in Isaiah 53:7) who did not raise his voice in protest but kept silent. The goal of strict obedience is forced upon children and slaves alike (Micah 1:6) by the head of the household through beatings and other corporal punishments (for slaves: Proverbs 29:19, 21; Sirach 33:25–33; for sons / children: Proverbs 29:15, 17; Sirach 30:1–13; 42:9–14). Such beatings are justified via reference to an inner purification that expels evil: 'Blows that wound cleanse away evil; beatings make clean the innermost parts' (Proverbs 20:30). It is precisely this inhuman pedagogy that stands behind God's blows against the people (Isaiah 1:6a), towards whom he acts like a father who beats his disobedient children: 'From the sole of the foot even to the head, there is no soundness in it, but bruises and sores and bleeding wounds' (tr. NRSV).

The noun חַבּוּרָה "bruise / stripe / blow" rarely occurs in the OT (Genesis 4:23; Exodus 21:25; Psalms 38:6; Proverbs 20:30) and only once more in the Book of Isaiah, i.e., as the result of God's beating of the *ʿæḇœḏ*: 'by his bruises, we are healed' (Isaiah 53:5 [tr. NRSV]). The agreements between Isaiah 1 and 53 are too numerous to be purely accidental (cf. "to smite" [נכה] and "sickness" [חֹלִי]). The chastisement of the people as disobedient children and that of the *ʿæḇœḏ* as the one beaten by God are intertwined. Against the backdrop of Isaiah 1:6 the result of the divine blow against the innocent *ʿæḇœḏ* appears even more dramatic: 'From the sole of the foot to the head, there was nothing sound left on the body of the beaten man, it was covered with untreated colourful bumps, weals and fresh wounds.'[39] How many slaves have experienced such beatings? How many have perished miserably under such torture?

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37 Berges, *Jesaja 49–54*: 248–50.

38 Erhard Gerstenberger, "ענה," in *Theologisches Wörterbuch zum Alten Testament*, vol. 6, eds. Heinz-Josef Fabry and Helmer Ringgren (Stuttgart: Kohlhammer, 1989): 253 (author's own translation from German).

39 Zoltán Kustár, *"Durch seine Wunden sind wir geheilt": Eine Untersuchung zur Metaphorik von Israels Krankheit und Heilung im Jesajabuch*, Beiträge zur Wissenschaft vom Alten und Neuen Testament 154 (Stuttgart: Kohlhammer, 2002): 192–93 (author's own translation from German).

Apart from children and slaves, there is no other group of people upon whom such brutal treatment could be inflicted in the Ancient Near East and Ancient Israel. Since the fourth "servant song" in Isaiah speaks explicitly of the *ʿæḇœḏ*, it is almost imperative to think here of the fate of the slave of God. The reference here is to a chattel slave, not one who has fallen into debt bondage due to financial hardship. In the latter case, the release would have had to occur after mistreatment by a master (Exodus 21:26–27). This rule does not apply to a chattel slave whose owner can mistreat him at will because the slave is the owner's property (Exodus 21:21).[40]

If one takes the use of slave terminology in Isaiah 53 seriously, a further consequence arises: the environment (the We-group) believed that the slave referenced in the pericope deserved the mistreatment he received. However, in reality, he was blameless. His abuses should have been inflicted on those who unjustly despised him. They were the disobedient children and slaves of God. The sufferer in the fourth song has no prophetic traits and is not depicted as a persecuted servant of God by his fellowmen.[41] This *ʿæḇœḏ* is completely inactive; he proclaims nothing; he does not even open his mouth. Instead, he endures everything like a slave who is beaten by his divine master for the offences of others. Only those who, in retrospect, recognize the patient endurance of the slave of YHWH as the God-willed substitute for their disbelief and disobedience can be counted among the *ʿaḇāḏim* (plural of *ʿæḇœḏ*).[42] Through them, the divine slave receives an offspring which lives up to his ideal of obedience and loyalty to YHWH (Isaiah 53:10).

3.2 The Servants in Isaiah 54–66

As just noted, it cannot be a coincidence that from Isaiah 54:17b onwards, the *ʿæḇœḏ* is no longer referenced in the singular, but as עַבְדִּים *(ʿaḇāḏim)*, that is in the plural (Isaiah 54:17; 56:7; 63:17; 65:8–9, 13–15; 66:14). Recently, the shared theological viewpoints and literary similarities of this group to the authors and singers of the Psalms have been clarified.[43] Thus, the term *ʿaḇāḏim* is quite common in the song- and prayerbook

40 For this distinction see Innocenzo Cardellini, *Die biblischen "Sklaven"-Gesetze im Lichte des keilschriftlichen Sklavenrechts: Ein Beitrag zur Tradition, Überlieferung und Redaktion der alttestamentlichen Rechtstexte*, Bonner Biblische Beiträge 55 (Königstein: Peter Hanstein Verlag, 1981): 267–68.

41 Against Bridge, "The Use of עבד": 46: 'עבד, used for the Servant's title, evokes the same associations of slavery as for prophets: "possession", "work", but the status idea is heightened, despite his sufferings.'

42 Cf. Fredrik Hägglund, *Isaiah 53 in the Light of Homecoming after Exile*, Forschungen zum Alten Testament 2. Reihe 31 (Tübingen: Mohr Siebeck, 2008): 171.

43 Ulrich Berges, "'Sing to the LORD a New Song': The Tradents of the Book of Isaiah and the Psalter," in *The History of Isaiah: The Formation of the Book and its Presentation of the Past*, eds. Jacob Stromberg and J. Todd Hibbard, Forschungen zum Alten Testament 150 (Tübingen: Mohr Siebeck, 2021): 213–37; Ulrich Berges, "Isaiah 55–66 and the Psalms: Shared Viewpoints, Literary Similarities, and Neighboring Authors," *Journal of Biblical Literature* 141 (2022): 277–99.

of Israel, especially in the Books of Psalms IV and V (Psalms 34:23; 69:37; 79:2, 10; 89:51; 90:13, 16; 102:15, 29; 105:25; 113:1; 123:2; 134:1; 135:14). Already at first glance, it becomes clear that in both, the final third of the Book of Isaiah and in the Psalter, the designation *ʿaḇāḏim* is related to the proper worship of YHWH.

In a dramatic reading of the Book of Isaiah, the plural *ʿaḇāḏim* points to a collective of believers who long for the return of all exiled Jews to Jerusalem and for the centrality of Zion and its temple as a place of prayer for devotees from Israel and the nations.[44] Only through the return from exile will God's plan come true. Only then will God install his *ʿœḇœḏ* as light, instruction, and witness for Israel and the nations (Isaiah 42:6; 49:6). This is how the divine word in Isaiah 43:10a finally comes true: 'You are my witnesses, says YHWH, and my servant whom I have chosen.'

Insofar as the addressees accept the responsibility of serving as witnesses for the uniqueness of YHWH, they constitute the *ʿœḇœḏ*, belonging to the *ʿaḇāḏim*. They are on YHWH's side, and he is on theirs. There is no longer any dissonance between YHWH and his own, no blind and deaf *ʿœḇœḏ* (Isaiah 42:19). There are no more divine beatings, but only protection and blessing for the *ʿaḇāḏim*. No other text expresses this better than Isaiah 54:13, where the *ʿaḇāḏim* of YHWH are depicted as children of mother Zion and disciples of God, whom He himself teaches and provides great peace.[45] In their attachment and loyalty to the Divine Lord, they resemble their predecessors in faith and trust: 'The use of עבד for a group of Yhwh worshippers is similar to its use for the patriarchs. That is, they are people loyal to Yhwh. This is shown by the text's claim that they worship YHWH and further Yhwh's will. This use of עבד calls up the association of slavery, "work".'[46]

However, whether the previously referenced association is valid in Isaiah 54–66 must be questioned. The connotation "work" in the sense of a dependent or even slavish activity is certainly not implied here. For example, in Isaiah 56:6, one reads: 'And the foreigners who join themselves to YHWH, to minister to him, to love the name of YHWH, and to be his *ʿaḇāḏim*, all who keep the sabbath, and do not profane it, and hold fast my covenant' (tr. NRSV). The Septuagint (LXX) translates the Hebrew verb שרת as δουλεύω ("to serve") only in this context. Elsewhere it is normally translated as λειτουργέω ("to worship"), thus strengthening the reference to the noun δοῦλος ("slave" / "bondsman" / "servant") in the same verse.[47] In the profane sphere, the Hebrew word

44 Berges, "The Servant(s) in Isaiah": 318–33.

45 Marjo Christina Annette Korpel and Johannes Cornelis de Moor, *The Structure of Classical Hebrew Poetry: Isaiah 40–55*, Oudtestamentische Studien 41 (Leiden: Brill, 1998): 605: 'The children of Zion are the servants of the LORD if they learn from his teaching [. . .] Again our structural analysis lends support to the interpretation of the servant of the LORD as a corporate personality.'

46 Bridge, "The Use of עבד": 47.

47 The LXX adds also καὶ δούλας ("and female slaves / bondmaids") to exclude from the outset the idea that a priestly ministry could be meant, see Ulrich Berges, *Jesaja 55–66*, Herders Theologischer Kommentar zum Alten Testament 53 (Freiburg: Herder Verlag, 2022): 138 and 158–59.

שרת always means to serve higher-ranking persons and never indicates the activity of a slave: 'it is the servitude by free people, often an act honoring the servant'.[48] Two thirds of the references are about cultic service before God, especially in the priestly writing, Ezechiel and Chronicles.[49]

In Isaiah 56:6, as well as in Isaiah 60:7, 10; 61:6, there is also a cultic imprint. Thus, the *ʿaḇāḏim* are not described as slaves or bondsmen but as worshippers who should be honoured for putting themselves entirely at the service of their God. Therefore, the translation "servants" seems very much appropriate in this context.

The next reference to the term in Isaiah 63:17 supports the previous assertion, because an emerging tension between God and the pious is detected and averted by them through their prayer: 'Why, YHWH, do you make us stray from your ways and harden our heart, so that we do not fear you? Turn back for the sake of your *ʿaḇāḏim*, for the sake of the tribes that are your heritage?' (tr. NRSV). Here, the divine hardening of the people's heart (Isaiah 6:10) that had led to the exilic catastrophe once again stands before the petitioners as a threat. However, the difference this time is that the *ʿaḇāḏim* recognize the impending danger and ask God to turn to them and the people again. By recognizing the danger, they take the first step towards averting it: 'They ask why YHWH hardens their heart. Thus, hardness is perceptible to the hardened.'[50]

Additionally, in Isaiah 63:17, there is a recourse to the confession of those who belong to the descendants of the *ʿæḇæḏ*, since the vocabulary does not coincidentally resemble each other: 'All we like sheep have gone astray; we have all turned to our own way' (Isaiah 53:6a [tr. NRSV]; cf. תעה "to go / to lead astray"; דֶּרֶךְ "way"). The *ʿaḇāḏim* are that part of post-exilic Israel that perceive friction between YHWH and his people. In the face of this realization, they stand ready to intervene. According to them, God must lay down his wrath. Otherwise, they will no longer be able to maintain their loyalty to him.[51] The deity accepts their supplication and responds to it. In all subsequent references to the *ʿaḇāḏim* in Isaiah 65–66, the gentle tenor is apparent: YHWH stands only on their side, and because of them, he will not destroy all his people. They are the good grapes in the wine press (Isaiah 65:8–9). The divine blessings lay exclusively upon them; their opponents, on the other hand, should expect only hardship and disaster (Isaiah 65:13–15; 66:14). The constellation of the pious worshipers with their God, on the one hand, and the opponents who oppose cultic and social purity, on the other hand,

48 Claus Westermann, "שרת," in *Theologisches Handwörterbuch zum Alten Testament*, vol. 2, eds. Ernst Jenni and Claus Westermann (Munich: Chr. Kaiser Verlag, 1976): 1020 (author's own translation from German); cf. Genesis 29:15, 18, 20; 39:4; 40:4; Exodus 24:13; 33:1; Numbers 11:28; Joshua 1:1.

49 Westermann, "שרת": 1021 (cf. Numbers 1:50; 3:31; 4:9, 12, 14; Ezekiel 44:11, 17, 19, 27; 46:24; Ezra 8:17; Nehemiah 10:37, 40).

50 Torsten Uhlig, *The Theme of Hardening in the Book of Isaiah: An Analysis of Communicative Action*, Forschungen zum Alten Testament 2. Reihe 39 (Tübingen: Mohr Siebeck, 2009): 313.

51 Willem André Maria Beuken, "The Main Theme of Trito-Isaiah: 'The Servants of YHWH'," *Journal for the Study of the Old Testament* 47 (1990): 75: 'Their servitude is more a goal in view than an existing reason.'

corresponds to both the tone and tenor of the Psalms. The tradents of both books in their respective final forms stood in close connection with each other. The association that the term *ʿaḇāḏim* evokes in both the Psalms and the last third of the Book of Isaiah is not one of slavish dependence but of loyalty in the service of the divine Lord.[52] For this reason, the widespread translation "servants" is very suitable (see ASV; ESV; KJV; NRSV).[53]

4 Conclusion

The world in the Ancient Near East and Ancient Israel is hierarchically conceived and ordered in every respect. No area of the real or imagined world is exempt. In the OT, freedom as such is a state that could not be imagined, unlike release. That is why, in contrast to the Greco-Roman world where terms like (ἐλεύθερος / ἐλευθερία; *liber* / *libertas*) abound, Biblical Hebrew does not even have a word for freedom. Therefore, when one reads about a "free person" (חָפְשִׁי) in modern translations, they can be easily misled. חָפְשִׁי indicates not a freeman but a *freedman*. This assertion is confirmed by the fact that fourteen out of the seventeen times it appears, the word is connected to the verbs יצא Qal "to leave / to go out" (Exodus 21:2, 5) and שלח "to send away / to release" (Exodus 21:26–27; Deuteronomy 15:12–13, 18; Isaiah 58:6; Jeremiah 34:9–11, 14, 16; Job 39:5).[54]

The relationship between the human and the divine spheres, i.e., between humans and YHWH, the God of Israel, is deeply influenced by hierarchical social relations, which are characterized by strong asymmetrical dependency. The influence of strong asymmetrical dependency as a social reality upon the theological imagination of Biblical Israel is made very clear at the beginning of the Decalogue. All the divine laws have their origin in God's liberation of his people from bondage in Egypt, the house of slavery (Exodus 20:2), before ultimately making them into his own slaves (Le-

52 Bridge, "The Use of עבד": 47: 'In contrast to when עבד indicates Israel, Israel's leaders, prophets and the Servant figure, no status is inferred. The use of עבד as a title for individuals draws upon the derived association of slavery, "loyalty": the group of people so designated are claimed to be dedicated to obeying God, in contrast to their opponents.'

53 The German translation "Knechte" (see e.g., Lutherbibel 2017; Elberfelder Bibel; Einheitsübersetzung) remains too attached to a medieval context, differently "Diener" (Zürcher Bibel); gender-neutral "die in meinem Dienst stehen" (Bibel in gerechter Sprache).

54 See Job 3:19, where the protagonist praises the hoped-for death as the great equalizer: 'The small and great are there; and the servant *is* free [חָפְשִׁי] from his master' (KJV); further discussion concerning the חָפְשִׁי, see Ulrich Berges, "Die Sklavengesetze im Pentateuch: Befreiung oder gesetztes Unrecht?" in *Vor allen Dingen: Das Alte Testament. Festschrift für Christoph Dohmen*, eds. Barbara Schmitz, Thomas Hieke, and Matthias Ederer, Herders Biblische Studien 100 (Freiburg: Herder Verlag, 2023).

viticus 25:42). As Thomas Krüger has pointed out, this strict attachment to the one and only God is ethically ambiguous because:

> The precarious character of such a bond with an overpowering authority as a reason for enabling human freedom becomes clear at the beginning of the Decalogue: Man is dependent on (one) God for the sake of his freedom. However, the attachment to (one) God carries the risk of losing his freedom to this God [. . .] In any case, ethics must presuppose a certain degree of human freedom, without indulging in illusions about the extent of this freedom [. . .].[55]

This ambiguity also concerns the root עבד in the Old Testament that, along with its derivatives, indicates work, subordination, servitude, slavery, and dependency. In metaphorical-theological usage, the root points to a relationship between YHWH and humans that is characterized by strong asymmetrical dependency. The noun in the singular *ʿæḇœḏ* plays a vital role because it can be used for real slavery *and* total subordination under God's will and rule. Based on the literary context, it always depends on what kind of association the word will activate: inferior status, dependent work, obedience, loyalty, etc. Nevertheless, with all secondary uses, one should not forget that the metaphorical meaning derives from the phenomenon of real dependency and slavery in the Ancient Near East and Ancient Israel. With this in mind, the references of *ʿæḇœḏ* and *ʿᵃḇāḏim* in the Old Testament and especially in the Book of Isaiah must be re-evaluated, since they do not express only free-willed submission but, at times, forced subjugation by the divine Lord. In this regard, Isaiah 53 is a potent reminder that service under God's rule might result in a silent and submissive endurance of a beating with his rod.

Neither the Old nor the New Testament pioneered the abolition of slavery, but this millennia-old social institution has had a lasting impact on the image of the godhead in the Abrahamic religions and their holy scriptures. Returning to the metaphor of the two hands, anyone who denies the ambiguity that exists between affirmations of the God of liberation, on the one hand, and the severe dependency foisted upon God's servants in the Biblical narrative, on the other, is guilty of a kind of historical oblivion that can no longer be tolerated in modern societies. Those who study ancient societies and texts, along with those who continue to practice historic religious traditions, should develop a deep awareness of the way the concepts discussed here have been and continue to be used to demand submission to divine authority in ways that conceal and perpetuate human claims to status and power.

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55 Thomas Krüger, "Woran orientiert sich die Ethik des Dekalogs?" in *Das menschliche Herz und die Weisung Gottes: Studien zur alttestamentlichen Anthropologie und Ethik*, ed. Thomas Krüger, Abhandlungen zur Theologie des Alten und Neuen Testaments 96 (Zurich: Theologischer Verlag Zürich, 2009): 160 (author's own translation from German).

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3. Research Lenses

3.1. Semantics, Lexical Fields, Narratives

Narratives

Zeynep Gökçe. "Reading Asymmetrical Dependencies in the Narratives of Nineteenth-Century Women Travelers in Ottoman Lands," in *Narratives of Dependency*, ed. Elke Brüggen and Marion Gymnich (Berlin: De Gruyter, 2024): 301–324.

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Zeynep Yeşim Gökçe

Reading Asymmetrical Dependencies in the Narratives of Nineteenth-Century Women Travelers in Ottoman Lands

1 Introduction

Historical travel writing provides a unique domain from which a very significant amount of information on social and urban history can be deduced. While the authenticity of the reported facts may be open to debate, what is valuable in travel writing is not only *what* was related, but *how* this was done. Reading different forms of asymmetrical dependencies through the eyes of outsiders, who themselves are part of profound dependency relations, may offer us much information about the microcosms they were produced in. Employing nineteenth-century British women's travel writing as my main sources, in this article I will portray the narrative representations of slavery and asymmetrical dependencies in Ottoman lands.

This article aims to challenge and go beyond the dichotomy of 'east' and 'west', and beyond Orientalist discourses, and will consider female authors not only as agents of Orientalism and shadows of their male counterparts, but as producers of narratives themselves. In considering them as 'narrative makers', and in analyzing their narration, I aim to situate the female authors and their writings in their own historical contexts: the long nineteenth century of the European and Ottoman empires. After all, travel literature not only demonstrates the various forms of modern identity, "but it is also one of the principal cultural mechanisms, even a key cause, for the development of modern identity."[1] By historicizing the aspects of nineteenth-century western female authors' identities that thus developed in the 'Orient', this study will interpret the narratives of slavery and other forms of asymmetrical dependencies in the context of Anglo-Ottoman relations in the nineteenth century.

The first part of my paper examines the historical developments during that period in the Ottoman world and demonstrates that western influence and British expansionist politics led to the signing of formal conventions for the abolition of slavery in the Ottoman Empire. It also provides a brief history of the authors as dependent individuals, whose dependency was shaped by a modernizing state. The second part will then focus on the genre of travel writing in general, and on British women's travel writing in particular. It also problematizes the authorship as well as the dependency of those writers. Finally, the concluding part illustrates the various narrative

1 Jaś Elsner and Joan-Pau Rubiés, "Introduction," in *Voyages and Visions: Towards a Cultural History of Travel*, ed. Jaś Elsner and Joan-Pau Rubiés (London: Reaktion Books, 1999): 4.

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techniques employed by them to present slavery and different forms of asymmetrical dependencies.

2 Historical Background

"Great Britain, being completely disinterested in the question of the East, has pursued one sole object: the independence and integrity of the Ottoman empire. This was the object proposed by her to all the courts, adopted by them, pursued by them all, and by France as well as by the other powers,"[2] states the "Dispatch Addressed by M. Thiers, President of the Council and Minister of Foreign Affairs to the French ambassador in London" of 1840. Thiers' words summarize official British policy towards the Ottoman Empire during the nineteenth century: supporting Ottoman sovereignty and independence at the expense of making it dependent on British economic and political power. The years between 1830 and 1926 can be classified as the climax of European imperialism in the Middle East. The impact of imperialism started with the decline of Ottoman power, which reached its final stage at the end of World War I, which caused the dissolution of the Empire.[3] The process that culminated in the dissolution and disintegration of the Ottoman Empire itself was a turning point in nineteenth-century history, particularly for 'Europe' and the 'Middle East'. During this long process, the European powers sought for a steady and strong administration of the Ottoman Empire, since it would be easier and more profitable for them to dominate the Empire's markets through the privileges and concessions granted by a single, centralized Ottoman administration. Over the course of the century, the central state became more powerful and functional, and more authoritative in terms of imposing its power on its subjects. This was a shared goal of the ruling elite and the European powers.[4]

The nineteenth century witnessed notable changes in Ottoman social, economic, and political life. The international position and territorial possessions of the former great power steadily declined.[5] During the long nineteenth century, the Ottoman Empire became increasingly dependent on foreign aid and trade and accumulated significant levels of foreign debt.[6] The Empire during this period went through dramatic

2 "Copy of a Despatch Addressed by M. Thiers, President of the Council, and Minister of Foreign Affairs to the French Ambassador in London," *The Manchester Guardian (1828–1900)*, 14.10.1840.

3 Geoffrey Nash, *From Empire to Orient: Travellers to the Middle East 1830–1926* (London: I.B. Tauris, 2005): 13.

4 Halil İnalcık and Donald Quataert, eds., *An Economic and Social History of the Ottoman Empire, 1300–1914* (Cambridge: Cambridge University Press, 1994): 762.

5 İnalcık and Quataert, *An Economic and Social History of the Ottoman Empire, 1300–1914*: 761.

6 Michael Ferguson and Ehud Toledano, "Ottoman Slavery and Abolition in the Nineteenth Century," in *The Cambridge World History of* Slavery, vol. 4, *AD 1804–AD 2016*, ed. David Eltis et al. (Cambridge: Cambridge University Press, 2017): 199.

shifts, which were mostly prompted by global political transformations. The international relations between the British and Ottoman Empires that stimulated British expansionist policies in the Ottoman Empire constitute the focal point of this study. The most significant event with respect to Anglo-Ottoman relations was the famous Anglo-Ottoman convention of 1838. It was signed under pressure in order to secure British support for the struggle in Egypt, and the treaty paved the way for the elimination of state monopolies and removed "many of the barriers in the way of European merchants."[7] The 1838 treaty is one of the most extensively debated events in relation to the decline of Ottoman industry in the nineteenth century. Britain's objective was to secure free trade agreements, and the Anglo-Ottoman convention became the basis of all concessions Britain acquired.[8]

In response to the instability in international politics, the free trade treaty signed with the British Empire, and the loss of territories resulting from nationalist uprisings, the Ottoman reformists began to undertake a number of critical steps. Internal reforms were carried out as a response to western – mostly British – pressure. The structure of the Ottoman state had to survive and to accommodate itself to the new European order. The political and social reform agenda of the Ottoman Empire eventually resulted in the proclamation of the *Tanzimat* edict in 1839. As the Ottoman Empire continued to lose very significant swathes of territory, the reformists nurtured a new social and political order; and they themselves came to be seen as unavoidable.[9] The established historiography argues that most of these internal reforms were associated with external pressure applied by European nations. As Frank Edgar Bailey states in his 1942 study, "internal reform was the best means of insuring the favor of western nations, particularly Britain."[10] These reforms, which began under Sultan Mahmud II and which became established during the reigns of his sons, resulted in new measures that increased levels of centralized control through the use of a restructured army and the development of a large central bureaucracy.

The state began to take an interest in many areas of its subjects' lives, including their education and social habits, as it aimed at "civilizing" them. These areas had previously been left to non-territorial autonomous systems. The new reforms in education, institutions, law, and religious orders also meant that the state developed a keen interest in how women should be regulated. The state started drawing clear boundaries for social relations, especially those of women. For the first time in its history, the state had a new image of women. The dependency of women was controlled

7 İnalcık and Quataert, *An Economic and Social History of the Ottoman Empire, 1300–1914*: 764.

8 Şevket Pamuk and Jeffrey G. Williamson, "Ottoman De-Industrialization, 1800–1913: Assessing the Magnitude, Impact, and Response," *The Economic History Review* 64, no. S1 (2011): 161.

9 Akın Sefer, "British Workers and Ottoman Modernity in Nineteenth-Century Istanbul," *International Labor and Working-Class History* 99 (2021): 148.

10 Frank Edgar Bailey, *British Policy and the Turkish Reform Movement: A Study in Anglo-Turkish Relations, 1826–1853* (Cambridge, MA: Harvard University Press, 1942): 179.

through different means. According to Yasemin Avcı, the question of women's emancipation was vital to discussions during the *Tanzimat* period. She classifies the reform period as a state-driven authoritarian modernization period where the situation of women was a key issue. The pressure on women increased as the intellectual elites put the Ottoman family at the core of reforms.[11] As with other nations, the state was going through a period where reforms with respect to women's lives were seen as part of a more general modernization. This new social order, which was both directly and indirectly related to British politics, was a topic of interest for both writers and visitors.

The Anglo-Ottoman convention, followed by the reorganization measures and *Tanzimat* proclamation of 1839, was one of a number of critical events as far as the British Empire's hegemonic power in relation to the Ottoman Empire was concerned. British abolitionist practices in the Ottoman Empire have commonly been regarded in recent scholarship as another manifestation of British hegemonic power over the Ottoman Empire. "Western European (chiefly British) pressure was the main force acting on the Ottoman Empire to take part in the suppression of the slave trade, after efforts to have the government abolish slavery failed in the early 1840s."[12] By the 1850s, the Ottoman Empire's economic dependence on the British, French and other European powers was so extensive that the Ottomans had no choice but to listen to British warnings in relation to the slave trade.[13] Finally, another edict was issued banning the African slave trade into the Empire in 1857. And the next major step taken in the abolition of slavery was the Anglo-Ottoman Convention for the Suppression of the Black Slave Trade in 1880. Even though the Ottoman Empire was never under British rule, "Britain pondered the question of what to do with this failing power in much the same way as it discussed its colonies: the Ottoman Empire was perceived to be both in need of civilizing and as strategically and economically important to Britain."[14]

In parallel with these internal and external political changes, the situation of 'Oriental' women and enslaved concubines occupied British female authors, feminists, and missionaries of the nineteenth century. The newly westernizing eastern women, slaves and polygamy, the differences and similarities of Ottoman social life became a source of increasing interest for travelers to the 'east' from the 1830s onward. I will analyze the representations of different forms of asymmetrical dependencies through the eyes of these female authors, who, given the legal situation of women in Britain at the time, were dependents themselves and who came from a place that was politically

11 Yasemin Avcı, "Osmanlı Devleti'nde Tanzimat Döneminde 'Otoriter Modernleşme' ve Kadının Özgürleşmesi Meselesi," *Ankara Üniversitesi Osmanlı Tarihi Araştırma ve Uygulama Merkezi Dergisi* 21 (2007): 11.

12 Ferguson and Toledano, "Ottoman Slavery and Abolition in the Nineteenth Century": 210.

13 Ferguson and Toledano, "Ottoman Slavery and Abolition in the Nineteenth Century": 210.

14 Teresa Heffernan, *Veiled Figures: Women, Modernity, and the Spectres of Orientalism* (Toronto: University of Toronto Press, 2016): 50.

and economically oppressing the land they were visiting; such an approach offers a potentially fertile multi-layered domain of research.

3 Travel Writing: Female Travels to Ottoman Lands – The Genre in Context

"The facilities in traveling to very distant corners of the earth have transferred the pen, which was heretofore only held by male tourists into adventurous female hands; and a lady, nowadays, thinks little of trusting herself among Magyars, Turks, Barbarians, Pagans, or Cannibals."[15] The London-based *Literary Gazette* stated in 1840 that 'ladies' had started braving the perils of traveling among various people that were commonly denigrated as the 'other'. It is hardly surprising that the magazine was founded by Henry Colburn, the publisher of several women's travel books in Britain.

The nineteenth century was an age in which mobility was significantly enhanced, and it offered increasing opportunities for travel. While imperial expansion created the basis for modern forms of globalization and forced the merging of former regionalized economies, it also brought different cultures into more regular contact. Simultaneously, new, faster modes of transport came to the fore. During the nineteenth century, railways, telegraphy, bicycles, and other forms of mobilization emerged.[16] In the mid-nineteenth century, technological advances, mainly in the British Empire and France, created new modes of travel to the Middle East, including steamships, which made it possible to travel via the Mediterranean. The development of the railroad also enabled western tourists to reach the east.[17] As the new trend for continental travel became increasingly popular, travel writing also witnessed a very important change: it was not only the 'male pen' that traveled and wrote, female travelers had also started to travel and publish.

Travel writing had conjured up imaginative geographies, constructed and reconstructed them *continuously for centuries.* Before global mass communication technologies were developed, travel writing had been the only means through which images of the 'other' were dispersed and, more generally, political discourses about 'the east' were created and disseminated. According to Paul Smethurst, travel writing played a crucial role in the discursive formation of empires. The discourse that was reproduced and reconstructed by both travel and travel writing itself contributed to the formation

15 *The Literary Gazette, and Journal of Belles Lettres, Arts, Sciences*, 21.11.1840: 747.

16 Carl Thompson, "Nineteenth-Century Travel Writing," in *The Cambridge Companion to Travel Writing*, ed. Nandini Das and Tim Youngs (Cambridge: Cambridge University Press, 2019): 108.

17 Ali Behdad, "The Politics of Adventure: Theories of Travel, Discourses of Power," in *Travel Writing, Form, and Empire: The Poetics and Politics of Mobility*, ed. Julia Kuehn and Paul Smethurst, Routledge Research in Travel Writing 1 (New York: Routledge, 2009): 90.

of the west defining itself vis-à-vis the east. It was built on a system of ideologically charged asymmetrical relationships.[18] Filiz Turhan argues that during the years that the British Empire expanded its power in the East, the Ottoman Empire's position as a decaying empire was both familiar and yet still foreign, and this made it a popular topic for authors who wanted to understand and situate the British Empire's policies within a global context.[19]

While travel writing offers indispensable insights into discourse and ideology, travel writing by women offers an even more fruitful politically loaded domain due to the fact women were allowed to travel much later and the number of women who got the chance to travel was much limited. I suggest that travel writing by women should not only be analyzed in order to deconstruct the Orientalist gaze or imperialist desires, but that the female gaze itself should also be evaluated by taking into consideration an author's own vulnerabilities and asymmetrical dependency relations. Travel and cultural contacts were crucial means of narrating cultural exchanges. Through the negotiation between these two, travel narratives by Western women recreated different types of social and sexual norms, especially through a comparison of the supposed *wild sexuality* of the local women with the writers' own, tamer European sexuality.[20] The sexuality of European women has been restructured through the images of the women in the lands they traveled to. The female subjects, mostly slaves but also free women, of the Ottoman Lands, are sometimes represented as wild, untamed sexual objects of desire, while the European other is portrayed as educated and more sexually restrained.

According to Susan Bassnett, the nineteenth century witnessed a marked increase in travel accounts, especially by male writers, that boldly sexualized some parts of the world, "contrasting the 'masculine' northern regions with the softer, eroticized, feminine Orient."[21] She claims that this distinction is less apparent in women travel writers. Even though they echoed what their male counterparts did to some extent, they affirmed femininity by including accounts of domestic life.[22] Descriptions of the domestic sphere in the travel books mentioned above are mainly of the inside of the 'harems'. Harem here does not necessarily signify the imperial harem, inhabited by the Sultan, his wife or wives and slaves, but elite households that could afford such harems. Reina Lewis's take on this is that harem literature was based on the presenta-

18 Paul Smethurst, "Introduction," in *Travel Writing, Form, and Empire: The Poetics and Politics of Mobility*, ed. Julia Kuehn and Paul Smethurst, Routledge Research in Travel Writing 1 (New York: Routledge, 2009): 1.

19 Filiz Turhan, *The Other Empire: British Romantic Writings about the Ottoman Empire* (New York: Routledge, 2003): 161.

20 Durba Ghosh, "Gender and Colonialism: Expansion or Marginalization?" *The Historical Journal* 47, no. 3 (2004): 740.

21 Susan Bassnett, "Travel Writing and Gender," in *The Cambridge Companion to Travel Writing*, ed. Peter Hulme and Tim Youngs (Cambridge: Cambridge University Press, 2002): 239.

22 Bassnett, "Travel Writing and Gender": 239.

tion of Ottoman domestic life and that harem literature contributed to the political discourse created around harem and women's life. The women writers' political stances differed and were historically specific, informed by western debates about foreign policy, and in the late Victorian era foreign policy commentary became more popular.[23] Billie Melman argues that travel books are "reconstructions by a narrative 'I'", which can be very personal or impersonal, "of a slice of life, or lives,"[24] but that when it comes to women's autobiographical writing, women's sense of the past is collective rather than individualist, as they emphasize relations to others.[25]

Travel writing by women in the British Empire became popular in the nineteenth century, due to the developments listed above. Lady Mary Wortley Montagu, who was one of the best-known female authors, traveled to Istanbul in the eighteenth century, long before the genre and tourism had become fashionable. Her notorious book Turkish Embassy Letters was published in 1763 and was considered to be pioneering in female travel writing about the east. Since then, according to Lewis, western women did their best to satisfy the appetite of a western readership curious about domestic life and harems. What gave them their unique selling point was the fact that they had actually seen the harems, places that were inaccessible to men.[26]

> The increase in the social mobility of middle-class British women, many of whom travelled as nurses, teachers, nannies and missionaries, combined with an expanding market for harem literature, had generated an impressive number of nineteenth-century women's travel narratives about the Ottoman world.[27]

Some 75 books were written and published during the nineteenth century by British female authors who had travelled to the Middle East as tourists, or accompanying male relatives (fathers or husbands) who went there for professional reasons or as missionaries.

Most of those authors who had been to or lived for a longer period of time in Ottoman lands, were 'dependents'. By this I mean they were either wives or daughters, or sometimes sisters, of officials traveling to Ottoman lands, or of someone appointed there. Domestic aspects of the households, mostly the lives of women, were the main interest of these authors; it was a matter of both personal interest to them and conferred on them a unique advantage, since male travelers were not allowed inside the harems. Nineteenth-century women's travel writing is full of non-descriptive elements

23 Reina Lewis, *Rethinking Orientalism: Women, Travel and the Ottoman Harem*, Library of Ottoman Studies 4 (London: Tauris, 2004): 15.

24 Billie Melman, *Women's Orients, English Women and the Middle East, 1718–1918: Sexuality, Religion, and Work* (Houndmills: Macmillan, 1992): 27.

25 Melman, *Women's Orients, English Women and the Middle East, 1718–1918*: 27.

26 Lewis, *Rethinking Orientalism*: 13.

27 Heffernan, *Veiled Figures*: 48.

that aim to inform readers about the legal status of women, their economic position, multiple marriages, concubinage, and culinary habits.[28]

I argue that there are three primary reasons why western women's travel writing is ideal for identifying different forms of asymmetrical relationships: 1) The female subjects from Europe/the West are part of a modernization project who are commodified and presented as figures of freedom, development, and civilization; 2) although the authenticity of their reports may be questioned, only female authors had access to female-only places such as harems, which their male counterparts were not allowed to visit; 3) the majority of female authors were in relations of dependency with the men whom they accompanied; therefore the patterns and symbols of asymmetrical dependencies they chose to include in their writings are apt to be particularly self-revelatory.

3.1 Two Travelers: Julia Pardoe and Lady Hornby

There are many metaphors and analogies through which female travel writers represent asymmetrical dependencies. I mainly focus on two different categories – the asymmetrical dependency of female slaves, mostly in a domestic context, and of the free women whom the authors represent as dependents. As previously noted, the authors of the texts, Julia Pardoe and Lady Hornby, in the following examples, are dependents themselves. Both accompanied a male relative and had limited freedom of choice. By implicitly comparing their own levels of freedom with that of the enslaved women of the households, and that of the wives and mistresses, they stress their own spaces of freedom. The recounting of these dependency relations by a dependent makes these narratives special. Moreover, given the historical and political background, I also focus on a third layer of dependency, namely the economic dependency relation between the Ottoman Empire, a former superpower, and the principal European states, primarily the British Empire. By reflecting the values of British invasive politics in their accounts, Western women authors also give expression to their conception of their own liberty.

3.1.1 Julia Pardoe

Julia Pardoe is the author of *The City of the Sultan; and Domestic Manners of the Turks, in 1836*, which was published in 1837. Although there is some debate over her birth date, she was born sometime between 1804 and 1806. Pardoe's father, Major Thomas Pardoe, was assigned to Istanbul and she accompanied him, arriving in the

28 Melman, *Women's Orients, English Women and the Middle East, 1718–1918*: 101.

city in December 1835.[29] As stated in the British literary magazine *Athenaeum* in 1837, "Miss Pardoe arrived in Constantinople on the 30th of December, 1835, and at once plunged into the female society of that capital, if society that may be called, which consists of mingling with the gaily dressed uneducated and gentle creatures of the harems."[30] The condescending tone in the British magazine suggests a widespread trivialization of the Ottoman women the female travelers encountered. She spent three months in Istanbul, where she had the chance to visit the houses of some elite inhabitants whom she met thanks to her father's high-ranking position. Her descriptive narrative is based on observations, and she includes lengthy descriptions of how women lived in Istanbul and how the elite household harems functioned. According to the *Literary Gazette* of London in 1837, "Coming from the pen of a lady who enjoyed opportunities for observing her sex in Constantinople, such as male writers could not attain, we shall chiefly direct our attention to sketches connected therewith."[31]

The principal reason for choosing Julia Pardoe's book for this paper is that it was written shortly before the closure of the slave markets in Ottoman Turkey, in a period where the country was going through 'westernizing' reforms. It was a time of political and economic transformation. As stated in *The Literary Gazett*e, "[s]ince Lady Mary Wortley Montagu, we have had nothing of female observation upon the manners of Turkey; and were therefore prepared to welcome these volumes as agreeable accessions to our information upon a subject always of considerable interest, and now much enhanced by the curious transition state through which the Ottoman Empire is at present passing."[32]

> I am quite conscious that more than one lady reader will lay down my volume without regret, when she discovers how matter-of-fact are many of its contents. The very term 'Oriental' implies to European ears the concentration of romance; and I was long in the East ere I could divest myself of the same feeling. It would have been easy for me to have continued the illusion, for Oriental habits lend themselves greatly to the deceit when the looker-on is satisfied with glancing over the surface of things; but with a conscientious chronicler this does not suffice; and, consequently, I rather sought to be instructed than to be amused, and preferred the veracious to the entertaining.[33] [. . .]
>
> I would not remove one fold of the graceful drapery which veils the time-hallowed statue of Eastern power and beauty, but I cannot refrain from plucking away the trash and tinsel that ignorance and bad taste have hung about it.[34]

29 Julia Pardoe, *The City of the Sultan, and, Domestic Manners of the Turks in 1836* (London: H. Colburn, 1837): 1.

30 "The City of the Sultan, and the Domestic Manners of the Turks in 1836," *The Athenaeum* 501, 03.06.1837: 394.

31 William Jerdan, "The City of the Sultan; and Domestic Manners of the Turks in 1836," *The Literary Gazette: A Weekly Journal of Literature, Science, and the Fine Arts* 1063, 03.06.1837: 345.

32 Jerdan, "The City of the Sultan": 345.

33 Pardoe, *The City of the Sultan*: 106.

34 Pardoe, *The City of the Sultan*: 108.

These words of Julia Pardoe encompass the main elements employed by the narrator in her book. 1) Women are Pardoe's principal target audience – she addresses her words to female readers. She aims to inform her female readers about Ottoman domestic life, especially as it pertains to the lives of women within the household; 2) she claims that her information is evidence-based; 3) she often uses analogies and metaphors for 'veiled'; and 4) the descriptions of the beauties of the 'east' are usually followed by depictions of negative characteristics that are attributed to the 'Orient' such as superstitiousness or ignorance.

The book opens with depictions of a snow-covered Istanbul, and Pardoe describes some beautiful Istanbul scenes. One of the first sections of the first chapter is called *Romance versus Reason*. Pardoe visits the city during Ramadan and is charmed by the Ramadan decorations and lights that hang between the minarets of the mosques and illuminate the city. She reflects on the illuminated, magical view of the city, and compares reason and science-obsessed Europe with the colorful, illuminated East. She concludes that the obsession with science blinds the individual to the possibility of fully perceiving and enjoying the beauties and colors of life, something that easterners enjoy: "I detest the spirit, which reduces everything to plain reason, and pleases itself by tracing effect to causes where the only result of the research must be the utter annihilation of all romance, and the extinction of all wonder."[35] Pardoe equates the "ignorant, vulgar, uneducated beauties" of the east with "romance", and the "education, civilization, and development" of the West with "reason".

Western women provide varied and complex discourses on the female social space in Ottoman society. They were received as guests in harems, and British women had the chance to enter the harems where free Muslim women had brought and trained their female slaves. During their visits, they discussed slavery, marriage, divorce, and various topics in relation to the harem and women's lives.[36] Julia Pardoe provides lengthy descriptions of how free women and slaves lived in Istanbul, what they wore, and how they spent their time. She considers herself privileged, as she easily obtains permission to visit an elite household harem. "My first anxiety was to pass a day of Fast in the interior of a Turkish family. This difficult, and in most cases, impossible, achievement for a European was rendered easy to me by the fact that, shortly after our landing, I procured an introduction to a respectable Turkish merchant, and I had no sooner written to propose a visit to his harem than I received the most frank and cordial assurances of welcome."[37] Once she enters the harem for the first time, she mentions that she was struck by the beauty of the young daughter and surprised by her blue eyes and golden brown hair – physical features which she prob-

35 Pardoe, *The City of the Sultan*: 9.

36 Irene Kamberidou, "Interacting, Sharing and Bonding: 'Notes of Personal Experience' by Nineteenth-Century Women Travellers," *Gender, Place & Culture* 23, no. 3 (2016): 386.

37 Pardoe, *The City of the Sultan*: 16.

ably attributes to western origin.[38] She describes the beauty of the female dresses, the silk veils, ornaments, and garments; items which she considers to be luxurious.

Pardoe is impressed by the 'veils' that cover these women: the word 'veil' is repetitively used, both in a literal and metaphorical sense. These ornamented, beautifully fabricated veils cover the women. "Their time is spent in dressing themselves, and varying the position of their ornaments."[39] Pardoe describes the women as uneducated idlers, who are unable to pass the time in any meaningful way: "Their habits are, generally speaking, most luxurious and indolent, if I except their custom of early rising, which, did they occupy themselves in any useful manner, would be undoubtedly very commendable; but, as they only add, by these means, two or three hours of ennui to each day, I am at a loss how to classify it."[40] The women, being lazy and idle, according to Pardoe, even "not unfrequently engage their guests to take a nap with the same *sang-froid* with which a European lady would invite her friends to take a walk."[41] She compares European women to Ottoman women and portrays the latter as lazy and idle, while the former are seen as educated and having an active social life.

Following her harem visit, she comments on the habits of Turkish women. She elaborates on their shopping habits and marks the degree to which they prepare themselves for these trips. "Nor are women of high rank exempt from this indelicate fancy, which can only be accounted for by the belief that, like caged birds occasionally set free, they do not know how to use their liberty."[42] In underlining the fact that the women have no meaningful way to spend their time except for shopping and spending money, she employs the "caged bird" metaphor. The words "freedom" and "liberty" are used frequently when she refers to the lives of the women, and these words and metaphors have symbolic meaning. In the case of Pardoe, they represent the different forms of strong asymmetrical dependencies, but they also act as agents by means of which the superiority and liberty of western women are attested.

> If, as we are all prone to believe, freedom be happiness, then are the Turkish women the happiest, for they are certainly the freest individuals in the Empire. It is the fashion in Europe to pity the women of the East; but it is ignorance of their real position alone which can engender so misplaced an exhibition of sentiment.[43]

Here, Pardoe states that in Europe, women are deceiving themselves by pitying the women of the east. This passage may, at first glance, seem to praise the Turkish women by comparison. The author, however, looks down on these Turkish women,

38 Pardoe, *The City of the Sultan*: 19.
39 Pardoe, *The City of the Sultan*: 20.
40 Pardoe, *The City of the Sultan*: 20.
41 Pardoe, *The City of the Sultan*: 21.
42 Pardoe, *The City of the Sultan*: 33.
43 Pardoe, *The City of the Sultan*: 100.

who, while they have freedom to go shopping if they cover themselves,[44] are in her view uneducated and ignorant, and have no interests other than buying clothes and dressing up. Pardoe's portrayal serves to negatively highlight and contrast the dependencies of these women with what she wants to underline, her alleged freedom and independence.

> The almost total absence of education among Turkish women, and the consequently limited range of their ideas, is another cause of that quiet, careless, indolent happiness that they enjoy; their sensibilities have never been awakened, and their feelings and habits are comparatively unexacting; they have no factitious wants, growing out of excessive mental refinement; and they do not, therefore, torment themselves with the myriad anxieties, and doubts, and chimeras which would darken and depress the spirit of more highly-gifted females.[45]

The author of this text is however a dependent herself. She is there to accompany her father and she does not enjoy full freedom, though the amount of freedom she enjoys is higher in comparison with what she observes in the east. In presenting the deficiencies of Turkish women, she seeks to create her own space of liberty and to assume a position of superiority.

Throughout Julia Pardoe's book *The City of the Sultan and Domestic Manners of the Turks in 1836*, there are numerous references to slaves and slavery. Pardoe discusses two forms of female slavery in her book: (a) slaves in the households, responsible for serving and other domestic tasks, and (b) *odaliks* or concubines, with accounts of the latter generally held to have generated the greatest interest. Although she does not comment on the possible existence of a hierarchical structure among the slaves, her choice of words and expressions of amazement clearly communicate her views on the matter. The first group of slaves are not described in detail, but are referred to by their number or skin color. During her visit to a Turkish merchant's household harem, she mentions a slave announcing dinner: "and, as a slave announced dinner, we all followed her to a smaller apartment, where the table, if such I may call it, was already laid."[46] During the same dinner her observations are as follows: "the room was literally filled with slaves, 'black, white, and gray' from nine years old to fifty."[47] She does not furnish elaborate descriptions but rather refers to the number of slaves or describes their menial tasks. Invited to sleep at the merchant's house after the dinner, she relates how her bed was made: "At the lower end of every Turkish room are large closets for the reception of the bedding and the slaves no sooner ascertain that you have risen, than a half a dozen of them enter the apartment, and in five minutes every vestige of your couch has disappeared."[48] The absence of any real descriptive

44 Pardoe, *The City of the Sultan*: 101.
45 Pardoe, *The City of the Sultan*: 103.
46 Pardoe, *The City of the Sultan*: 21.
47 Pardoe, *The City of the Sultan*: 23.
48 Pardoe, *The City of the Sultan*: 32.

detail with respect to slaves and her not providing further detail do tell the reader about her position. "The instant that you have eaten, a slave stands before you with water and a napkin to cleanse your hands."[49] These descriptions, devoid as they are of any humanizing detail, speak to the presence of these asymmetrical relations.

With regard to the first group of slaves that Pardoe mentions in her accounts, i.e. the household slaves, she usually underlines their skin color. She usually calls the black slaves "negroes" and refrains from giving much information about their clothes or habits. Pardoe for instance refers to a young slave girl with black skin as "a negro slave girl of twelve or thirteen years of age."[50] As Bernard Lewis mentions in his pioneering work on race and slavery in the Middle East, race plays a role in shaping attitudes and perceptions in society. He notes that in descriptions of the black slaves' physical appearance, many authors employ pejorative adjectives such as "ugly," "dull," or even "monstrous."[51]

When Pardoe visits the principal of a military school to talk about education, "during the conversation, tea was handed to us in the Russian fashion by his dragoman, attended by two negro slaves and after partaking of it we commenced our survey of the establishment."[52] Likewise, when she goes to visit the harem of Mustafa Pasha, a high-ranking officer, they were welcomed in front of the entrance by "half a dozen servants, several of them negroes, [who] were lounging in listless idleness at the entrance, which our arrival instantly changed into ready and officious bustle."[53] Pardoe chooses to explicitly mention the skin color of the slaves. "A couple of the negroes accompanied us upstairs, and, leading us across a very handsome saloon, whose recesses were filled with cushions, and whose open gallery and commanded the court beneath, showed us into a smaller apartment, and seated us on a sofa."[54] She continues: "At the extremity of the dais a pile of cushions were heaped upon the floor; and at the upper end of the sofa squatted the Pasha, with a negro slave on each side of him, busied in arranging his pipe which had been just replenished."[55] Pardoe gives special attention to the descriptions of the interior spaces of the houses, and in her narration it seems as if the black slaves are no more than a part of these interior design descriptions. Similar to how she describes menial black slaves in harems, she chooses to use pejorative words to depict black eunuchs as "hideous"[56] or "the most unwieldly person".[57]

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49 Pardoe, *The City of the Sultan*: 106.
50 Pardoe, *The City of the Sultan*: 131.
51 Bernard Lewis, *Race and Slavery in the Middle East: An Historical Enquiry* (New York: Oxford University Press, 1990): 92.
52 Pardoe, *The City of the Sultan*: 196.
53 Pardoe, *The City of the Sultan*: 229.
54 Pardoe, *The City of the Sultan*: 230.
55 Pardoe, *The City of the Sultan*: 249.
56 Pardoe, *The City of the Sultan*: 274
57 Pardoe, *The City of the Sultan*: 274

Pardoe is mostly interested in the Circassian female slaves, as was the case with most of the authors of her time, and gives special attention to odalisques. She talks about Circassian parents selling their own children into slavery, "no assertion of mine can, however, so satisfactorily prove the fact which I have here advanced, as the circumstance that almost all the youth of both sexes in Circassia insist upon being conveyed by their parents to Constantinople where the road to honour and advancement is open to everyone."[58] While such accounts tended to be employed to convey how "barbarous" such people could be, and to highlight the "disgraceful behavior" of those parents willing to sell their own children for money, there is indeed evidence in the archives that families would sell their own children. Historian Ceyda Karamürsel states, "it is not possible to argue the wholesale inexistence of such cases of self-enslavement by relatives, as there is documentary evidence, particularly in British archives, which underlines the pervasiveness of Caucasian parents selling their children into slavery."[59] I suggest here that as the British Empire was directly involved in population movements in the Caucasus, and was politically involved in the internal politics of the region, that when parents are described as "selling their children to slavery", such descriptions are reproduced to demonstrate the supposed evilness of the east.

In Ottoman Istanbul, Circassian and Georgian women mostly served as concubines. Circassian women often reached the harems of the urban upper class of the Empire, not infrequently attaining positions of prestige and comfort as wives of middle and upper-level functionaries.[60] These concubines are called *odalik*, sometimes spelled *odalique* or *odalisque* by European writers. According to Pardoe, a Turkish man, "usually marries a woman of his own rank; after which, should he, either from whim, or for family reasons, resolve on increasing his establishment, he purchases slaves from Circassia and Georgia, who are termed *Odaliques*."[61] Pardoe has the chance to visit a high-ranking officer, Scodra Pasha, and recounts the lengthy story of a concubine whom she met in this harem. The daughter of the household, Heymine Hanım, explains to Pardoe that her mother could not have a male child and that that was why her father, Scodra Pasha "wrote to a friend in Constantinople to purchase for him four young Circassians, and to embark them, under the charge of an elderly woman, for Albania."[62] The odalisque whom Pardoe met, sitting next to the Pasha's mother, had two sons by the Pasha. When the concubine enters, similar to most of the

58 Pardoe, *The City of the Sultan*: 104.

59 Ceyda Karamürsel, "'In the Age of Freedom, in the Name of Justice': Slaves, Slaveholders, and the State in the Late Ottoman Empire and Early Turkish Republic, 1857–1933" (PhD diss., University of Pennsylvania, 2015): 46.

60 Ehud Toledano, *The Ottoman Slave Trade and its Suppression: 1840–1890* (Princeton: Princeton University Press, 1983): 8.

61 Pardoe, *The City of the Sultan*: 102.

62 Pardoe, *The City of the Sultan*: 241.

other descriptions of Circassian slaves/odaliques, Pardoe is amazed: "She was by far the prettiest woman of the three, but there was a subdued and hopeless expression about her, which showed at once that she had not been a favourite child of fortune. She was slight and beautifully formed, with a low, soft voice which was almost music."[63]

Another story that Pardoe relates is that in relation to a concubine from Mustafa Nazif Efendi's house, the Egyptian *chargé d'affaires*. "[T]he little history of her life, which, although by no means remarkable in Turkey, is so characteristic, and will, moreover, appear so extraordinary to European readers, that I shall give it, as nearly as my memory will serve me, in her own words."[64] By mentioning that her account will appear extraordinary to European readers, she implies that this story is morally unacceptable. The concubine's story is that she was sold by her parents in Istanbul when she was nine and that she had another master, but that during a visit to this house, she was admired by the mistress and was sold to the household. "I pitied the poor young creature as I listened to her narrative. [. . .] She was not pretty; but she was so childlike, so graceful and so gentle, that she inspired an interest which, when I had heard her story, was even more painful."[65]

I will conclude the examples of representations of slavery with a scene where Pardoe describes the freedom of choice that slaves in Ottoman Turkey enjoy. A final example of representation of slavery in Pardoe's *The City of the Sultan, and, Domestic Manners of the Turks in 1836* is the part where Pardoe makes her point about the freedom of choice that slaves in Istanbul enjoy. "There is a remarkable feature in the position of the Turkish slaves that I must not omit to mention. Should it occur that one of them, from whatever cause it may arise, feels himself uncomfortable in the house of his owner, the dissatisfied party requests his master to dispose of him."[66] To prove her point on this relative freedom, she relates the story of a woman who used to be the slave of Ahmet Pasha, the governor. The slave falls in love with a young man of the neighborhood and "was desirous to become his property. Such being the case, she informed her mistress that she wished to be taken to the market and disposed of, which was accordingly carried into effect."[67] I suggest that the representation of freedom in female slavery is one of the many methodologies that Pardoe uses to prove her point about the romantic east being uncivilized yet colorful. The east, illuminated and colorful, is a place where even slaves can have the freedom to make irrational choices.

63 Pardoe, *The City of the Sultan*: 242.
64 Pardoe, *The City of the Sultan*: 117.
65 Pardoe, *The City of the Sultan*: 118.
66 Pardoe, *The City of the Sultan*: 105.
67 Pardoe, *The City of the Sultan*: 105.

3.1.2 Lady Emilia Hornby

The second text is Co*nstantinople during the Crimean War* by Lady Emilia Hornby. The book was published in 1863, almost thirty years after Julia Pardoe's work. It was written during the Crimean War, a war that played an important role in the Ottoman modernization process. It introduced many new social practices, and it also increased the number of visitors to Istanbul as well as the contacts between Europeans and Ottomans.[68] The war was significant in terms of the European powers' intervention in Ottoman policy, as French and British troops sided with the Ottoman Empire against Russia during the conflict.[69]

Lady Hornby's work, according to the publisher, was an extension of a previous book of hers, entitled *In and Around Stamboul*.[70] Lady Hornby arrived in Istanbul in August 1854, in the company of her husband, who was the British Loan Commissioner. The author stayed six years in Istanbul, and spent her time writing to her friends in England describing the city's people, manners and customs.[71] According to a book review published in 1864 in the magazine *The Reader*,

> Sir Edmund Hornby's official position, and the length of their residence in the East, enabled Lady Hornby to give a most minute and trustworthy account of a country which, though interesting in many respects, was but little known in England previous to the Crimean war. The letters are simple yet graphic accounts of what an educated, unprejudiced English lady saw and did.[72]

Lady Hornby's book starts with an account of her journey to Istanbul by boat. Upon her arrival, her first visit takes her to a public park where people usually gather for picnics. She describes a group of women she meets there as follows: "Nothing in point of colouring and groupings, could be more strikingly beautiful than these clusters of women by the trees and fountain. Imagine five or six in a row, their jet-black eyes shining through their white veils, under which you can see the gleam of jewels which confine their hair."[73] She continues with extensive descriptions of what they wear, and how colorful their choice of clothing is. Similar to Julia Pardoe, the author is impressed by the color and illumination.

According to Hornby, the wives of high-ranking officials "look like hothouse flowers, and are really cultivated to the highest perfection of physical beauty, having no other employment but to make their skins as snow-white and their eyebrows as jet-

68 Candan Badem, *Ottoman Crimean War, 1853–1856*, The Ottoman Empire and its Heritage 44 (Leiden: Brill, 2010): 329.

69 Lewis, *Rethinking Orientalism*: 132.

70 Mrs. Edmund Hornby, *In and Around Stamboul* (Philadelphia: J. Challen & Son, Lindsay & Blakiston, 1858).

71 "Lady Hornby's Constantinople during the Crimean War," *The Reader, 1863–1867*, 09.01.1864: 39.

72 "Lady Hornby's Constantinople during the Crimean War": 39.

73 Mrs. Edmund Hornby, *Constantinople during the Crimean War* (London: R. Bentley, 1863): 57.

black as possible."[74] Hornby's descriptions of women are similar to Pardoe's; the women are very beautifully dressed, their clothes are colorful, and they are "veiled." It becomes clear though that these are descriptions of what the author regards as entirely superficial. The women are held to be not well educated and are seen as lacking in any other skills, bar those required to beautify themselves. According to Hornby, watching an ordinary Turkish woman – not belonging to any elite household – walk is a miserable experience; "nothing can be more wretched than to see the poor thing attempting to walk, or to make herself at all useful. She shuffles along the ground exactly like an embarrassed paroquet, looking as if her loose garments must inevitably flutter off at the next step."[75] And "[i]f she is not a beauty and is not the property of a rich man, she is the most miserable looking creature possible."[76] The women are dependent, and their descriptions in the text bear comparison with those accorded to decorative objects. The ones who are not wives or daughters of rich men, the lower-class women, look funny according to Hornby when they walk or try to take any independent action. Being the "property of a rich man" is the only thing that makes these women graceful. Lady Hornby depicts a woman who sees her in the street and is amazed by her beauty: "They have very simple engaging ways, and seem so inclined to love you, taking hold of one or two fingers, as children do, and looking into your face appealingly, which is very touching to me, for they seem to think us so free and happy, so different to themselves."[77] Lady Hornby imagines herself in an almost motherly role. This assumption of a parental role seems to hint at the British-Ottoman relationship of the period during which Ottoman Istanbul had become something akin to a British protectorate. As Frances Gouda states in her work on gendered discourses and colonialism, "parental symbols established a taxonomy of authority, tutelage, and obedience; they served as universally recognizable emblems of differential positions of power."[78] In a very similar state of mind, Lady Hornby reports a talk she has had with an Admiral Slade, a British admiral who was served in the Ottoman navy at the time. Hornby and Slade talk about the situation of women in Turkey: "We had a long chat about the women the other day, and agreed that, pretty, gentle and intelligent as they generally are, their ignorance would be in the highest degree ludicrous, were it not so lamentable."[79] Hornby shows the same maternal attitude while comparing Turkish women with animals and referring to them as slaves:

> How profoundly you would pity these poor degraded women, when young, so pretty and soft and gentle and intelligent, —but mere animals, though they be gazelles or fawns, —and when

74 Hornby, *Constantinople during the Crimean War*: 58.
75 Hornby, *Constantinople during the Crimean War*: 59.
76 Hornby, *Constantinople during the Crimean War*: 60.
77 Hornby, *Constantinople during the Crimean War*: 166.
78 Frances Gouda, "The Gendered Rhetoric of Colonialism and Anti-Colonialism in Twentieth-Century Indonesia," *Indonesia* 55 (1993): 5.
79 Hornby, *Constantinople during the Crimean War*: 394.

> their first bloom and vivacity is past, indolent to disease, gluttonous, spiteful, hopeless! Such they are made by the tyranny of their masters, when nature has given them everything.[80]

Hornby describes the Turkish women as pretty and intelligent, both when she quotes her conversation with Admiral Slade and when she notes down her own observations. According to her, the Turkish women are naturally beautiful, they are blessed with intelligence, but as they lack education they are no different than animals or slaves.

In February 1856, after the Crimean War had ended, Sultan Abdülmecid (r. 1839–1861) attended two European balls. He first appeared at the British Embassy in February and then at the French Embassy.[81] The balls were significant as it was the first time a Sultan had appeared at a ball. His presence there was indicative of the progress of the process of Europeanization. Lady Hornby was invited to the first ball that was given at the British Embassy. She recounts the story of two Turkish officers watching the European women dancing at the ball. She overhears their conversation. When one of the men asks the other what he thinks about the dance, the answer is surprising: "Is it possible that our gentle, veiled women will ever rush around in the arms of officers, like these?"[82] It is highly unlikely that this conversation occurred as reported. Lady Hornby's Turkish was such that she would have been unable to follow such an exchange. But the decision to include it is nonetheless intentional. Hornby is keen that her readers observe this tension and the process of political transition then underway in Turkey. It is worth mentioning that both the question of women and the debate surrounding the issue of the veil are indicative of the ongoing process of Europeanization and modernization, as observed and noted by Hornby. She describes another scene where a Turkish gentleman wanted to meet Hornby and her friends. Her interpreter warns Hornby before her visit: "Although of the new school, and affecting European manners, he seemed shy of ladies."[83] And after spending some time in his house, she asks him about his wife. He replies that "she still wears that rag, that symbol of slavery, the *yashmak*[84] [emphasis mine], which I long to see torn from the faces of our women."[85] In this imagined conversation, the gentleman, who is supposedly fond of European manners, describes the veil as a symbol of slavery. This sentence alone is testimony to how Hornby views the contrast between European and eastern manners as well as that between slavery and freedom.

80 Hornby, *Constantinople during the Crimean War*: 397.
81 Badem, *Ottoman Crimean War, 1853–1856*: 333.
82 Hornby, *Constantinople During the Crimean War*: 221.
83 Hornby, *Constantinople during the Crimean War*: 280.
84 A yashmak is a veil worn by Muslim women that is wrapped around the upper and lower parts of the face so that only the eyes remain exposed to public view. *Merriam-Webster Online Dictionary*, s.v. "yashmak," https://www.merriam-webster.com/dictionary/yashmak [accessed 02.07.2021].
85 Hornby, *Constantinople during the Crimean War*: 283.

Like Pardoe, Hornby uses the term "veiled" very often, almost every time she describes a group of women in public walking around, traveling on boats or sitting in a garden. "Fancy a pretty villa mingling its shadows in the water with the high trees surrounding it, the blue sky peeping in above, and a distracting peep of rose and orange gardens on either side, in which Turkish ladies, veiled and splendidly attired are walking slowly about"[86] writes Hornby. She describes a boating scene as follows: "Fancy, in contrast to this, a Turkish boat, stealing noiselessly along, filled with veiled and silent women, and carefully guarded by hideous and ferocious Blacks."[87] And looking at the shore from a boat she observes, "by the landing-place the banks were literally lined with white-veiled Turkish women, their *feridjees*[88] of every possible brilliant or delicate hue, from blue, trimmed with rose pink, and cherry trimmed with silver, to delicate apple green and the palest straw-colour."[89] She is surprised to have observed "[a] few veiled black women [. . .] squatting on the edge of the Bridge of Boats"[90] or "a crowd of veiled women, lame, halt, and blind, [. . .] dispersing."[91] The description of the women as veiled serves both as a tool to underline the fact that Turkish women cannot go out without covering themselves, and also as a way of disregarding the agency of women, by referring to them as covered crowds.

Irene Kamberidou's remarks on references to slavery in women's accounts are as follows: "The female accounts repeatedly corroborate that an Ottoman harem – especially that of the elite and the so-called middle class – was made up of women from different nations: Islamized slaves, liberated slaves and descendants of slaves, the prototype being the imperial harem."[92] Kamberidou's remarks are very apparent in Hornby's account; it contains numerous references to elite and middle-class harems, where she talks about various modes of slavery. She not only talks about concubinage in harem slavery, but like Pardoe refers to the menial servitude of slaves and how black slaves would usually accompany their masters outside. As mentioned before, the most common form of asymmetrical dependency to be found in the accounts of women writers is that in relation to slavery.

The slave markets in Istanbul were closed in 1846 under British pressure, in line with westernization policies,[93] however Lady Hornby reports that she passed by the slave market of Istanbul. As Reina Lewis states, "Westerners were regular visitors to the slave market, which had become a feature of the tourist itinerary as well as a sta-

86 Hornby, *Constantinople during the Crimean War*: 378.
87 Hornby, *Constantinople during the Crimean War*: 379.
88 Feridjee; Ferace: A long coat [emphasis mine].
89 Hornby, *Constantinople during the Crimean War*: 381.
90 Hornby, *Constantinople during the Crimean War*: 30.
91 Hornby, *Constantinople during the Crimean War*: 199.
92 Kamberidou, "Interacting, Sharing and Bonding": 393.
93 Toledano, *The Ottoman Slave Trade and its Suppression: 1840–1890*: 107.

ple of high and popular representation."[94] European visitors liked to visit slave markets, where they could observe and write about 'exotic' slaves. Whether Hornby had actually been to the slave market is questionable, but her representations of the slaves in the market are worth noting.

> Such a sad, humiliating sight! There were only about a dozen blacks to sell, mostly women; and several had little children or babies in their arms. I thought they looked cheerful, and very much at home with their Turkish master, with the exception of one poor creature who sat aloof from the rest, the image of sullen despair.[95]

Hornby gives her a peach and a little money. "She took hold of my hand and said something which I could not understand. Poor soul! My heart could only ache for her."[96] Similar to the previous account where she described a woman who had apparently been captivated by her beauty, she plays the role of 'mother of the poor', adopting sentimental language.

Hornby tends to pity the slave women, whom she finds beautiful if they are Circassians, whereas she usually does not even regard black slaves as human beings. She utilizes distinct terms for the different types of slavery. While she tends to provide lengthy descriptions of the physical appearance of the Circassian concubines and their costumes, both of which she usually finds very beautiful, she rarely describes the black slaves in any detail. She assumes every black person she encounters in the streets to be a slave and she refers to them as "negroes" or "black creatures", the choice of vocabulary explicitly indicative of the hierarchy in place as she sees it. Phrases such as "hideous Nubian slaves"[97] or "hideous and ferocious Blacks,"[98] are neither unexceptional nor rare in her account. The adjective "hideous" is overused by both Julia Pardoe and Lady Hornby, mostly in reference to black slaves. Lady Hornby's descriptions of black people can be regarded as reflective of her own country's colonialist policies in the Middle East, with her politically loaded narration alluding to black people generally as socially inferior.

The author, like many of the other female writers, has a keen interest in harems and harem slavery. Given the chance to visit a harem of a high-ranking officer, a Pasha, she describes the various slaves she meets in the harem. "Evidently in a dreamy kind of reverie, sat the principal wife of Pasha, surrounded by her slaves, some sitting on the steps beneath the divan, at her feet, others laughing together and strolling about. She rose as we approached, and gave her hand, after the English fashion, to each. The slaves all crowded round to look at us, and I assure you that the

94 Lewis, *Rethinking Orientalism*: 132.
95 Hornby, *Constantinople during the Crimean War*: 26.
96 Hornby, *Constantinople during the Crimean War*: 26.
97 Hornby, *Constantinople during the Crimean War*: 25.
98 Hornby, *Constantinople during the Crimean War*: 379.

variety and brilliancy of their costumes was almost dazzling."[99] As she describes the scene in the harem, she refers to black slaves, young and old female slaves and their costumes. She is fascinated by the costumes and expensive clothes of the slaves. But she is most fascinated by a "lovely young Circassian lady, who was, as we afterwards found out, the Pasha's second wife, and a present from the Sultan."[100] Hornby and her two British friends, who had dinner at the harem of the Pasha, called this woman "the fair Circassian"[101] because of her beauty, which Hornby dedicates one page to. As discussed earlier, "with slaves' value reflecting a racialized hierarchy of beauty, Caucasian women were held in the highest esteem."[102]

One final example of Hornby's representations of slaves is again from one of her visits to a harem. During the visit to a high-ranking official's harem, Hornby recounts the purchase of a slave girl. According to her account, the head nurse of the family was invited to the harem that day also. The woman came to the harem, to bring the mistress a very young slave girl, whom Hornby describes as "of rare beauty; deep, deep blue eyes [. . .] such dear little bare white feet, gleaming from the tiny embroidered slippers!"[103] Hornby describes the following scene where the very young slave girl's physical features were checked to determine whether she was perfect enough to be purchased as a slave. At some point, the mistress opines that "her complexion is too dark for blue eyes, but the nurse thinks she is sunburnt or flushed, so they are going to wipe her cheeks with cool rose-water."[104] The girl, during this examination, shows signs of anger: "The suppressed anger of the child was intense; her nature was true then. No doubt she had always been taught to look forward to being sold at some great harem at Constantinople, – all the Circassian and Georgian girls are; but her natural instinct of shame, insult and degradation was powerful still."[105] Whether the purchase of the slave was staged or authentic, the narrative is informative with respect to the views of the author. While she shows pity and even regret at staying at the house during the humiliating process that the girl goes through, she does not refrain from describing the black slaves' hands as "ugly."[106] The descriptions of the hierarchy of the slaves based on their skin color are both detailed and explicit. Moreover, her account also records the well-established belief that both the Circassian and Georgian girls were looking forward to being sold, as did Julia Pardoe's. However, the author finds this voluntary enslavement shameful and projects her ideas onto the enslaved girl, who, according to Hornby, showed signs of instinctive shame.

99 Hornby, *Constantinople during the Crimean War*: 239.
100 Hornby, *Constantinople during the Crimean War*: 240.
101 Hornby, *Constantinople during the Crimean War*: 241.
102 Lewis, *Rethinking Orientalism*: 130.
103 Hornby, *Constantinople during the Crimean War*: 363.
104 Hornby, *Constantinople during the Crimean War*: 363.
105 Hornby, *Constantinople during the Crimean War*: 364.
106 Hornby, *Constantinople during the Crimean War*: 364.

4 Concluding Remarks

Nineteenth-century women's travel writing provides a unique domain from which a very significant amount of gendered asymmetrical dependencies can be deduced. As I have tried to demonstrate, although the authenticity of the reported facts is questionable, historical travel writing offers a perspective through which readers can glean information on the motivations of what is stated.

I argue that female authors like Julia Pardoe and Lady Hornby, in this particular case, were part of profound dependency relations. They were dependent on their male relatives, and their stay in Istanbul was dependent on the latter. Moreover, their books were published and read because their accounts were marketable and had a degree of commercial value in England. Their narration was directly dependent on the political situation pertaining at that time and the relationship that persisted between the British and Ottoman Empires during this period. Therefore, I suggest that when the narrations of female travelers to Ottoman lands in the nineteenth century are analyzed, three different layers of dependency relations should be considered: 1) the Ottoman Empire's political and economic dependency on the British Empire, which triggered the abolition of the slave markets and slavery in the Ottoman Empire; 2) the dependency of 'free' British women on their male relatives (usually husbands and fathers, whom they accompanied); and 3) the dependency relations of free and enslaved women in the Ottoman Empire.

We are therefore faced with different forms and degrees of asymmetrical dependencies seen through the lens of British female authors of the nineteenth century. I propose that, in representing enslavement and other forms of asymmetrical dependencies in the social lives of the women of the period, these authors, who were themselves dependent to some extent, created a space of freedom for themselves. As such, in presenting accounts of 'eastern' life, which so distinctly contrasted with their own, they affirmed their own impression of possessing personal liberty. Moreover, by showing pity or almost maternal affection for the enslaved women, the British women echoed and reiterated a colonial and invasive discourse. Nevertheless, women's travel writing is an essential, if not the only, source from which to derive information on the lives and social interactions of slaves in the elite household harems.

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3. Research Lenses

3.1. Semantics, Lexical Fields, Narratives

Narratives

Markus Saur. "Narrating Dependency: The Relationship between David and Solomon of Jerusalem and Hiram of Tyre in Hebrew Bible Traditions," in *Narratives of Dependency*, ed. Elke Brüggen and Marion Gymnich (Berlin: De Gruyter, 2024): 33–46.

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Markus Saur

Narrating Dependency: The Relationship between David and Solomon of Jerusalem and Hiram of Tyre in Hebrew Bible Traditions

1 The Journey of Wenamun to Phoenicia – a Glimpse of Egypt as an Introduction

In the eleventh century BCE, the Egyptian emissary Wenamun set out on behalf of his master, the priest of Amun in the temple of Karnak, to buy timber for the barque of the Egyptian god Amun in the Phoenician city of Byblos. Wenamun arrived on the Phoenician coast after suffering adventures. As an Egyptian who had been robbed and was thus helpless, he was at first not received by the king of the city of Byblos. Wenamun's mission threatened to fail. Only an oracle given by an ecstatic priest persuaded the king of Byblos to listen to Wenamun, and he was able to present his request. The negotiations were extremely tough, but finally the king provided the wood that the Egyptians desired. Wenamun, however, remained in danger. On his way back to Egypt he stranded in Alasia on Cyprus – with this the report of Wenamun breaks off.[1]

The Egyptian text is extremely important,[2] not only because of its linguistic characteristics and the insights it provides into ritual practices, but especially for the relationship between Egypt and Phoenicia in the interim period of the twelfth/eleventh century BCE. The attitude of the king of Byblos and the permanent threat to the Egyptian Wenamun, both on his journey and on the Phoenician coast, stand in clear contrast to older information, for example from the Amarna texts, which a few centuries earlier still testified to a broad supremacy of Egypt over Syria. In Wenamun's report, on the other hand, there is no evidence of a dependency of the Phoenician city of Byblos on Egypt; rather, it seems that the situation had clearly changed: The Egyptian Wenamun appears in Byblos as an uninvited guest and is not at all welcome as a person asking for help, while the king, Byblos and Phoenicia, on the other hand, appear as important suppliers of wood, without whose support ritual challenges in Egypt could not be met.

1 A translation of the text by John A. Wilson can be found in: James B. Pritchard, ed., *Ancient Near Eastern Texts Relating to the Old Testament*, 3rd ed. (Princeton: Princeton University Press, 1969): 25–29.

2 Cf. Bernd U. Schipper, *Die Erzählung des Wenamun: Ein Literaturwerk im Spannungsfeld von Politik, Geschichte und Religion*, Orbis Biblicus et Orientalis 209 (Fribourg: Academic Press Fribourg; Göttingen: Vandenhoeck&Ruprecht, 2005).

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The Egyptians, after all until recently a political and cultural superpower, are obviously in a strong asymmetrical dependency on the Phoenicians. The asymmetry consists in the striking imbalance that results from the fact that the Egyptian Wenamun becomes a supplicant to the Phoenician king. It is particularly remarkable that this imbalance is not narrated in a Phoenician text, but in an Egyptian travel report: The narrative in no way conceals the dependency but is more than clear about the relationship between Egypt and Phoenicia in the late second millennium BCE.

The way in which the story is told cannot be developed in detail here. However, it should at least be mentioned that the travel report of Wenamun is characterized by a remarkable openness with regard to dependencies in the eastern Mediterranean. The balance of power has obviously changed in such a way that the king of a Phoenician city can meet the emissary of the chief priest of Karnak with outrageous self-confidence.[3] In the late second millennium BCE, political and economic transformations lead to a shift of dependencies, which become asymmetrical precisely because of this: Egypt, the high culture on the Nile, becomes dependent on its previous vassals in Syria. And the narrator of Wenamun's travel report gives a very vivid account of this.[4] However, the pragmatics of this account remain puzzling: Who, at the end of the second millennium BCE, recounts Egypt's loss of status in Syria in such a way, and what were their intentions?

2 Israel and Phoenicia – Some Context

The relationship of the Phoenician trading cities[5] to their partners in the eastern Mediterranean is reported not only in Egyptian texts, but also in the historiography of the Hebrew Bible.[6]

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3 Cf. Gabriella Scandone and Paolo Xella, "Égypte," in *La civilisation phénicienne et punique. Manuel de recherche*, ed. Véronique Krings, Handbuch der Orientalistik I/20 (Leiden: Brill, 1995): 636: "La situation des rapports de pouvoir est donc nettement changée et, après les accents triomphalistes des textes égyptiens, royaux et privés, du Nouvel Empire, le pays de Nil redimensionné et politiquement inquiet [. . .] est en net déclin. Les cités de la côte levantine, en revanche, figurent dans le Récit d'Ounamon comme étant très actives et économiquement prospères, caractérisées, à ce qu'il semble, par un remarquable sens de l'entreprise commerciale [. . .]."

4 Cf. Josette Elayi, *Histoire de la Phénicie* (Paris: Perrin, 2013): 112–15.

5 For an introduction and an overview of several topics concerning the Phoenicians see *La civilisation phénicienne et punique. Manuel de recherche*, ed. Véronique Krings, Handbuch der Orientalistik I/20 (Leiden: Brill, 1995).

6 Cf. Françoise Briquel-Chatonnet, "Syro-Palestine et Jordanie," in *La civilisation phénicienne et punique. Manuel de recherche*, ed. Véronique Krings, Handbuch der Orientalistik I/20 (Leiden: Brill, 1995): 583–96, and – especially for the city of Tyre – Markus Saur, *Der Tyroszyklus des Ezechielbuches*, Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft 386 (Berlin: De Gruyter, 2008): 107–81, 252–68, 309–14.

We can distinguish two major historiographical compositions. An older historiography can be found in the Books of Joshua, Judges, Samuel and Kings, whose authors used sources from the first half of the first millennium BCE. The complete text of this historical work was probably not finalized until the Persian period. Due to the influence of some theological ideas from the Book of Deuteronomy, this composition is called the 'Deuteronomistic History'.[7] A more recent text, found in the two Books of Chronicles and brought into its final form only in the Hellenistic period, is called the 'Chronistic History'.[8] Both compositions address in different ways the question of the identity of Israel and Judah: 'Who are we? And how have we come to be where we are now?' Given these guiding questions it cannot be surprising that the conditions of the time in which the story is told also shape the depiction of the events narrated, and that from the narrative perspective of the Persian and Hellenistic periods, the beginnings of Israel, Judah, and the kingship of Jerusalem are presented in a certain light. The distance between the events reported and the time of writing is over half a millennium. The narrative culture of these historiographies is therefore likely to feature literary elaborations and illustrations.

This is especially true for the reports of the relationship between Jerusalem and the Phoenician trading cities, and in our case especially between Jerusalem and Tyre. These relationships are reported both in the Books of Samuel and Kings and in the Books of Chronicles. Syria-Palestine in the late second millennium and early first millennium BCE was not a politically unified area but characterized by a highly differentiated urban culture and a high degree of diversity. The region was divided into the inner spheres of power of the leading cities with their respective hinterlands, and the periphery, which was notable for unclear boundaries and spheres of influence.[9]

There are some significant differences between the cities of Jerusalem and Tyre, which must be taken into account when reconstructing their relationship. These differences have a substantial influence on the question of who is dependent on whom. At first glance, Jerusalem and Tyre are influential cities in the Syro-Palestinian area, so that encounters between their respective kings should have taken place on an equal footing. However, a closer examination shows that such equality did not exist on all levels. Economically, the Phoenicians were vastly superior to Israel and Judah

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7 Cf. Thomas Römer, *The So-Called Deuteronomistic History: A Sociological, Historical and Literary Introduction* (London: T&T Clark, 2005): 3–43, 165–83.

8 Cf. Sara Japhet, *I & II Chronicles. A Commentary*, The Old Testament Library (Louisville, KY: Westminster John Knox Press, 1993): 1–49, and Jean-Louis Ska, "The Book of Chronicles through the Ages: A Cinderella or a Sleeping Beauty?" in *Chronicles and the Priestly Literature of the Hebrew Bible*, ed. Jaeyoung Jeon and Louis C. Jonker, Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft 528 (Berlin: De Gruyter, 2021): 15–50.

9 Cf. Edward Lipiński, "The Territory of Tyre and the Tribe of Asher," in *Phoenicia and the Bible*, ed. Edward Lipiński, Studia Phoenicia 11 (Leuven: Peeters, 1991): 153–66.

because of their extensive trade networks,[10] which was especially true for the city of Tyre.[11] In the field of religion, both Jerusalem and Tyre worshiped a patron god of their respective city and his goddess, which was typical for the Canaanite area.[12] In Jerusalem, worship of the god Yhwh in addition to that of Canaanite deities may have become more prevalent after the conquest of the city by David.[13] Culturally, the most important shift in Syria-Palestine is the establishment of an alphabetic writing system that considerably simplifies the complex writing systems of Egypt and Mesopotamia, and enables literalization in completely new ways.[14] Even if the beginnings of this process originated in northern Syria, the situation in terms of source material is incomparably better for Judah and Jerusalem than for Phoenicia: While only a few inscriptions have come down to us from Phoenicia[15] and much information is known only from texts dating to late antiquity,[16] extensive literary corpora are available from ancient Judah, whose oldest material evidence – the Dead Sea Scrolls – goes back to the second and first centuries BCE. All this says nothing about how much or how little was written in Judah or in Phoenicia – for historical reconstruction, however, we can only work with the sources that are at hand.

In terms of the relationship between Israel, Judah and Phoenicia, and more precisely between Jerusalem and Tyre, we must therefore rely on a single perspective, namely that of the Hebrew Bible in the two historical works mentioned above. In addition, we need to consult other sources, especially archaeological discoveries and information from Egyptian, Mesopotamian and Greek texts, in order to draw an appropriate image of the situation. And here it becomes quite clear – the travel report of Wenamun already points to it – that the lack of literary sources from Phoenicia does not say anything about the economical situation: According to our various sources, the Phoenician trading cities of Sidon, Tyre, Byblos and Arwad were economic capitals in the Ancient Near East due to the abundance of timber in their hinterlands and, above all, to their

10 Cf. Sandro Filippo Bondì, "Le commerce, les échanges, l'économie," in *La civilisation phénicienne et punique. Manuel de recherche*, ed. Véronique Krings, Handbuch der Orientalistik I/20 (Leiden: Brill, 1995): 268–81.

11 Cf. Saur, *Tyroszyklus*: 224–37.

12 Cf. Edward Lipiński, *Dieux et déesses de l'univers phénicien et punique*, Studia Phoenicia 14 (Leuven: Peeters, 1995), and Hans-Peter Müller, "Geschichte der phönizischen und punischen Religion. Ein Vorbericht," *Journal of Semitic Studies* 44 (1999): 17–33.

13 Cf. Thomas Römer, *L'invention de Dieu*, Les livres du nouveau monde (Paris: Éditions du Seuil, 2014): 115–37.

14 Cf. David M. Carr, *Writing on the Tablet of the Heart: Origins of Scripture and Literature* (Oxford: Oxford University Press, 2005): 111–73.

15 Cf. Maria Giulia Amadasi Guzzo, "Les inscriptions," in *La civilisation phénicienne et punique. Manuel de recherche*, ed. Véronique Krings, Handbuch der Orientalistik I/20 (Leiden: Brill, 1995): 19–30.

16 Cf. Sergio Ribichini, "Les sources gréco-latines," in *La civilisation phénicienne et punique. Manuel de recherche*, ed. Véronique Krings, Handbuch der Orientalistik I/20 (Leiden: Brill, 1995): 73–83.

high level of expertise in the fields of crafts and art, navigation and trade.[17] This was not only the case in transitional periods: The Phoenician cities were constantly dominating forces between the Mediterranean, Asia Minor, Syria, Egypt and Mesopotamia.[18]

What the travel report of Wenamun suggests can be traced back through the period of Assyrian and Babylonian domination to the Persians and to Alexander the Great. Both Nebuchadnezzar of Babylon and Alexander the Great had great trouble with the Phoenician cities, especially with Tyre, situated on an offshore island. Nebuchadnezzar failed to conquer it, and only Alexander was able to take the city.[19] This background is of some importance if we want to classify what is reported about Jerusalem and Tyre in the Hebrew historiographies.[20] The Persian and Hellenistic periods left their marks on the narratives. The texts that tell us about the tenth century BCE are probably a better source for the Persian period and early Hellenism than for the beginnings of Israel under David and Solomon.

3 David of Jerusalem and Hiram of Tyre – Tracing the Beginnings of a Relationship

The history of the relationship between Jerusalem and Tyre is already portrayed in the texts about David of Jerusalem and the Phoenician king Hiram of Tyre.

David, king of Judah, Israel and Jerusalem, is regarded as the founder of the dynasty named after him, which ruled in Jerusalem from the tenth century until the year 586 BCE. Despite doubts occasionally expressed by scholars, we can assume that a king named David did reign in Jerusalem, since the extensive formation of tradition cannot be explained without a historical point of reference. However, more precise information about the situation in the tenth century cannot be found in the available sources. David and his reign remain largely in the dark.[21] The literary elaboration of the historiographical narratives, however, shows the reception and transformation of the traditions of King David in later periods.

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17 Cf. Elayi, *Histoire de la Phénicie*: 20–36.

18 Cf. Moshe Elat, "Phoenician Overland Trade within the Mesopotamian Empires," in *Ah, Assyria . . . Studies in Assyrian History and Ancient Near Eastern Historiography Presented to Hayim Tadmor*, ed. Mordechai Cogan and Israel Eph'al, Scripta Hierosolymitana 33 (Jerusalem: The Magnes Press – The Hebrew University, 1991): 21–35, and Saur, *Tyroszyklus*: 197–237.

19 Cf. Saur, *Tyroszyklus*: 170–77.

20 For the background of the fourth century BCE see André Lemaire, "Le royaume de Tyr dans la seconde moitié du IVe siècle av. J.-C.," in *Atti del II Congresso Internazionale di Studi Fenici e Punici. Roma, 9–14 Novembre 1987*, vol. 1, Collezione di Studi Fenici 30 (Rome: Consiglio nazionale delle ricerche, 1991): 131–50.

21 Cf. Ernst Axel Knauf and Hermann Michael Niemann, *Geschichte Israels und Judas im Altertum* (Berlin: De Gruyter, 2021): 130–35.

Hiram of Tyre is known mainly from the Hebrew Bible texts, but he is also mentioned in a list of kings quoted in late antiquity by Eusebius of Caesarea with reference to older sources.[22] The name Hiram itself is also attested in Phoenician inscriptions, so that despite the extremely difficult source situation there can be little doubt that there was a king named Hiram who ruled the trading city of Tyre and had contacts with David of Jerusalem.

If we look first of all at the reports in Deuteronomistic historiography, at the end of the story of David's rise, we find in 2 Sam 5:1–10 the report of David's covenant with the elders of Israel in Hebron, through which he became *de facto* king over Israel, and the story of David's capture of Jerusalem, which he subsequently developed into his capital:

> 1 Then all the tribes of Israel came to David at Hebron, and said: 'Look, we are your bone and flesh. 2 For some time, while Saul was king over us, it was you who led out Israel and brought it in. Yhwh said to you: It is you who shall be shepherd of my people Israel, you who shall be ruler over Israel.' 3 So all the elders of Israel came to the king at Hebron; and King David made a covenant with them at Hebron before Yhwh, and they anointed David king over Israel. 4 David was thirty years old when he began to reign, and he reigned forty years.
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> 5 At Hebron he reigned over Judah seven years and six months; and at Jerusalem he reigned over all Israel and Judah thirty-three years. 6 The king and his men marched to Jerusalem against the Jebusites, the inhabitants of the land, who said to David: 'You will not come in here, even the blind and the lame will turn you back.' – thinking: 'David cannot come in here.' 7 Nevertheless David took the stronghold of Zion, which is now the city of David.
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> 8 David had said on that day: 'Whoever would strike down the Jebusites, let him get up the water shaft to attack the lame and the blind, those whom David hates.' Therefore it is said: 'The blind and the lame shall not come into the house.' 9 David occupied the stronghold, and named it the city of David. David built the city all around from the Millo inward. 10 And David became greater and greater, for Yhwh, the God of hosts, was with him.[23]

In verses 11–12, these accounts are concluded with the following information:

> 11 And King Hiram of Tyre sent messengers to David, along with cedar trees, and carpenters and masons who built David a house. 12 And David perceived that Yhwh had established him king over Israel, and that he had exalted his kingdom for the sake of his people Israel.

According to v. 11, Hiram of Tyre sent a delegation to David and provided him with cedar trees, carpenters and masons so that David could build a house. The background of this support remains unclear. Clearly, however, David relied on Phoenician expertise for the construction of the palace. The interpretation of the circumstances in v. 12 is crucial: David recognized that he had been confirmed as king by Yhwh and that his kingship had been elevated. How does David recognize this? By the anointing

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22 Cf. Nadav Na'aman, "Hiram of Tyre in the Book of Kings and in the Tyrian Records," *Journal of Near Eastern Studies* 78 (2019): 75–85.

23 All translations follow *The Holy Bible. The new King James Version. Containing the Old and New Testaments* (Nashville, TN: Nelson, 1982).

he received from the elders in Hebron? By the conquest of Jerusalem? Or by the Tyrian delegation? The alternatives are not mutually exclusive, but the sequence of events suggests that only the recognition of David's kingship by a foreign power completes the story of David's rise.

While the reports of the Tyrian delegation to Jerusalem in 2 Sam 5:11 mark the conclusion of the story of David's rise, the same scene is placed in a different context in the Book of Chronicles. David's covenant with the elders of Israel in Hebron and the conquest of Jerusalem have already been mentioned in 1 Chr 11. Only after other events have been reported do we read at the beginning of 1 Chr 14:

> 1 And king Hiram of Tyre sent messengers to David, along with cedar logs, and masons and carpenters to build a house for him. 2 And David perceived that Yhwh had established him as king over Israel, and that his kingdom was highly exalted for the sake of his people Israel.

Only here do we find the information about Hiram's delegation coming to Jerusalem with cedar wood and experts to build David a house. Here, David's recognition is no longer directly related to his accession to power. Instead, the Chroniclers deconstructed the narrative context in a way that the delegation from Tyre is not any longer the climax of the story of David's rise to power.[24] In contrast to the Deuteronomists, the Chroniclers obviously have no interest in emphasizing this diplomatic recognition of the kingdom of David by the Phoenician city of Tyre.

This could be due to the lesser importance of Tyre at the time the Books of Chronicles were written, but it could also be related to the fact that the Chroniclers wanted to push back as far as possible the connections between Israel and Phoenicia in order not to let the influence of foreigners and strangers on the young state of Israel come to the fore too much. The Deuteronomists, on the other hand, see the connections between David and Hiram in a different light: They presuppose a period of Phoenician flourishing, which was evidently regarded in Israel not with envy, but with acceptance. Through the connection with the politically, economically and culturally important city of Tyre, David's kingship, long ago by the time the Deuteronomistic texts were being written, has a certain share in the splendor of Phoenicia.

David's *de facto* dependency on Phoenician goods and Phoenician expertise is obviously narratively shaped in different ways: While the Deuteronomists anchor Hiram's delegation in a central position in the text and thus intend to make David's rise to power appear even more brilliant, the Chroniclers seem to push the information about David's contacts with Hiram to the back of the text in order to avoid presenting David in what they see as a false light.

24 Cf. Japhet, *I & II Chronicles*: 285–86.

4 Solomon of Jerusalem and Hiram of Tyre – the Flourishing of the Relationship

These tendencies can also be observed as the account of the early royal period proceeds further. In the narrative about David's son Solomon in 1 Kings 1–11, the contacts between Hiram of Tyre and Solomon are reported mainly in 1 Kings 5:15–32:

> 15 Now King Hiram of Tyre sent his servants to Solomon, when he heard that they had anointed him king in place of his father; for Hiram had always been a friend to David.
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> 16 Solomon sent word to Hiram, saying: 17 'You know that my father David could not build a house for the name of the Lord his God because of the warfare with which his enemies surrounded him, until the Lord put them under the soles of his feet. 18 But now the Lord my God has given me rest on every side; there is neither adversary nor misfortune. 19 So I intend to build a house for the name of the Lord my God, as the Lord said to my father David, 'Your son, whom I will set on your throne in your place, shall build the house for my name.'
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> 20 Therefore command that cedars from the Lebanon be cut for me. My servants will join your servants, and I will give you whatever wages you set for your servants; for you know that there is no one among us who knows how to cut timber like the Sidonians.' 21 When Hiram heard the words of Solomon, he rejoiced greatly, and said: 'Blessed be the Lord today, who has given to David a wise son to be over this great people.' 22 Hiram sent word to Solomon: 'I have heard the message that you have sent to me; I will fulfill all your needs in the matter of cedar and cypress timber. 23 My servants shall bring it down to the sea from the Lebanon; I will make it into rafts to go by sea to the place you indicate. I will have them broken up there for you to take away. And you shall meet my needs by providing food for my household.' 24 So Hiram supplied Solomon's every need for timber of cedar and cypress.
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> 25 Solomon in turn gave Hiram twenty thousand cors of wheat as food for his household, and twenty cors of fine oil. Solomon gave this to Hiram year by year. 26 So the Lord gave Solomon wisdom, as he promised him. There was peace between Hiram and Solomon; and the two of them made a treaty. 27 King Solomon conscripted forced labor out of all Israel; the levy numbered thirty thousand men. 28 He sent them to the Lebanon, ten thousand a month in shifts; they would be a month in the Lebanon and two months at home; Adoniram was in charge of the forced labor. 29 Solomon also had seventy thousand laborers and eighty thousand stonecutters in the hill country, 30 besides Solomon's three thousand three hundred supervisors who were over the work, having charge of the people who did the work.
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> 31 At the king's command, they quarried out great, costly stones in order to lay the foundation of the house with dressed stones. 32 So Solomon's builders and Hiram's builders and the Giblites did the stonecutting and prepared the timber and the stone to build the house.

According to 1 Kings 5:15, the contact is initiated by Hiram, who congratulates Solomon on his enthronement. Solomon then thanks him kindly and, after some references to his building plans, comes to his request for Phoenician cedar wood. Hiram agrees to the delivery of cedars and cypresses, but in turn asks for goods from Israel – according to v. 25, Solomon henceforth delivers wheat and oil to Tyre year after year. At first glance, this seems to be a meeting of partners who are balancing their interests. But this balance of interests is characterized by a certain asymmetry: While Solomon supplies his Tyrian trading partner with food year after year, Hiram delivers building material for the temple of Jerusalem only on a single occasion. According to

v. 32, not only Solomon's and Hiram's builders but also experts from Byblos are involved in the construction of the temple. The temple is obviously a joint Israelite-Phoenician project, which becomes even clearer in 1 Kings 7:13–51: According to this passage, the entire ritual-relevant interior decoration of the temple is made by a craftsman from Tyre named Hiram.[25] In 1 Kings 7:14, his mother is named as a member of the Israelite tribe of Naphtali in order to make the matter not too offensive – but the fact that his father came from Tyre obviously cannot be ignored.

The Deuteronomistic accounts of 1 Kings 5:15–32 and 1 Kings 7:13–51 are subsumed, shortened, and refocused by the Chroniclers in 2 Chr 2,1–15:

> 1 Solomon conscripted seventy thousand laborers and eighty thousand stonecutters in the hill country, with three thousand six hundred to oversee them. 2 Solomon sent word to King Huram of Tyre: 'Once you dealt with my father David and sent him cedar to build himself a house to live in. 3 I am now about to build a house for the name of the Lord my God and dedicate it to him for offering fragrant incense before him, and for the regular offering of the rows of bread, and for burnt offerings morning and evening, on the sabbaths and the new moons and the appointed festivals of the Lord our God, as ordained forever for Israel. 4 The house that I am about to build will be great, for our God is greater than other gods. 5 But who is able to build him a house, since heaven, even highest heaven, cannot contain him? Who am I to build a house for him, except as a place to make offerings before him? 6 So now send me an artisan skilled to work in gold, silver, bronze, and iron, and in purple, crimson, and blue fabrics, trained also in engraving, to join the skilled workers who are with me in Judah and Jerusalem, whom my father David provided. 7 Send me also cedar, cypress, and algum timber from Lebanon, for I know that your servants are skilled in cutting Lebanon timber. My servants will work with your servants 8 to prepare timber for me in abundance, for the house I am about to build will be great and wonderful. 9 I will provide for your servants, those who cut the timber, twenty thousand cors of crushed wheat, twenty thousand cors of barley, twenty thousand baths of wine, and twenty thousand baths of oil.' 10 Then King Huram of Tyre answered in a letter that he sent to Solomon: 'Because the Lord loves his people he has made you king over them.' 11 Huram also said: 'Blessed be the Lord God of Israel, who made heaven and earth, who has given King David a wise son, endowed with discretion and understanding, who will build a temple for the Lord, and a royal palace for himself. 12 I have dispatched Huram-abi, a skilled artisan, endowed with understanding, 13 the son of one of the Danite women, his father a Tyrian. He is trained to work in gold, silver, bronze, iron, stone, and wood, and in purple, blue, and crimson fabrics and fine linen, and to do all sorts of engraving and execute any design that may be assigned him, with your artisans, the artisans of my lord, your father David. 14 Now, as for the wheat, barley, oil, and wine, of which my lord has spoken, let him send them to his servants. 15 We will cut whatever timber you need from Lebanon, and bring it to you as rafts by sea to Joppa; you will take it up to Jerusalem.'

25 Cf. Ernst Axel Knauf, *1 Könige 1–14*, Herders Theologischer Kommentar zum Alten Testament (Freiburg: Herder, 2016): 244: "Dass ein Bronzegießer und Kunstschmied aus Tyrus geholt wird, lag im 9.–8. und dann wieder ab dem 5. Jh. nahe: die Phönizier verdankten ihre Dominanz im levantinischen Handel zu großen Teilen der Kontrolle des zyprischen Kupferexports in den fruchtbaren Halbmond und in den Mittelmeerraum, und Tyrus war die Jerusalem nächstgelegene Metropole."

In addition to wheat and oil, barley and wine are mentioned as Solomon's contributions; according to vv. 7–8, Hiram is to deliver not only cedars and cypresses, but also algum timber. The artisan requested by Solomon in v. 6 is promised by Hiram in vv. 12–13 and is also mentioned again in 2 Chr 4:11 in the context of constructing the temple furnishings and implements. But he is mentioned rather abruptly and casually, because according to 2 Chr 3:1 Solomon is the one who instigates the building of the temple and its furnishings and implements, a fact that is again clearly underlined in 2 Chr 5:1. Here again there is a noticeable attempt by the Chroniclers to minimize the Phoenician influence on the temple of Jerusalem and to portray the influence of foreigners as insignificant.[26]

As for the dependencies at hand, we cannot ignore either their strength or their asymmetry: While Solomon supplies food on a permanent basis, the Phoenicians provide building material and craftsmanship. It would have been very easy for the Phoenicians to source their supplies elsewhere, but it would have been very difficult for David and Solomon to realize their building plans without Phoenician support. What at first glance appears to be a mutual trade relationship and is narratively presented as such reveals itself on closer examination as a strong asymmetrical dependency of Jerusalem on the Phoenicians, who seem to be in a much better economic and technical position than David and Solomon. The Hebrew traditions of David, Solomon and Hiram develop, albeit with varying intensity, a counter-narrative to Israel's *de facto* dependency on Phoenicia and attempt to conceal the actual circumstances. In this way, Hebrew historiography takes a different approach than the travel report of Wenamun, which sets out with unsparing frankness the extent to which Egypt had become dependent on the Phoenicians.

The account of another incident in the relationship between Solomon and Hiram of Tyre is found in the remarkable story of cession of territories in the border region between Israel and Phoenicia. According to 1 Kings 9:10–14, Solomon cedes twenty cities to Hiram:

> 10 At the end of twenty years, in which Solomon had built the two houses, the house of the Lord and the king's house, 11 King Hiram of Tyre having supplied Solomon with cedar and cypress timber and gold, as much as he desired, King Solomon gave to Hiram twenty cities in the land of Galilee. 12 But when Hiram came from Tyre to see the cities that Solomon had given him, they did not please him. 13 Therefore he said: 'What kind of cities are these that you have given me, my brother?' – So they are called the land of Cabul to this day. 14 But Hiram sent to the king one hundred twenty talents of gold.

26 Cf. v. 12–13, where the artisan is not only presented as the son of a Tyrian but at the same time as "son of one of the Danite women", which seems to refer to one of the northern tribes of Israel (cf. Japhet, *I & II Chronicles*: 544–45).

In 2 Chr 8:1–2, Hiram, by contrast, handed over the cities to Solomon:

> 1 At the end of twenty years, during which Solomon had built the house of the Lord and his own house, 2 Solomon rebuilt the cities that Huram had given to him, and settled the people of Israel in them.

The different accounts allow only one conclusion: There were obviously some grey areas in the border region about whose affiliation different opinions were in circulation.[27] While it was still possible for the Deuteronomists to report that Solomon ceded territory to Hiram, the Chroniclers turned the matter completely upside down: For all the concessions to Phoenician influence the Chroniclers were willing to make in their account, Solomon just could not have diminished the land given to Israel by Yhwh. The Deuteronomists portray Tyre as a partner of Israel, to whom Solomon was willing to make geographical concessions in the peripheries of the north, if the construction of the temple in Jerusalem could be ensured – in fact, there is a strong dependency behind these moves by Solomon.[28] The Chroniclers, by contrast, portray Tyre as a neighbor of Israel ceding territory – the short note gives the impression that Tyre was in some way dependent on Jerusalem. The Chroniclers' account thus again shows the construction of narrative positions against the *de facto* Phoenician superiority – here again, a narrative is developed in order to invert the real conditions and to minimize the strong asymmetrical dependencies between Israel and Phoenicia.

The information from 1 Kings 9:26–28; 10:11–12 and 2 Chr 8:17–18; 9:10.21 about maritime expeditions by Solomon and Hiram also belong to this context. These scattered notes, more or less casually in their context, introduce a crucial topos of Phoenician culture, namely seafaring, for which the Phoenicians were famous in antiquity. This stands in sharp contrast to everything that is known about Israel's nautical expertise: While the Phoenicians were considered a sea power, seafaring and shipbuilding play only a very minor role in Israel. The accounts of joint expeditions of Solomon and Hiram transform the *de facto* dependency into a narrated togetherness: The Phoenicians are cut off from their exclusive expertise, and Israel, in the figure of Solomon, is ascribed a competence that rewrites Solomon's *de facto* dependency on Phoenicia's maritime trade.

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27 For the limits of the literary sources see Paolo Xella, "La Bible," in *La civilisation phénicienne et punique. Manuel de recherche*, ed. Véronique Krings, Handbuch der Orientalistik I/20 (Leiden: Brill, 1995): 67: "On ne peut déterminer avec certitude, d'après notre source, s'il s'agit d'une transaction ou bien d'une question de réglementation de frontières entre les deux États." Cf. also Japhet, *I & II Chronicles*: 621: "[T]he two notices could be seen as complementary, reflecting a territorial exchange between the two rulers [. . .]. However, both the place of this note in the sequence and the Chronicler's general view of the relationship between Solomon and Hiram would indicate that the Chronicler intended to replace rather than complement his source-text."

28 Cf. Knauf, *1 Könige 1–14*: 297: "Salomos Goldsucht hat ihn abhängig gemacht."

A clear picture emerges when we read the various accounts of the relationship between David, Solomon and Hiram side by side. Tyre appears constantly as a political, economic and cultural power. The city provides the newly enthroned David with his first international recognition as a king in the form of Hiram's delegation. Hiram signs an important trade agreement with Solomon. Tyre provides building material and expertise in craftsmanship and art. And Hiram goes with Solomon to the limits of what seemed possible to the authors of the Deuteronomistic and Chronistic texts, namely the navigation from Ezion-Geber. While the Deuteronomistic texts portray the episodes in some detail and increase the splendor of David and Solomon by the splendor of Hiram, there is a noticeable effort by the Chroniclers to cover the Phoenician traces in their account as much as possible and ultimately to admit only what cannot be denied. Behind these differences stand the different intentions of the two Hebrew historiographies.[29] While the Deuteronomistic texts present a picture of Tyre that is best understood from the Persian period,[30] when under Persian rule the various satrapies and politico-religious communities lived in more or less peaceful coexistence that promoted economic and cultural exchange and mutual understanding, the Chroniclers' rejection of foreign influence rather belongs to the historical situation of Alexander's collapsed empire and the struggles between the Ptolemies and the Seleucids that erupted in Syria and Palestine in the third and second centuries BCE. In this historical context, the people of Jerusalem reflected on the problem of foreign influence on their identity in a new way – and the Chroniclers' historiography testifies to this.

5 Narrating Dependency

Dependencies, even strongly asymmetrical dependencies, can be reflected and addressed in narratives. Phoenician narratives of Israel's dependency on Phoenicia have not been transmitted. It is possible that one would have found in Phoenician historiography a narrative of strong dependency that portrayed, in a manner similar to the travel report of Wenamun, the extent to which the Phoenicians' near and distant neighbors depended on Phoenician resources. Countering such a Phoenician narrative, the Hebrew historiographies create a counter-narrative that modifies and deconstructs the narrative of Phoenician supremacy and predominance.

29 Following Xella, "La Bible": 68, it is necessary "[de] s'interroger sur la mesure dans laquelle les récits bibliques à ce sujet ne sont que la projection partielle (due comme toujours aux rédacteurs) d'une réalité postérieure de quelques siècles."

30 Na'aman, "Hiram of Tyre": 79 suggests that "the 'Acts of Solomon', the main pre-exilic source available to the Deuteronomists, was written at the time of the Sargonids" – which would take us back to the late eighth or early seventh centuries BCE.

It is of particular interest to trace the internal Hebrew development of this counter-narrative, which can be analyzed by comparing the Deuteronomistic and Chronistic depictions: What was acceptable and portrayable for one group becomes for the other group an incentive to turn the circumstances upside down. Strong asymmetrical dependencies obviously intensify and accelerate literary processes and release a narrative dynamic that at the same time reveals the power of narration. It is precisely in historiographic works, which ultimately represent nothing more than a sort of 'grand récit',[31] that the crucial questions of 'Who are we?' and 'Where do we come from?' are addressed. Because of these identity-defining processes, the analysis and deconstruction of such narratives is necessary in order to uncover the core of what might have been – even if this 'What has been' exists only in the form of the narrated text and thus always in the form of an interpretation.[32] There is no historiography without interpretation – and there is no ongoing interpretation without retracing the narrative structure of what is told in the transmitted texts.[33]

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31 Cf. Jean-François Lyotard, *La condition postmoderne. Rapport sur le savoir* (Paris: Les éditions de minuit, 1979): 7–9, 54–62.

32 Cf. Edward Lipiński, "Hiram of Tyre and Solomon," in *The Book of Kings: Sources, Composition, Historiography and Reception*, ed. André Lemaire and Baruch Halpern, Vetus Testamentum, Supplements 129 (Leiden: Brill, 2010): 272: "[T]he biblical accounts of the relationship between Hiram of Tyre and Solomon result from a reinterpretation of older sources."

33 On the methodological debate, with special reference to Hebrew Bible texts, cf. Barbara Schmitz, *Prophetie und Königtum: Eine narratologisch-historische Methodologie entwickelt an den Königsbüchern*, Forschungen zum Alten Testament 60 (Tübingen: Mohr Siebeck, 2008): 5–108, and Uta Schmidt, "Narratologie und Altes Testament," *Theologische Literaturzeitung* 143 (2018): 423–38.

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3. Research Lenses

3.1. Semantics, Lexical Fields, Narratives

Narratives

Gül Şen. “Narrativity and Dependency: The Captivity of an Ottoman Official in Saint Petersburg (1771–1775),” in *Narratives of Dependency*, ed. Elke Brüggen and Marion Gymnich (Berlin: De Gruyter, 2024): 161–178.

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Gül Şen

Narrativity and Dependency: The Captivity of an Ottoman Official in Saint Petersburg (1771–1775)

1 Introduction

War captivity is a very special form of asymmetrical dependency. However, if we define the concept of asymmetrical dependency in a broader sense, we have to include structures and phenomena related to this type of social relationship, and to analyze them beyond the simple dichotomy of *slavery* and *freedom*.[1] Based on this assumption, we must understand the phenomenon of war captivity first of all as a shared practice in warfare among early-modern political powers.

In what follows, my analysis is based upon an Ottoman captivity account and its narrative peculiarities.[2] The source I discuss here to demonstrate this relation is a unique captivity narrative written by Meḥmed Necāti Efendi, an Ottoman official, after his release from captivity in 1775 in Saint Petersburg. Of his memoirs, at present seven manuscripts are extant, which form the basis of a complete edition which is currently under preparation.[3] This account is of particular interest as its narrative can provide us with first-hand information on the experience of captivity in the second half of the eighteenth century in Russia. While there are some extant studies on the phenomenon of war captivity during this period,[4] these works do not tell us much on officials as captives.

1 For a theoretical discussion of this issue, see Stephan Conermann and Gül Şen, "Slavery is Not Slavery: On Slaves and Slave Agency in the Ottoman Empire: Introduction," in *Slaves and Slave Agency in the Ottoman Empire*, ed. Stephan Conermann and Gül Şen (Göttingen: V&R Unipress, 2020): 11–27.

2 This article has been written within the framework of the project "Transottoman Semiospheres: Pavel Levašov's and Necāti Efendi's Imaginations of the Other," which in turn is part of "Transottomanica," a Priority Program of the German Research Foundation. Compare the chapter by Alexander Bauer in this volume. Some results have been published here: Gül Şen, "Between Istanbul and Saint Petersburg: War Captivity as a Part of Diplomacy in the Eighteenth Century," in *Proceedings of the III International Symposium on Turkey-Russia Relations*, ed. Vefa Kurban, Hamit Özman, and Recep Efe Çoban (Ankara: Gece Kitap, 2023): 338–353.

3 The comprehensive edition with annotations is prepared by Sevgi Ağcagül, Henning Sievert, Caspar Hillebrand, and myself. For the present contribution, I have used the manuscript in Istanbul, Süleymaniye Library, Esad Efendi-Collection, no. 2278 [hereafter: EEC 2278].

4 For the Ottoman captives and their return, see Fatma Sel Turhan, "Captives of the Ottoman-Russian War: 1768–1774," *International Journal of Turcologica* 13, no. 25 (2018): 5–36; for the Russian captives' conversion and regulations of exchange, see Will Smiley, "The Meaning of Conversion: Treaty Law, State Knowledge, and Religious Identity among Russian Captives in the Eighteenth-Century Ottoman Empire," *The International History Review* 34, no. 3 (2012): 559–80.

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Taking a narratological point of view as a vantage point, I consider this text as a literary one, i.e., I am interested in questions such as: has the author assembled his material in a specific way, and why did he make deliberate choices in selecting historical facts (*res gestae*) in order to create a particular narrative (*narration*) and emplotment of his memoirs?[5] Furthermore, I would like to discuss some of the determinant factors in writing these memoirs, such as the author's personal experience of war captivity, his imagination of *self* and *other*, genre-related patterns and conventions, and his perception of *space*.

2 An Ottoman Official and the Setting of his Narration: War and Captivity

The historical background of Necāti's account is dominated by the Ottoman-Russian War (1768–1774). A conflict between the Russian Empire and the Ottoman state over the control of Eastern Poland escalated into a full-fledged war, in which the Russian army soon launched a number of offensives towards the Caucasus, the Balkan, and into the Mediterranean. A Russian naval squadron under the grand admiral Alexei Grigoryevich Orlov entered the Mediterranean Sea and established Russian naval hegemony by defeating the Ottoman navy at Chesme in 1770.[6]

A peace treaty, the Treaty of Kuchuk Kainarji (*Küçük Kaynarca*, *Kjučuk-Kajnardžijskij Кючук-Кайнарджийский*), was only signed in July 1774, due to joint mediation efforts by Prussia, Austria, and Great Britain, who aimed to prevent a further expansion of Russia. The most important result of the war was the Ottoman loss of the Crimea (along with the two important ports of Azov and Kerch), a territory which had been under Ottoman suzerainty since 1475; it was also the first loss of a territory with a predominantly Muslim population. Furthermore, the Ottoman state had to cede the authority over its orthodox subjects on the Balkan to Russia. As stipulated by the treaty, the Russian state had the right to maintain a permanent embassy in Istanbul, consulates in all major ports, a merchant fleet in the Black Sea, and access to the Mediterranean through the Marmara Sea. During the following five years, there were frequent encounters between the Russian and Ottoman navies in the Mediterranean.[7] Only nine years after the signing of the

5 On emplotment and arrangement of facts in historiography, see Hayden White, *Metahistory: The Historical Imagination in Nineteenth-Century Europe* (Baltimore: Johns Hopkins University Press, 1973): 7–29.

6 Among the numerous studies on the reasons for and the course of this conflict, see Brian L. Davies, *The Russo-Turkish War, 1768–1774: Catherine II and the Ottoman Empire* (London: Bloomsbury, 2016) and Virginia H. Aksan, "Whatever Happened to the Janissaries? Mobilization for the 1768–1774 Russo-Ottoman War," *War in History* 5, no. 1 (1998): 23–36.

7 Marcin Marcinkowski, *Die Entwicklung des Osmanischen Reiches zwischen 1839 und 1908: Reformbestrebungen und Modernisierungsversuche im Spiegel der deutschsprachigen Literatur* (Berlin: Schwarz, 2007): 13–15.

treaty, military conflict was reignited by Catherine II's annexation of the Crimean Khanate in 1783.

Necāti Efendi was an Ottoman official and served as the registrar of cadastral survey (*defter emīni*) to Silāḥdār İbrāhīm Pasha, the Ottoman commander in chief of the Crimea during the war. Together with a group of Ottoman officials he was held as a war captive for almost four years (1771–1775), until the amnesty brought by the peace treaty of Kuchuk Kainarji.[8] Back in Istanbul in 1775, Necāti continued in his profession as a member of the Ottoman bureaucracy at the imperial record office of land property (*defter-i ḫāḳānī*) and wrote his memoirs, which was an act of remembering dependency.[9] The historian Erhan Afyoncu corrected the assumed date of Necāti's death (variously "after 1776" or "1785") in the literature to 1793, following the appointment records.[10] Based on a newly discovered document I can confirm that Necāti spent an active professional life until his death in 1793.[11] According to this document, a petition was submitted by the registrar of land property, ʿAlī Rāif, on March 27, 1792. The document states that Necāti Efendi had served for forty years as administrator of documents (*kīsedar*) of the imperial record office of land property, and that he had also served as deputy registrar of cadastral survey at the imperial court. After his captivity, which had lasted four and a half years, he was reappointed as administrator of documents. During his absence due to his duty in the military campaign in Vidin (in today's Bulgaria), a certain Meḥmed Yesārī Efendi replaced him as administrator of documents. Obviously, he obtained the position through intrigues and annoyed his colleagues with permanent grievances. Mentioning complaints by the scribes and their assistants ʿAlī Rāif submitted his petition at the court asking for Yesārī's dismissal and Necāti's reappointment. The petition not only reveals that Necāti was still acting as a state servant in 1792, but also indicates that he was a well-known and highly-regarded official who enjoyed the patronage of a number of influential court officials.

Before I turn to the phenomenon of war captivity, let me make some general reflections. War captivity has several dimensions, from a legal, i.e., normative discussion to actual practices. Although it was, normatively, forbidden to take co-religionists as war

8 At an earlier time than Necātī's group, the Ottoman court chronicler Aḥmed Vāsıf Efendi was also captured during this war while on duty at the Crimea. Having been taken to Saint Petersburg, Vāsıf was released by Catherine II after a few months to submit her peace proposals to the Ottomans. See Ethan L. Menchinger, *The First of the Modern Ottomans: The Intellectual History of Ahmed Vasif* (Cambridge: Cambridge University Press, 2017): 27–42.

9 During the same time a Russian group was held as war captives in Istanbul, and one of their members, Pavel Levašov, also wrote memoirs. See the chapter by Alexander Bauer in this volume.

10 For the five documents on Necāti's appointments, death, and the appointments of his son and grandson, see Erhan Afyoncu, "Osmanlı Müverrihlerine Dair Tevcihat Kayıtları II," *Belgeler* 30 (2005): 173–76.

11 Presidency of State Archives of the Republic of Turkey, Ottoman Archives (BOA), C.DH. no. 54 - 2698 - 0; 23-07-1206 [Marc 27, 1792].

captives and/or slaves, the Ottoman sources, such as court registers, tell a different story.[12] To understand these practices, we have to let go of the modern differentiation between the terms *prisoner of war* (POW) and *war captive*: The former is defined a legal person subjected to international law, with a clearly defined status. The latter term comprises two rather different groups: those captives who were held for ransom and enjoyed a remarkable degree of agency at their place of detention, and those who were put to work as unfree labor along with convicts. However, this distinction does not necessarily apply to the early modern period; bilateral peace treaties, such as the Treaty of Kuchuk Kainarji, comprise articles dedicated to the exchange of war captives. The Ottoman-Turkish term *esīr* (pl. *üserā*) does not differentiate between enslaved individuals and war captives. Whenever the term is used in the sources, we must infer from the context which form of dependence is actually meant. In most passages related to warfare, *esīr* indicates the initial legal status as war captive, i.e. when the person in question was recorded in the registers for the specific tax for war captives (the so-called *pencik* or *pençik resmi*). After registration, some groups were sent to the imperial naval arsenal (*tersāne-i amīre*) to work on the galleys in the service of the state (called *mīrī esīr*), where they continued to keep their status as war captives.[13] Other captives were distributed among the military and officals, thus entering a different status as enslaved people, for example as household slaves. Their new masters, however, were compelled to pay taxes for each captive they received according to the register mentioned above.

3 The Captivity Narrative and the Question of Genre

Since the narrativity of a text is very much dependent on its genre, I would like to discuss the issue of literary genre at this point, in order to situate Necāti's memoirs in the broader context of Ottoman historiography: Unlike in the case of modern literary writings, we cannot speak with certainty of absolute genre categories with premodern Ottoman texts.[14] Instead, many interwoven types can be found in a single work, as is the case with the text under study. Moreover, a closer approach to the issue of genre might contribute to a better understanding of premodern texts and their purpose in a wider sense – provided that the analysis takes into consideration the intellectual and literary concepts and conventions of the period in which the text was produced,

12 For legal discussions, see Will Smiley, *From Slaves to Prisoners of War: The Ottoman Empire, Russia, and the International Law* (Oxford: Oxford University Press, 2018): 24–30.

13 Gül Şen, "Between Two Spaces: Enslavement and Labor in the Early Modern Ottoman Navy," in *Comparative and Global Framing of Enslavement*, ed. Stephan Conermann, Youval Rotman, Ehud Toledano and Rachel Zelnick-Abramo (Berlin: DeGruyter, 2023): 144–45.

14 For a comprehensive discussion of genre for Ottoman historiography see Gül Şen, *Making Sense of History: Narrativity and Literariness in the Ottoman Chronicle of Naʿīmā* (Leiden: Brill, 2022): 68–81.

rather than anachronistic expectations from a modern perspective. Based on Helmut Utzschneider's and Stefan Ark Nitsche's definition of literary genres, a genre is characterized by a certain range of topics and the presence of certain formal elements within a text (these features are called a "genre framework").[15] Such topics and elements can be detected in Necāti's memoirs as interwoven into his narration, from which we may conclude that the text in fact reflects the conventions of various genres. First of all, its author has titled the text as the *History of Crimea* (*Tārīḫ-i Ḳırım*). Necāti Efendi preferred to describe his text as a historical work, as this was the most common and most respected category of genre within the Ottoman knowledge system, although the term "history" was in fact an ambiguous one in that context. In one way, the text is indeed a history, in that it contains chapters on the Crimea and its history as well as on the events of the Ottoman-Russian War of 1768–1774, which, as we have seen, was ended by the Peace Treaty of Küçük Kaynarca in 1774. To that extent, I argue that Necāti Efendi, as a learned man and bureaucrat, was aware of the literary conventions and genre categories of his own time. However, the work also contains sections which are written as ego documents, in a first-person narrative. At the very beginning, Necāti refers to his situation as a captive, his profession as an official at the imperial record office, and his appointment as registrar of the cadastral survey for the Crimea. These are typical features both of an ego document in general and of a captivity narrative in particular. The work can also be analyzed in accordance with the parameters of another genre, the Ottoman embassy reports (*sefāretnāme*), as the text contains a number of topical similarities, such as route itineraries, diplomatic encounters, observations about state-run institutions, and eating habits. Though the author did not actually act as an official envoy, he still wrote down his observations as if he had acted in this function.[16] At present, we know of four extant reports on embassies to Russia from the eighteenth century. The envoys were Nişli Meḥmed Agha (who went to Russia in 1722), Meḥmed Emnī Pasha (1740), Derviş Meḥmed Efendi (1754 and 1763), and Şehdī ʿOsmān Efendi (1740 and 1757).[17] While Necāti's captivity narrative shows some similarities to these earlier reports, his memoirs cannot be assigned fully

15 Helmut Utzschneider and Stefan Ark Nitsche, *Arbeitsbuch literaturwissenschaftliche Bibelauslegung: Eine Methodenlehre zur Exegese des Alten Testaments*, 2nd ed. (Gütersloh: Gütersloher Verlagshaus, 2005): 118.

16 For similarities of Necāti's memoirs to the embassy reports, see Christoph Neumann, "The Russian Experience: Necati Efendi in Captivity," *Südost-Forschungen* 71 (2012): 23–24.

17 For the embassy reports to Russia see Denise Klein, "The Sultan's Envoys Speak: The Ego in 18th-Century Ottoman *sefâretnâme*s on Russia," in *Many Ways of Speaking about the Self: Middle Eastern Ego-Documents in Arabic, Persian, and Turkish (14th–20th Century)*, ed. Ralf Elger and Yavuz Köse (Wiesbaden: Harrassowitz, 2010): 89–102; for a list, see Caspar Hillebrand, "Ottoman Travel Accounts to Europe: An Overview of their Historical Development and a Commented Researchers' List," in *Venturing Beyond Borders: Reflections on Genre, Function and Boundaries in Middle Eastern Travel Writing*, ed. Bekim Agai, Olcay Akyıldız and Caspar Hillebrand (Würzburg: Ergon Verlag, 2013): 61–62.

to this genre. Just like the authors of the above-mentioned *sefāretnāme*s, Necāti, a learned official – though of a lower rank – must have made conscious use of genre-related patterns and conventions of his time. However, unlike his fellow writers, he did not travel to the Russian Empire voluntarily, but experienced forced mobility under completely different circumstances. Although his writing contains embassy report-like elements, his memoirs reflect his experience of war captivity; I therefore prefer to define this text as a captivity narrative (*esāretnāme*), a common term for first-person narratives written by former captives. Such ego documents of captivity are, however, rare in Ottoman literature, while narratives of captivity in the Ottoman realm written by (Christian) European authors are abundant. Aside from the Ottoman captives Hindī Maḥmūd and Macūncuzāde Muṣṭafā, who had been in captivity in Rome in the 1570s and in Malta in 1599 respectively,[18] the most celebrated captivity narrative comes a century later with ʿOsman Agha's memoirs, written in 1725, on his time as a war captive in the Habsburg domain from 1688 to 1700.[19] A less-known account is the narrative of Köle ("Slave") Süleymān, a former Janissary, on his eight years of captivity in France from 1785 to 1793.[20] Necāti's account remains the only known example of this genre from the last decades of the eighteenth century on Russia, and is quite unique in its description of that country under the rule of Catherine II. By contrast, the genre had become popular in early-modern Europe, where a considerable number of such accounts was published to fulfill the demand of a large audience with political and commercial interests.[21]

In terms of its content, Necāti's work is rich on historical events, descriptions of spaces/places and institutions, and on the names of individuals and geographical-administrative units. In terms of the organization of contents, I consider the overall arrangement as an emplotment, since it explains the issue of genre(s), the way the author writes, and the process of the narration. Hayden White defines emplotment as

18 For captivity narratives, see Cemal Kafadar, "Self and Others: The Diary of a Dervish in Seventeenth Century Istanbul and First-Person Narratives in Ottoman Literature," *Studia Islamica* 69 (1989): 131–34; Erhan Afyoncu, "Esaretnameler ve Mehmet Necati'nin Esaretnamesi," in *Uluslararası Türk Savaş Esirleri Sempozyumu Bildiri Kitabı*, ed. Okan Yesilot et al. (Istanbul: Sultanbeyli Belediyesi, 2018): 13–28; Gül Şen, "Galley Slaves and Agency: The Driving Force of the Ottoman Fleet," in *Slaves and Slave Agency in the Ottoman Empire*, ed. Stephan Conermann and Gül Şen (Göttingen: V&R Unipress, 2020): 148; Selim Karahasanoğlu, "Ottoman Ego-Documents: State of the Art," *International Journal of Middle East Studies* 53 (2021): 305–6.

19 *Der Gefangene der Giauren: Die abenteuerlichen Schicksale des Dolmetschers Osman Ağa aus Temeschwar, von ihm selbst erzählt*, trans. Richard Franz Kreutel and Otto Spies (Graz: Styria, 1962).

20 For Süleymān's narrative, see Belkıs Altuniş Gürsoy, "Siyasetname Hüviyetinde Bir Esaretname," *Erdem: İnsan ve Toplum Bilimleri Dergisi* 60 (2011): 77–142.

21 See Joshua M. White, *Piracy and Law in the Ottoman Mediterranean* (Stanford: Stanford University Press, 2017): 72.

"the way by which a sequence of events fashioned into a story is gradually revealed to be a story of a particular kind."[22] In this sense, the text segments can be understood as independent genres if we analyze them individually. However, as a whole, they display a particular emplotment, "a story of a particular kind." Obviously, the author did not arrange his narration in a well-conceived structure, but with the intention to give it a particular significance as a whole. Accordingly, we find various elements and narrations assembled in the text:

- praise of God and the Prophet; his appointment as registrar of cadastral survey to *Silāḥdār* (arms bearer) İbrāhīm Pasha, the Ottoman commander-in-chief of the Crimea
- sojourn in Caffa (today Feodosia) in the Crimea; conflicts with the Crimean Nogais, who had failed to deliver the requested four thousand carts for the Ottoman army; food shortage due to the lack of carts
- defeat of the Ottoman army in the Crimea by Russian troops
- beginning of captivity; six-month journey to Saint Petersburg
- captivity in Saint Petersburg; banquets and receptions attended by Necāti; opera; masked ball; eating habits
- an account of Pugachev's Rebellion of 1773–1775, a general uprising of serfs and religious minorities
- imperial gardens in Saint Petersburg; palaces outside the city; jewelry production; the palace of Catherine II; the naval arsenal in Saint Petersburg; the Russian systems of customs and taxation; Russian villages; orphanage; fires in Petersburg and Moscow; the Russian army
- return from Saint Petersburg to Istanbul; itinerary of the route
- Necāti Efendi made head of department of the imperial chancery; his appointment to the imperial record office; his following appointment to Chotin (today in Ukraine)
- reasons for the defeat of the Ottoman army by the Russians: defection of Tatar units to the enemy, secret negotiations of Giray Khan with the Russians, which results in his handing over the Crimea to them for material gain; shortcomings of the Ottoman military, poor administration of the navy; desertion of soldiers.

Thus, Necāti Efendi presented to his Ottoman contemporaries a historical account, a diplomatic report, and a captivity narrative in one and the same text. Observations on Russian courtly society and politics are embedded into reports of his personal experiences of war captivity.

22 White, *Metahistory*: 7.

4 Narrating Asymmetrical Dependency

Narratology insists on distinguishing between the author and the narrator of a text in order to understand the narratological peculiarities of a text.[23] In the present case, this distinction provides us with some interesting insights: The latter makes an appearance only on the textual level, in order to create a mode of narrativity. Thus, while speaking of textual-narratological analyses, when I refer to Necāti I mean the narrator in the text and not the historical author. Necāti mentions his captivity at the very beginning, so that the reader is made aware that the account will report this circumstance. From a transcultural perspective, he makes a number of remarkable and insightful observations. The details of these observations reveal that he had the opportunity to visit many places and collect information, although he could not speak Russian – at least at the beginning of his captivity. After all, as a war captive, he still enjoyed a privileged status as member of the Ottoman elite.

4.1 The Narrative Mode of Representing Space

In a narrative text, space can be represented or imagined by different techniques. In Necāti's text, the overall space is that of his war captivity, i.e., the territory of the Russian Empire. In his narrative, Necāti attempts to paint a full picture of this overall space by highlighting a number of particular aspects, e.g. the detailed description of places or activities related to the imperial sphere of power. This selective description, which entirely ignores rural Russia, for example, is determined by the author's intent; he has selected those aspects which would be of greatest interest for his readership of Ottoman officials.

An illustrative example for this narrative technique is his description of the ballroom in the hall of the Winter Palace at Saint Petersburg. The description is focused only on the furnishings which are relevant for the interaction of the protagonists. The function of the ballroom is that of a *space of action*, not only for musical and artistic performances, but also for important diplomatic negotiations. Therefore the description devotes less room to the interior, and much more to the activities going on there.[24] As spaces are also defined by their boundaries, the doors of the ballroom play an important role in the narration: they not only separate the ballroom from the

23 For an analysis of different types of narrator, see Sven Strasen. "Zur Analyse der Erzählsituation und der Fokalisierung," in *Einführung in die Erzähltextanalyse: Kategorien, Modelle, Probleme*, ed. Peter Wenzel (Trier: Wissenschaftlicher Verlag Trier, 2004): 111–40; for a discussion concerning Ottoman historiographic texts, see Şen, *Making Sense of History*: 192–93.

24 For an introductory discussion on and an analysis of space see Birgit Haupt, "Analyse des Raums," in *Einführung in die Erzähltextanalyse: Kategorien, Modelle, Probleme*, ed. Peter Wenzel (Trier: Wissenschaftlicher Verlag, 2004): 69–87.

other chambers, but the guards posted there also separate those who are permitted to enter (the sphere of power) from those who are not. Thus, these boundaries are defined not only by space, but also by rules and conventions. This is exemplified in Necāti's description of the imperial court theater:

> The audience is permitted to access only upon invitation, and the [written] invitations, which are marked with a stamp, are issued to groups of three to five individuals. When they arrive at the Palace, they produce the stamped invitation to the guards at the entrance, submit them, and only then are they allowed to enter. These rules apply for all who attend regardless of rank. For each event a separate stamp is issued.[25]

Here, Necāti's text reveals another relevant dimension of spatial boundaries: they are defined not only by rules, but also by the persons (i.e. protagonists) who are permitted to cross them: within the sphere of the court, only courtiers, dignitaries, and foreign envoys are present at the empress's palace while common people are excluded (Fig. 1). In addition to its factual aspect, this description is also a conventionalized *topos* by which the imperial palaces in and around Saint Petersburg are presented as symbolic spaces of power, whose meaning can be understood across cultural and political boundaries.[26] Catherine II's palace serves as a symbol of Russian imperial rule, just as the Sultan's palace in Istanbul does for the Ottoman world. Ultimately, both spaces are narrated as spheres of protocolary matters, diplomatic encounters, artistic performances, as representations of glory and wealth.

Fig. 1: View of Her Imperial Majesty's Palace at Tsarskoye Selo, 25 versts from Saint Petersburg (1761). Source: *Sankt Petersburg und Umgebung in Russischen Veduten 1753–1761*: *Zwei Kupferstichfolgen nach Michail Ivanovic Mechaev, hrsg. von der Kaiserlichen Akademie der Wissenschaften zu Sankt Petersburg*. Exhibition Catalogue of Staatliche Graphische Sammlung Munich, 1992, No. 16. Reproduction courtesy of Staatliche Graphische Sammlung Munich.

25 EEC 2278, 24r.

26 For the conventionalizing of a narrative space, see Haupt, "Analyse des Raums": 82–83.

Thus, the narrative space created by the author performs an important function in the emplotment of the text, as the structures of space correspond with the structures of emplotment. Necāti must have remembered the Bosporus when he first saw the river Neva in Saint Petersburg. This may explain the explicit comparison of the Russian capital to Istanbul: "Its width is comparable to that between Eminönü and Üsküdar; on the other side of the river, a city is located, just like Galata. It is named Peterhof (*Petrehof*). In the summertime, it is crossed by boats and there is a big bridge from one side to the other. They cross it by carriages."[27] In this description, Saint Petersburg does not appear as a place that is *other*; here, it is in fact a real place, the author Necāti is in fact there. However, his perception of the Russian capital is defined by his cultural background and the imaginations presumably formed by it. Thus, the river Neva becomes the Bosporus, its banks the neighborhoods of Istanbul (Fig. 2).

Fig. 2: View of the River Neva Between the Admirality and the Building of the Academy of Sciences (1753). Source: *Sankt Petersburg und Umgebung in Russischen Veduten 1753–1761*: *Zwei Kupferstichfolgen nach Michail Ivanovic Mechaev, hrsg. von der Kaiserlichen Akademie der Wissenschaften zu Sankt Petersburg*. Exhibition Catalogue of Staatliche Graphische Sammlung Munich, 1992, No. 3. Reproduction courtesy of Staatliche Graphische Sammlung Munich.

After pointig out the similarities between the two places, Necāti turns to a place which is obviously alien to him and which he calls the "anatomy hall" (*teşrīkḫāne*). Exhaustively, he describes the glass vessels in which human and animal organs and body parts are preserved.[28] He is astonished by the variety of objects, among which are embryos in various stages of development. Even more astonishing to him than this exhibition hall was the practice of applause during courtly events. Narrating a

27 EEC 2278, 32v–32r.

28 EEC 2278, 32r. Şehdī Osman Efendi mentions this exhibition only in a sentence. Faik Reşit Unat, "Şehdî Osman Efendi Sefaretnamesi," *Osmanlı Tarih Vesikaları* (1942): 310, 303–20.

night at the opera, Necāti describes his amazement as Catherine II clapped her hands after each performance:

> It is remarkable that the queen, when she likes the performances and dances, gave them a strong applause as a gratuity (*baḫşīş*). Both men and women [were so pleased] as if they were receiving gold. Gratuities and presents are unknown to them. What an inexhaustible treasure are these [shouts of] 'bravo'! To put it differently: Were the queen to offer *aḳçe* (silver coins) instead of her applause, not just the 400 *aḳçe* she provides to his excellency İbrāhīm Pasha, as his daily allowance, but even four thousand *aḳçe* would not equal it. As for this humble [person], 25 *aḳçe* were stipulated. And they boast that such allowances would be paid in any other kingdom. No one can evade the aforesaid generosity [the applause] by any means, so we all applauded. When we asked the interpreter assigned to us, he told us that this was allowed.[29]

Obviously, Necāti is completely unfamiliar with the whole practice, and he can only compare it to a phenomenon familiar in his own cultural space, i.e. the offering of tips, which was an immensely important practice in Ottoman society, in particular at the imperial court. Moreover, it is striking that he tells that the actors received their gratuities in *akce* (instead, as we must assume, in rubles), a fact of which he must have been aware. Obviously, what counts most to him is to underline his observation that at the Russian court, just as in the Ottoman State, imperial favor was expressed by silver coins. Comparing two imperial spaces, i.e., court cultures, he also gives a hint to his own, and his fellow captives' status of asymmetrical dependency by using the phrase "by any means" (*çare yok*), i.e. the fact that they could not evade the practice of clapping hands. Eventually, he had to submit to the customs of his courtly environment, even though he could not find any meaning in the act of applauding the artists. From a narratological point of view, the narrator demonstrates here his own and his fellow captives' status as esteemed war captives: They could attend a courtly performance like the opera together with the empress and all other high-ranking officials. He further makes use of *comparatio* as a textual strategy in order to explain unknown practices.[30] We can observe a similar approach in the author's description of the Russian system of serfdom, something that did not exist within the Ottoman system of enslavement. The author compares this phenomenon with tax farming, thus making an alien and incomprehensible phenomenon understandable for himself and his readers by relating it to a familiar practice from the Ottoman context. While keeping an objective distance to serfdom, Necāti employs the neutral term *reʿāyā* ["tax-paying subject"], which did refer to the taxable population of the Ottoman state regardless of religion and ethnicity:

29 EEC 2278, 24r–25v.

30 For an example of extensive use of this ancient rhetorical device of *comparatio* in a historiographic text see Şen, *Making Sense of History*: 110–14.

> In order to make clear to which tax farmer they belong, these *reʿāyā* [subjects], no matter how many there are, wear a horseshoe-like, perforated iron on which the name of the tax farmer, the subject's name and their home village has been stamped. This iron is attached to the subject's lapel.[31]

He displays mild surprise when explaining that the tax farmers sold their serfs among themselves, how they supplied two or three hundred of their serfs as soldiers in times of war, and would supply other serfs in times of peace to replace fallen soldiers: "However, these subjects will not see their place of birth ever again. If they get injured and unfit for service during that time, they will be left to beg without pay or pension. This is the mercy they show towards their soldiers."[32]

Another description of a place which Necāti regards to be of interest for his intended readers is a state-run institution whose name may not be rendered correctly:

> Praise for the Institution for illegitimate Children
>
> This brothel (*kārḫāne*) is [administrated by] appointed officials and custodians. Nursing prostitutes [sic; i.e. wet nurses] live there. When street prostitutes bear children, these children are brought to this institution and [the person who brings them] receives 200 *aḳçe* from the officials. Wenn these children are five or six years old, priests are appointed to teach them to read, write and dance. When they attain [their] majority, the Empress visits them one or two times per year. Since [this institution] is her invention; the boys are brought to the military barracks and the girls to her palace. In this way, many children enter [the palace] every five or ten years.[33]

Although Necāti misinterprets this institution, which is an orphanage and not a brothel, and mistakes wet nurses for prostitutes, it is striking that he does not criticize this "brothel" on moral grounds. Obviously he is interested in the new practice implemented by Catherine II. Within the framework of her reform attempts in the field of popular and elite education,[34] a recruitment mechanism for military personnel and court servants reminds the author of the Ottoman mechanism of *devşirme*, the "child

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31 EEC 2278, 35r: *bu reʿāyālar her kimiñ muḳāṭaʿasında olduġın beyān içün ḳaç nefer ise birer bārgīr naʿli misillü ve eṭrāfı deliklü temür üzerine muḳāṭaʿa ṣāḥibi ve reʿāyānıñ ismi ve ḳaryesi ismi sikkeye urulmuşdur ol temür ol reʿāyānıñ yaḳāsına dikilüdir*.

32 EEC 2278, 35r–36v: *lakin bu reʿāyālar bir daḫı vilāyetlerin görmezler ʿaskerlikde yā mecrūḥ olur bi-lā yevmīye ve-lā taʿyīnāt taḳāʿud olur ki encāmı sāʾil olurlar ʿaskerine merḥameti bu gūnedir*.

33 EEC 2278, 37v.

34 This orphanage was founded in Saint Petersburg in 1770 and was – along with the orphanage in Moscow, founded 1763 – the first institution of this sort in Russia. At the time of Necāti's visit, the orphanage suffered from poor management and a high mortality rate, also caused by false scientific ideas on infant nutrition. The situation was only improved by reforms during the 1780s. See Jan Kusber, *Katharina die Große: Legitimation durch Reform und Expansion* (Stuttgart: Kohlhammer, 2022): 152; Isabel de Madariaga, *Russia in the Age of Catherine the Great* (New Haven: Yale University Press, 1981): 491–93; Jan Kusber, *Eliten- und Volksbildung im Zarenreich während des 18. und in der ersten Hälfte des 19. Jahrhunderts: Studien zu Diskurs, Gesetzgebung und Umsetzung* (Stuttgart: Steiner, 2004).

levy", a source of personnel both for the Ottoman army and the sultan's court.[35] Therefore, our author does not criticize or condemn the existence of what he perceives as a state-run brothel, but simply describes it as an effective recruitment method.[36]

4.2 Further Stylistic Devices

By using a range of stylistic devices, the narrator communicates with the text's intended recipients. The mode of the text includes distance and focalization. The aspect of distance indicates whether the presentation of the narrative is direct or indirect, i.e., whether it evokes a narrative or a dramatic mode.[37] By employing direct speech, the narrator creates a dramatic mode, since there is then no or only little distance to the story. The narrative function of the dialogues embedded in the text is not only to add vividness; they are also crucial parts of the plot, since they provide a structure to the text, as is revealed by many dialogue passages. In the following short section on the masked ball, the narrator ends his story with a dialogue that serves both to conclude the narration and to adapt it to a dramatic mode, i.e. giving a more thrilling touch to his account for the reader:

> This they call 'playing a comedy.' In their opinion, the masked ball is a great art. It takes place a few times a year, though not every year, because of the high costs. It is a staged event for which they meet at the empress' palace, where three large halls are brightly lit with candles. Dancers give a lot of performances until the early morning while wearing masks. Men and women walk hand in hand from one hall to the next and hide their faces behind masks. A man is dressed like a woman, a woman dressed like a man, with a brightly painted piece of wood before their faces and looking at each other. Once, the commander in chief [pasha] was invited, and while he was sitting on a chair, the empress approached him disguised as a man. She had on one side the commander of the Mediterranean Fleet, Çalık (sic) Orlov,[38] and on the other the aforesaid Panin;[39] both men were wearing Algerian costume. In this way [the empress] approached the pasha and asked the interpreter: 'Has the pasha recognized us?' The Pasha replied: 'I have not recognized [you].' The Empress laughed, took off her mask and said: 'It is called a masked ball.' When the

35 On the system of child levy, see Gülay Yılmaz, "Body Politics and the Devşirmes in the Early Modern Ottoman Empire: The Conscripted Children of Herzegovina," in *Children and Childhood in the Ottoman Empire from the 15th to the 20th Century*, ed. Gülay Yılmaz and Fruma Zachs (Edinburgh: Edinburgh University Press, 2021): 239–63.

36 As emphasized also by Neuman, see Neumann, "The Russian Experience": 30.

37 Other terms employed to explain the "dramatic mode" in a narration are "showing" or "mimesis", see Matias Martinez and Michael Scheffel, *Einführung in die Erzähltheorie*, 7th ed. (Munich: Beck, 2007): 47–49.

38 The grand admiral Alexei Grigoryevich Orlov.

39 Nikita Ivanovic Panin was a statesman and political mentor to Catherine II.

> Pasha said: 'I have never seen anything like it,' the Empress replied: 'This is a spectacle which you are going to remember once you all will have returned to your native country.'[40]

Furthermore, since this dialogue is held between subalterns, i.e., the Ottomans, and masters, in this case the Empress and her courtiers, i.e. in a situation of asymmetrical dependency, the function of the dialogue becomes more revealing. When the Empress says in the concluding sentence: "This is a spectacle which you are going to remember once you all will have returned to your native country," it is obvious that it is she – as their current master – who decides on the forced stay of the Ottoman war captives but also holds out the hope that they will be able to return home some day. Here, again, we see that the author tends to describe unknown practices as precisely as possible, such as explaining a mask as "a brightly painted piece of wood before their faces." He must be aware that all these practices were solely practices of the court and did not reflect the culture of ordinary Russian society. Thus, the mask appears as a symbol for Russian court culture.

Use of the dramatic mode, which reduces distance, can also be seen in the following dialogue between the Ottoman commander in chief, İbrāhīm Pasha, and the Russian lieutenant colonel (*podpolkovnik*, *подполковник*) – whose name is not mentioned – after thirty-eight days of custody at the fortress of Crimean Tula:

> A dispute broke out. The commander of [the unit of] 700 men said: 'Do you want to stay in this fortress with all your remaining men? Or do you want to leave with 21 men, as ordained in the letter which has arrived? Give me an answer, so that I can inform my authorities accordingly.'
>
> His excellence [İbrāhīm] Pasha gave a firm answer by saying: 'Write down [what I am saying]. I am a captive anywhere, no matter where I am being held. But I cannot leave any of my men behind, because I do not need your authorities and king, nor do I need to meet [them]. Whatever fate decides will happen.' The aforesaid [colonel] was not able to make any objections to that.
>
> Thereupon, the commander of the fortress and other officers understood the situation, and they all went to the commander-in-chief [İbrāhīm Pasha], took off their hats, bowed their heads, asked about his well-being and said: 'If you do not accompany this [Russian] lieutenant colonel [to Saint Petersburg] but stay here instead, it would be very unfair [towards him]. He has been appointed for your service [for this task] and if he can proceed to the local commandant [in Saint Petersburg] without any dispute, the state will bestow on him the rank of a general. Thus, if you honor him and take [only] twenty-one men with you, everything you desire will be granted as soon as we meet the Empress. [In this case] it will be possible for the remaining men [of your retinue] to join you later.' [İbrāhīm Pasha] reluctantly agreed.[41]

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40 EEC 2278, 26r–27v. *cevāb ėder ki bir gün ola ki bu oyunlar ki ḫaṭıra gelür deyüb gitdi.* A decade earlier, in 1763, Aḥmed Resmi Efendi, the envoy to Berlin, described a masked ball in his report. This is obviously the first narration of a masked ball in Ottoman literature according to Abdullah Güllüoğlu. See his "Die Wahrnehmung des Anderen in den Berichten des osmanischen Gesandten Ahmed Resmi Efendi (1694/95–1783)," in *Orientalische Reisende in Europa: Europäische Reisende im Nahen Osten: Bilder vom Selbst und Imaginationen des Anderen*, ed. Bekim Agai and Zita Ágota Pataki (Berlin: EB-Verlag, 2010): 84.

41 EEC 2278, 21r–22v.

First of all, it is striking that Necāti emphasizes the respectful way in which the Russian officers, i.e. the enemy, approach the Ottoman commander-in-chief, displaying forms of courtesy that were common in their own as well as in Ottoman culture, such as taking off their hats, bowing their heads and asking about the pasha's well-being. Regardless of cultural differences, we can observe here a conversation of men regarding each other as socially equal. In telling this story, the narrator's position can adopt two forms: *heterodiegetic* and *homodiegetic*. In the first case, the narrator is exclusively tangible on the level of narrative transmission and does not participate in the events described, i.e. on the story level. The narration is in the third person. This heterodiegetic narration dominates throughout the text since it tends to be associated with a higher degree of authority. A homodiegetic narrator is present and participates directly in the events as a protagonist, and the narration is thus in the first person.[42] Necāti employs a first-person perspective, when he refers to himself in the third person as "this humble [person]" (*bu faḳīr*). At the end, when Necāti mentions that he was sent to Istanbul to deliver the commander in chief's letter to the grand vizier, he refers to himself as *bu ʿabd-i ʿāciz*, "this incapable slave." It is remarkable that he defines himself as "this humble [person]" not only in a scene related to the Ottoman world, but also when referring to his Russian superiors during his captivity. For example, when he mentions the daily allowance which he and his companions received from the empress, he writes, "[The Empress] provided twenty-five *akçe* to this humble [person]." This expression is a topos of modesty, a literary convention of Ottoman literature in which the third person is employed instead of the first.

5 Conclusions

Necāti Efendi, an Ottoman official, experienced four years of captivity in Saint Petersburg during the Ottoman-Russian War of 1768–1772, and wrote his memoirs after his return to Istanbul. While I regard this factual text as an ego document, I place his narration in the genre of captivity narratives. In his text, the author provides a relatively neutral view of his experiences and observations during his Russian captivity. Abstaining from creating an alterity/otherness discourse, he does not use asymmetrical binary pairs of *self* and *other* relating to his own cultural space and the space of his captivity.

Necāti and his fellow captives were certainly privileged prisoners of war, in the way that they were middle- or high-ranking officials who could expect to be treated according to the rules of diplomacy. Although the war was still going on and no one knew for how long it would continue, the captives' holders had to adhere to diplomatic regulations relating to war captives, who would be exchanged immediately

42 Martinez and Scheffel, *Erzähltheorie*: 81.

once hostilities had ended. Thus, regardless of what was happening on the battle ground, Necāti and his fellow captives in Saint Petersburg found themselves deeply involved into diplomatic practices: They received a daily allowance; they were invited by Catherine II several times to court events such as balls, operas, and banquets. As we have seen in the content of his work, his detailed descriptions of many places in Saint Petersburg and insightful explanations of a variety of institutions and practices reveal that the group of Ottoman officials was given purposefully access to all these institutions by the Russians: It was obvious that these war captives were kept only temporarily in Saint Petersburg. Upon their return home they would be able to pass on the knowledge on the Russian empire which they had obtained during their long captivity.

This background may explain Necāti's narrative, i.e., what he wrote, how he wrote (and also why he omitted some information) and why he selected this particular style and structure. All in all, it is a narrative of self-justification, although he did not serve as a diplomat or envoy to Russia and was not obliged to submit a report on a foreign country. He had done his job; he was neither a traitor nor a deserter. He adds also a *lessons learnt* to his narrative, in order to explain what had gone wrong in the war theatre to prevent the same mistake to be made again (the next war with Russia was to begin only 15 years later). With Russia as the biggest military threat to the Ottoman state, court circles in Istanbul must have been most interested in his unofficial report. Finally, he had been in the core area of the enemy's power, which enabled him to provide information on how the Russian state was functioning and especially how Catherine the Great could finance the war (Necāti's answer: the tax system was well-organized). The description of the naval arsenal in Saint Petersburg was of crucial importance, giving a hint at the technological resources Russia had at hand and in which way they could be turned into military prowess.

Focusing on the question of *how* the narrative is told, Necāti's narrative strategies in the text reveal his dependent situation as a war captive in the Russian capital, and how he attempted to deal with his experiences by drawing upon his own cultural background and perceiving the surrounding foreign space. Maintaining a distanced and neutral point of view in most cases, Necāti does not use the *other* as projection surface for his own desires and imaginations. Rather, he presents pictures both of his own culture and the culture of others in an interwoven context, thus initiating a dynamic process of knowledge production. Addressing asymmetrical dependency, Necāti's captivity narrative depicts a structure of dependency on an elite level which is, however, significantly different from the experience of war captivity suffered by ordinary soldiers or civilians.

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3. Research Lenses

3.1. Semantics, Lexical Fields, Narratives

Narratives

Veruschka Wagner. "Slave Voices in Ottoman Court Records – A Narrative Analysis of the Istanbul Registers from the Sixteenth and Seventeenth Centuries," in *Narratives of Dependency*, ed. Elke Brüggen and Marion Gymnich (Berlin: De Gruyter, 2024): 141–160.

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Slave Voices in Ottoman Court Records – A Narrative Analysis of the Istanbul Registers from the Sixteenth and Seventeenth Centuries

1 Introduction

In the Ottoman Empire slavery was a widespread phenomenon which continued up into the twentieth century.[1] There were different forms of slavery, such as elite, agricultural and domestic slavery. In the sixteenth and seventeenth centuries, in Istanbul mainly domestic slavery existed, and slaves were attached to the household of their owners. Slaves were brought from different regions all around the borders of the Ottoman Empire with a special focus on the Balkans in the sixteenth century and on the Black Sea Region in the seventeenth century. But there were also slaves from other places in Europe, including the Caucasus, as well as from Africa, Persia, and India.[2] Slaves were differentiated by sex, age, origin, and the tasks they had to perform. The variety of terms used with different connotations convey an idea of the complexity and diversity of the system.[3] Legally, slaves were considered the property of their owner, but they nevertheless did possess certain rights. They could, for example, obtain a power of attorney to trade or to assign property,[4] appear in court as the legal agent of their master or claim wrongful behavior on the part of their owners.[5] Slaves were called "speaking property" (*mal-ı nāṭıḳ*),[6] an aspect of Ottoman slavery that is

1 I will only give brief information about the structures and specifics of Ottoman slavery here, because I will go into more detail about further aspects in the analysis.

2 For general information on slave trade in the Ottoman Empire, see Hayri Gökşin Özkoray, "La géographie du commerce des esclaves dans l'Empire ottoman et l'implication des marchands d'Europe occidentale," *Rives méditerranéennes* 53 (2017): 103–21.

3 Madeline C. Zilfi, "Ottoman Slavery and Female Slaves in the Early Modern Era," in *The Great Ottoman-Turkish Civilisation 2. Economy and Society*, ed. Kemal Çiçek et al. (Ankara: Yeni Türkiye, 2000): 716.

4 Bülent Tahiroğlu, "Osmanlı İmparatorluğunda Kölelik," *İstanbul Üniversitesi Hukuk Fakültesi Memuası* 45 (2011): 657.

5 Timur Kuran, ed., *Mahkeme Kayıtları Işığında 17. Yüzyıl İstanbul'unda Sosyo-Ekonomik Yaşam*, vol. 1, *Social and Economic Life in Seventeenth-Century Istanbul: Glimpses from Court Records* (Istanbul: Türkiye İş Bankası Yayınları, 2010): 65.

6 Yvonne J. Seng, "A Liminal State: Slavery in Sixteenth-Century Istanbul," in *Slavery in the Islamic Middle East*, ed. Shaun Elizabeth Marmon (Princeton: Markus Wiener Publishers, 1998): 25. For Ottoman-Turkish terms I follow the transliteration system of IJMES. Personal names are written in modern Turkish writing.

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interesting in that it is precisely this attribution of speaking attached to slaves that I will discuss here.

A distinctive feature of the institution of slavery in the Ottoman Empire was its comparative openness, which was characterized by the possibility of legal and social advancement of slaves. This could be achieved because it was a common practice to manumit slaves after a certain time. There were different ways of manumitting slaves, such as manumission for pious reasons, which the owner could perform at any time, or manumission after having fulfilled the conditions agreed upon in a contract between slave and slave owner.[7] In court records, we therefore also come across entries that document manumission, in addition to numerous other entries concerning slaves.

This paper examines the narrativity of normative texts with a focus on the Istanbul court records from the sixteenth and seventeenth centuries and their representation of slave voices. The paper aims at analyzing the ways in which slaves' statements are narratively represented and whether a relationship between the type of entries and the status of the slaves can be identified. It needs to be considered that the court records were supposed to conform to certain formal standards in terms of content and language, which is why we are not concerned here with the *truth* of representing the slaves' statements, but with examining the ways they were represented. We can find different types of statements by slaves, including approval or direct speech and dialogues.

I assume that representations of the slaves' voices varied depending on the case that was dealt with and indicate different legal statuses slaves could obtain. Furthermore, I assume that the more independent slaves were, the more rights to speak they were granted in court.[8] This leads to the assumption that there were not only different degrees of asymmetrical dependencies of slaves in general in the Ottoman Empire, but that one and the same slave might experience different degrees of dependency during his or her time of enslavement.

As far as narrative strategies are concerned, there are claims that normative texts lack narrativity and therefore cannot be examined with a focus on narrative elements. However, there are a few studies that show that legal texts can in fact be ana-

7 For the different forms of manumission see Nur Sobers Khan, *Slaves Without Shackles: Forced Labour and Manumission in the Galata Court Registers, 1560–1572* (Berlin: De Gruyter, 2014): 70–79.

8 The agency of the slaves can be considered as a measure of the degree of dependency. However, agency will not be addressed in this paper for the time being. For the topic of agency of slaves in the Ottoman Empire, see the collected volume by Stephan Conermann and Gül Şen, eds., *Slaves and Slave Agency in the Ottoman Empire*, Ottoman Studies 7 (Göttingen: V&R Unipress, 2020) and for a study based on the Istanbul court records, see Veruschka Wagner, "'Speaking Property' with the Capacity to Act. Slave Interagency in the 16th- and 17th-Century Court Register," in *Slaves and Slave Agency in the Ottoman Empire*, ed. Stephan Conermann and Gül Şen (Göttingen: V&R Unipress, 2020): 213–336.

lyzed in terms of their narrativity.[9] So far, no one has looked at Ottoman court texts with regard to these questions. I argue that every single court entry in the Istanbul registers constitutes a little story in its own right, which can be analyzed through the lens of narrativity.[10] Furthermore, every genre has its own distinctive narrative elements, which fulfil specific functions. This aspect will also be taken into consideration in the following.

This paper will first give some background information about the sources used here, also concerning the narrativity of this particular genre. This is followed by some examples to analyze the statements of slaves and to identify narrative patterns and strategies that provide insights into forms of asymmetrical dependencies from a legal perspective.

2 The Court Records

Court records (*ḳāżī sicilleri* or *şerʿiyye siciller*) are an important source for research on the history of the Ottoman Empire. Legal matters of everyday life, both urban and rural, are documented in resolutions and court notices issued by a judge (*ḳāżī*).[11] Frequently, these were contracts, or they document conflicts between two parties (Muslims as well non-Muslims) who could belong to any stratum of society.[12] The early modern registers also provide unique insights into the institution of slavery.[13] We find references to slaves in different entries, appearing as plaintiff, defendant, or sub-

9 Cf., for instance, Peter Brooks and Paul D. Gewirtz, eds. *Law's Stories: Narrative and Rhetoric in the Law* (New Haven: Yale University Press, 1996) and Ruth Blufarb, *Geschichten im Recht. Übertragbarkeit von 'Law as Narrative' auf die deutsche Rechtsordnung*, Recht und Literatur 3 (Baden-Baden: Nomos, 2017).

10 On the significance of storytelling in legal contexts, see Peter Brooks, "The Law as Narrative Rhetoric," Introduction, in *Law's Stories: Narrative and Rhetoric in the Law*, ed. Peter Brooks and Paul Gewirtz (New Haven: Yale University Press, 1996): 14–23, esp. 16.

11 On average, a register is one hundred pages long and contains between 400 and 500 records. A single record can be as short as two lines and as long as several pages.

12 For an overview of the existing *sicils* in the archives, see Ahmet Akgündüz, *Şer'iye Sicilleri. 1. Mahiyeti, toplu kataloğu ve seçme hükümler* (Istanbul: TDAV Yay, 1988). For an introduction to the topic, see Yunus Uğur, "Şerʿiyye Sicilleri," *Türkiye Diyanet Vakfı İslâm Ansiklopedisi* 39 (2010): 8–11; Halil İnalcık, "Osmanlı Tarihi Hakkında Mühim Bir Kaynak," *Ankara Üniversitesi Dil ve Tarih-Coğrafya Fakültesi Dergisi* 1/68 (1943): 89–96; Dror Ze'evi, "The Use of Ottoman Sharīʿa Court Records as a Source for Middle Eastern Social History: A Reappraisal," *Islamic Law and Society* 5, no. 1 (1998): 35–56. For studies drawing on the Istanbul court registers, see Yvonne J. Seng, "The *Şer'iye Sicilleri* of Istanbul Müftülüğü as a Source for the Study of Everyday Life," *Turkish Studies Association Bulletin* 15, no. 2 (1991): 307–25; Eunjeong Yi, *Guild Dynamics in Seventeenth-Century Istanbul: Fluidity and Leverage* (Leiden: Brill, 2004); Nur Sobers-Khan, *Slaves Without Shackles: Forced Labour and Manumission in the Galata Court Registers, 1560–1572* (Berlin: De Gruyter, 2014).

13 Seng already emphasizes this in her paper from 1998. Seng, "A Liminal State": 27.

ject of dispute. Next to manumission documents, there are also donations, estate inventories, proof of non-slave status, purchase contracts, etc.[14]

Most of the entries in the Istanbul court records from the sixteenth and seventeenth centuries are written in Ottoman Turkish, although there are also individual entries entirely in Arabic, as was common with texts from the fifteenth century. However, the later Ottoman texts also contain numerous Arabic expressions. The language in the entries is standardized, which means that the same expressions and phrases recur in the same types of documents. This is not surprising insofar as the texts were written down by the judge (*ḳāżī*) or his deputy (*nāʾib*) in the aftermath of the oral proceedings and thereby transferred into what Ergene calls a "unitary language".[15] Ergene illustrates by means of various examples that the texts are "translations" of thoughts, feelings, and words "into a legal statement that was acceptable according to existing legal and religious norms."[16]

Not much is known about the process of writing down the entries. They were collected by the judge or his deputy after the oral hearings, presumably on separate papers, and only later put down in writing. How much time elapsed between the hearing and writing the record cannot be ascertained from the documents. It is assumed that notes were taken during the trials, which could be used later for drafting the entries. Omissions, especially those of names of persons involved, suggest that it was no longer possible to ask questions at the time of writing.[17] The parties involved received one version, and the judge made a copy for himself. These were intended to enable him to check in case there were later objections, or to issue lost documents again. The individual entries were then bound together in a more or less chronological sequence in registers.[18] Since the copies were considered proof for the parties and the judge, it can be assumed that there were no other intended addressees at the time.

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14 The Istanbul court records from the sixteenth and seventeenth centuries are accessible online; keyword searches allow thematic sifting through the data set. In 2019, in addition to the entries from the Istanbul court registers from the sixteenth and seventeenth centuries already digitized by the Centre for Islamic Studies (İSAM, İslam Araştırmaları Merkezi) between 2008 and 2012 and made available online in 40 volumes, another 60 volumes of the Istanbul court registers from 1557 to 1911 were digitized and made available online in their original form, as well as texts transcribed into Latin script; http://www.kadisicilleri.org [accessed 07.09.2023].

15 Boğaç Ergene, *Local Court, Provincial Society and Justice in the Ottoman Empire: Legal Practice and Dispute Resolutions in Çankırı and Kastamonu (1652–1744)*, Studies in Islamic Law and Society 17 (Leiden: Brill, 2003): 134. He also uses the term "unifying language of the legal", cf. Ergene, *Local Court*: 136.

16 Ergene, *Local Court*: 134.

17 Ergene, *Local Court*: 127.

18 Referring to the Kastamonu and Çankırı court records Ergene examined, he interpreted the fact that these entries were not documented in strict chronological order as an indication that the documentation did not take place immediately at or shortly after the trials. Another indication of this, according to Ergene, was the fact that different reports on a particular hearing did not follow one another either. In addition, some of them were stylistically different, so that it could be assumed that

The structure of all documents is more or less the same. First, the persons involved are introduced, then the subject matter is discussed, followed by a presentation of the decision taken and, finally, the resulting legal outcome is stated. The documents are usually completed by mentioning the date and the names of the witnesses. If there is no date, however, the approximate time of issuing the document can usually be deduced from the preceding and subsequent entries, since they were registered, if not strictly chronologically, then at least in the same time period.

We are examining normative texts, whose narrativity has at times been questioned. Blufarb explains the different interpretations that exist regarding the relationship between narrativity and the law. She notes that some consider only certain areas or structures of law to be narrative, while others consider law as a whole as a narrative, and still others speak only of a possible comparability of the disciplines; some critics even deny any connection or similarity between narrativity and law, arguing that the fields are separate.[19] According to the "Law as Literature" approach, however, the narratological dimension of the law can be considered from a literary point of view. The focus here is on the narrativity of law. As part of the "Law as Literature" movement, the "Law as Narrative" approach considers stories a rhetorical medium because they are said to have persuasive abilities, having a potential impact on the emotional and not only on the rational level. Therefore, they represent a valuable tool of persuasion for the court or jury in a trial.[20] With respect to German law, Blufarb explains that it contains narrative structures that can produce typical narrative effects, in many cases without German jurisprudence being even aware of this. Thus, it seems necessary to her to direct attention to this narrativity.[21]

Gewirtz explains what can be meant by examining law as narrative and rhetoric: According to him, this approach can, for instance, refer to the relation between stories and legal arguments and theories or to the different ways judges, lawyers, and litigants construct, shape, and use stories. Examining law as narrative and rhetoric could also mean evaluating why certain stories are problematic in trials or analyzing the rhetoric of judicial opinions. In general, for him, treating law as narrative and rhetoric means looking not only at the rules and the ideas expressed, but also at the forms and the language used.[22] According to von Arnauld, a number of objects within the German legal field can be analyzed from a narratological perspective: legal texts in the broader sense, statements before authorities and courts, but also jurisprudential texts and the legal education literature can be examined for their narrative

there had been an intermediate step. This is also indicated by the absence of names, for which a gap was left blank. Ergene, *Local Court*: 126.

19 Blufarb, *Geschichten im Recht*: 213.

20 Blufarb, *Geschichten im Recht*: 209.

21 Blufarb, *Geschichten im Recht*: 31.

22 Paul Gewirtz, "Narrative and Rhetoric in the Law," Introduction, in *Law's Stories: Narrative and Rhetoric in the Law*, ed. Peter Brooks and Paul Gewirtz (New Haven: Yale University Press, 1996): 3.

content.[23] For Meuter, "all laws can be understood as abstractions of individual cases", which in turn enter the legal system "by ways of narrations".[24] The participants tell the court their version of the events relevant to the case, whereupon the judge and jury select or adequately transform the version that, in their judgment, corresponds to what really happened. For this process, they require a high degree of "narrative competence", as Meuter points out.[25] Hannken-Illjes supports this view. In her opinion, the defendants' (or plaintiffs') statements are often narratives of what happened. In the reasons for the decision, too, the court narrates what it is convinced happened in order to then evaluate it.[26] Apart from that in the verdicts it is told who was involved and where the incident took place. Hannken-Illjes therefore speaks of the "omnipresence of narrative" ("Allgegenwärtigkeit des Erzählens") in German criminal proceedings. However, in my view, her observation that "narrative is vital" ("Erzählen ist zentral") also applies to other areas of law, wherever individuals present their perspectives of events and talk about them.[27]

3 The 'Narrative Translation' of Trials and the Representation of Slave Voices

Each case we can find in the Istanbul court records in itself is only one version of the stories that were presented to the judge. The judge (or his deputy) then decided, summarized, and translated it into the appropriate legal language. We thus have written products presumably based on conflicting narratives, one of which convinced the judge, who then took it as the version according to which he made his decision. From possibly fragmentary and multiple narratives a legally effective narrative has been created. We must take into account that the entries are only from a few lines to a few pages long. Within this limited space, events that are relevant to the judge's decision are presented in a specific sequence. We can see a uniform structure, which consists of an introductory part describing the situation, the people involved, and the facts of

23 Andreas von Arnauld, "Was war, was ist – und was sein soll. Erzählen im juristischen Diskurs," in *Wirklichkeitserzählungen. Felder, Formen und Funktionen nicht-literarischen Erzählens*, ed. Christian Klein and Matías Martínez (Stuttgart: J.B. Metzler, 2009): 14. On narratives in German law, see also Andreas von Arnauld, "Recht," in *Erzählen. Ein interdisziplinäres Handbuch*, ed. Matías Martínez (Stuttgart: J.B. Metzler, 2017): 173–87.

24 Norbert Meuter, "Narration in Various Disciplines," in *Handbook of Narratology*, ed. Jan Christoph Meister et al. (Berlin: De Gruyter, 2014): 253.

25 Meuter, "Narration in Various Disciplines": 253–54.

26 Kati Hannken-Illjes, "Geschichten und Gegengeschichten – Erzählen im Strafrecht," in *Narrativität als Begriff: Analysen und Anwendungsbeispiele zwischen philologischer und anthropologischer Orientierung*, ed. Matthias Aumüller (Berlin: De Gruyter, 2012): 283.

27 Hannken-Illjes, "Geschichten und Gegengeschichten": 281.

the case, followed by the discussion of the problem, and, finally, as a result, the decision is presented. Thus, we have a chain of events with a beginning, a main part, and an end, albeit typically in a very condensed version.

Ergene emphasizes that "[t]he language of the court incorporates the voices of the participants in such a way that they contribute to the feeling of 'smooth flow' that we get from the *sicils*."[28] Still, the voices that contribute to the "polyglossal character" of the court records should not be taken as the actual words of the litigants, since "there are indications in the court records that what is reported in the *sicils* as the speech of the litigants is in fact the translation of their voices into the official language of the legal system."[29] Through adding explanations that clarify the situation and the outcome of the trial "[t]he translation of the litigants' speech into the legal statement is an aspect of the creation of the 'unitary language' observed in the court records."[30] Thus, here we have an embedding of the story in a new narrative context, a re-emplotment, to use a concept coined by Hayden White.[31]

It is not the authenticity and veracity of the statements made that is at stake. It is impossible to decide whether a statement is what a person really said. What deserves attention is the 'narrative translation' or 'transmission' of trials and, within that framework, the representation of slave voices. For this purpose, I will take a closer look at three types of judgments (*ḥüküm*): 1) manumission contracts and related deeds (*mükātebe* / *kitābe(t)* and *ʿıtḳnāme*); 2) different kinds of proofs: proofs of a) non-slave status (*i*s̱*bāt-ı ʿıtḳ*), b) *ümm-i velediyyet*[32] (*i*s̱*bāt-ı ümm-i velediyyet*), and c) freedom (*i*s̱*bāt-ı hürriyyet*); and 3) amicable agreements (*ṣulḥ*).

4 Analysis of Slave Voices

We can find various entries in which slaves are mentioned as objects, for instance in documents that deal with sales, donations, or payments. In these examples, the slaves are identified by their value and regarded as commodity. In those entries, there is no representation of the voice of the enslaved. The cases I will look at, by contrast, show slaves as contract partners or plaintiffs, whose statements are recorded in the docu-

28 Ergene, *Local Court*: 135.
29 Ergene, *Local Court*: 134.
30 Ergene, *Local Court*: 134.
31 Hayden White, "Der historische Text als literarisches Kunstwerk," in *Geschichte Schreiben in der Postmoderne: Beiträge zur aktuellen Diskussion*, ed. Christoph Conrad and Martina Kessel (Stuttgart: Reclam, 1994): 134.
32 *Ümm-i velediyyet* is a term used for female slaves who gave birth to a child that was recognized by their owner as his own child. With this recognition the female slave was granted freedom after the death of her owner.

ments. Some entries describe the approval of slaves of certain issues. For example, we have slaves admitting that they are a slave or slaves agreeing to a slave contract.

4.1 Admitting Slave Status

What we can consider a first sign of slave voices represented in court records is a slave acknowledging his or her slave status. The term we find at the beginning of a manumission document concerning the slave is that he or she has admitted to being a slave (*rıḳḳını mu'terif/e*). *Rıḳḳ* may refer to a male or female slave, and as such can denote a person as well as a state. In this case, the possessive suffix is added, which means that 'he' or 'she' is a slave. If *mu'terif* for male and *mu'terife* for female is added, we know that the slave in question has acknowledged his or her slave status. This was important, since admitting to being a slave was a precondition for manumission.[33] Another version with the same meaning that can be found in the court records is "kendi kölesi olduğunu itiraf eden" ("s/he admitted[34] that s/he was her/his slave[35]").[36] If slaves did not claim to be slaves in the first place, they could not be manumitted.[37] We can thus consider the acknowledgement of slave status by the slave as the first step in a sequence of necessary steps in the process of manumission. This acknowledgement can be identified to some extent as the voice of the slaves, even though we do not know if a particular slave was actually in court and made a statement or not. But the text at least says that he or she recognized his or her status as a slave, which implies a participation of the slave in the proceedings.

Another indication of the presence of persons in the documents are the expressions *maḥżarında* or *muvācehesinde*, both of which mean 'in the presence of' and indicate that statements and decisions were executed in the presence of specific persons. We find one of these terms in each manumission document, in which the slaves acknowledge their social status. According to the narrative in the document, this is a further indication that the slaves were present.

The transmitted active admission of being a slave, which is a clear indication of an existing dependency relationship, may seem confusing at first, but it can be accounted for by the fact that the slaves could not obtain their freedom without this

33 See for example *İstanbul Kadı Sicilleri, Ahi Çelebi Mahkemesi 1 Numaralı Sicil* (H. 1063–1064 / M. 1652–1653), ed. Coşkun Yılmaz (Istanbul: İSAM, 2019): 49 [8b-2].

34 *Mu'terif/e* and *i'tirāf* are derived from the same Arabic root and therefore have the same basic meaning ('to agree' or 'admit').

35 Both *rıḳḳ* and *köle* are terms that were used for male and female slaves alike during the period examined here.

36 See for example *İstanbul Kadı Sicilleri, İstanbul Mahkemesi 3 Numaralı* Sicil (H. 1027 / M. 1618), ed. Coşkun Yılmaz (Istanbul: İSAM, 2010): [6b-1].

37 For this, one can look at the proofs of freedom [*isbāt-ı ḥürriyyet*], where enslaved people claim to actually be freeborn.

admission. Thus, in order to leave their strongly asymmetrical dependency relationship, the slaves first had to acknowledge it.

4.2 Approval of a Contract

Prior to manumission, some slaves entered into contracts with their slave owners in which the slaves were promised freedom under certain conditions. These contracts between the slaveholder and the slave stated that they agreed on an amount of money, time, or work a slave had to provide in order to gain his or her freedom. Once the condition had been agreed upon, the slave was released from slave status through the act of manumission. This was one of the forms of release that we frequently come across for domestic slaves.[38] It consisted of two related documents, namely the contract, called *mükātebe* or *kitābe(t)*, and the manumission deed itself. Since these documents are contracts, both parties had to agree.

An example is the contract from 1577 between a certain Mihri Hatun bint El-Hac Hızır, who, according to the document, had agreed with her slave Nikola veled Yani of Cypriot origin that the latter had to pay her 100 *aḳçe* monthly and 3,000 *aḳçe* in total. Mihri Hatun was represented by Mustafa Reis bin Abdullah. The document names all parties involved (the slave owner, the legal representative of the slave owner and the witnesses, whose attendance was necessary), which is followed by the name of the slave and a description ("blond, with blue eyes, open browed, of medium height, of Cypriote origin, with a birthmark on his right eyebrow"). This description was followed by the terms of the contract, which stated the total amount to be paid and the monthly installments. Mihri Hatun, the female slave owner, had her representative declare that she had entered into a *kitābet* contract to release her slave Nikola veled Yani once he fulfilled the terms of the contract. The last sentence in the entry reads: "The aforementioned slave has agreed (*ḳabūl etti*) to the said contract."[39]

Although Tahiroğlu argues that the *mükātabe* should be seen more as a command than as an agreement – since slaves were commodities, who were not supposed to have any will, – he still notes that, despite these implications, the slave's approval was obtained and his or her acceptance of the terms is mentioned in the contract.[40] In the example above, we do not learn in what way the slave agreed, but it is confirmed that the slave acknowledged the contract, which probably entailed legal necessity. There are numerous further, similar examples showing that slaves agreed to these contracts, in the first part of the manumission documents – the contract itself – as well as in the

38 Joshua White, "Ottoman Slave Manumission Documents," *Christian-Muslim Relations 1500–1900*, 17.08.2021, http://dx.doi.org/10.1163/2451-9537_cmrii_COM_31256.

39 *İstanbul Kadı Sicilleri, Galata Mahkemesi 7 Numaralı Sicil* (H. 985–986 / M. 1577–1578), ed. Coşkun Yılmaz (Istanbul: İSAM, 2011): [46–3].

40 Tahiroğlu, "Kölelik": 667.

manumission deed.[41] *Rāżı oldu*, a synonymous alternative to the term *ḳabūl etti*, can be found in other entries.[42] These expressions do not give us much information about what the consent might have looked like or in what form it took place. Were the slaves present? Did they have to say a certain phrase? At any rate, representing the slave's approval of the contract is significant for us here.

An extended formulation of this approval, which we can also find in the court records, may help concerning the question of personal presence at the court. We are informed that the agreement was "confirmed face to face and verbally" (*vicāhen ve şifāhen taṣdīḳ*).[43] Alternative formulations are *vicāhen taṣdīḳ ve şifāhen taḥḳīḳ*[44] or *vicāhen ve şifāhen taṣdīḳ ve taḥḳīḳ*.[45] (*Taṣdīḳ* and *taḥḳīḳ* both have the meaning 'affirmation' and 'confirmation'.)

So why do some scribes decide to mention that the slaves were present and agreed verbally, and why is this information missing in other entries? We can either assume that the slaves all agreed to the contracts "face to face and verbally", but it was not explicitly stated in all entries.[46] Or the slaves were only present at the court in those cases where this was explicitly mentioned, and in all other cases they were not. Their affirmation was maybe accepted in other ways, without being present and giving a verbal statement. Or it was just simply taken for granted that they had accepted. From the legal perspective, at any rate, both sides had to agree; otherwise, the contract was invalid. This also applied to other contracts, such as purchase agreements, rental agreements, debt matters, foundation agreements, and so on. In those agreements we can find the same formulations for the approval. From this point of view, concerning asymmetrical dependency, slaves seem to have the same status as freeborn people with respect to the legal question of being a contract partner.

Concerning the fulfilment of the contract, we can see that in this kind of enslavements based on a contract, a compensation had to be paid for the release. This bilateral agreement ensured that the slave obtained his or her release and the slave

41 Even though in most cases we cannot find the two related parts of a manumission contract we can see a summary of the contract in the manumission deed.

42 *İstanbul Kadı Sicilleri, Üsküdar Mahkemesi 2 Numaralı Sicil* (H. 924–927 / M. 1518–1521), ed. Coşkun Yılmaz (Istanbul: İSAM, 2011): [12a-4].

43 *İstanbul Kadı Sicilleri, Eyüb Mahkemesi (Havass-ı Refia) 3 Numaralı* Sicil (H. 993–995 / M. 1585–1587), ed. Coşkun Yılmaz (Istanbul: İSAM, 2011): [10a-2] or *İstanbul Kadı Sicilleri, Balat Mahkemesi 1 Numaralı Sicil* (H. 964–965 / M. 1557–1558), ed. Coşkun Yılmaz (Istanbul: İSAM, 2019): [12b-2].

44 *İstanbul Kadı Sicilleri, Eyüb Mahkemesi (Havass-ı Refia) 37 Numaralı Sicil* (H. 1047 / M. 1637–1638), ed. Coşkun Yılmaz (Istanbul: İSAM, 2011): [28a-3].

45 For instance: *İstanbul Kadı Sicilleri, Galata Mahkemesi 15 Numaralı Sicil* (H. 981–1000 / M. 1573–1591), ed. Coşkun Yılmaz (Istanbul: İSAM, 2012): [84b-4].

46 The description of the features of the slaves in records of this kind could also indicate that the slaves did attend the legal proceedings.

owner received something in return.[47] All other forms of manumission were unilateral and depended solely on the slave owner's decision. Furthermore, with the settlement of the *mükātebe* contract, slaves received rights and privileges that other slaves did not have.[48]

By their consent in the contract it is made clear that they had a different status and a different scope of action than other slaves. At least this was the situation in the legal sense; the practice could be different. What I want to point out here is that there were different forms of representation of slave voices in the court records, and thus different forms of dependency in the legal sense become visible – especially when compared to other forms of enslavement, in which slaves are sold or passed on and appear in the entries in question merely as mute objects without a voice.

The slaves who agreed to such a contract were still in asymmetrical dependency with respect to other persons, especially their owners, with whom they entered into this agreement. Nevertheless, the strength of the asymmetrical dependency differs with regard to the slaves who were not granted the said rights and privileges that came as a result of such a contract and whose scope of action and decision-making possibilities were thus further limited.

It is possible to derive some information regarding the slaves' status and dependency relationships from these short narrative accounts. Depending on the position and dependency relationship of the slave, the narrative representation of his or her statements changed. While in the previous examples the voice of the slaves was expressed through a consent that was reported, there are some entries in which the voices of the slaves are expressed in other ways.

4.3 Proof of Manumission

Another way of expressing the voice of slaves is direct speech. We find representations of spoken utterances in the first person singular and in some cases also in the first person plural. In this case, the speakers give information about their own situation or events from their perspective – or at least this is what it looks like according to the text. We find this direct speech of slaves or supposed slaves in various types of proofs: proofs of freedom (*isbāt-ı ḥürriyyet*), proofs of manumission (*isbāt-ı ʿıtḳ*) and proofs of *ümm-i veledi*yyet (*isbāt-ı ümm-i velediyyet*).

As an example for the proof of manumission (*isbāt-ı ʿıtḳ*) we can take a case concerning a female slave of Hungarian origin named Badıseher bint Abdullah, who was brought to court when her owner died and his heirs wanted to claim their inheri-

47 See Molla Husrev, *Gurer ve Dürer Tercümesi*, vol. 2, trans. Arif Erkan (Istanbul: Eser Neşriyat, 1980): 331.

48 These included, for example, the freedom to travel or to obtain property. Fahrettin Atar, "Mükâtebe," *Türkiye Diyanet Vakfı İslâm Ansiklopedisi* 31 (2006): 533.

tance. Her owner, a certain Mehmed Çelebi bin Hızır Ağa, left behind his wife, his daughter and his father as heirs. What happened becomes clear when we read the female slave's statement. She claims the following: "I was once the slave of this deceased Mehmed Çelebi, and although the said released me from his possession during his lifetime and I became a free woman, Hızır Ağa [the father of her owner] seized me as principal and as representative [of Mehmed Çelebi] as part of the estate of the deceased."[49] When Hızır Ağa was thereupon questioned, he confirmed that Badıseher had been Mehmed Çelebi's slave, but that Mehmed Çelebi had not manumitted her during his lifetime. When Badıseher was consequently asked to prove her claim, she brought three witnesses to court who confirmed that she had been freed by her owner during his lifetime. The manumission of the female slave was confirmed, and Hızır Ağa was prompted not to seize her again.[50]

The direct speech here – like in all other examples – is embedded in an impersonal style that further highlights the change in the narrative. The rest of the text is written in the passive voice, which makes the court appear as the spokesperson of an objective legal system. The judge present here, even though he is the person to whom the direct speech is addressed at that moment, does not appear as narrator nor as author.[51] However, it is reasonable to assume that he did get involved in the actual process through prompts or questions even though he does not appear in the written text as a voice.

We can see a similar case where two female slaves' voices are represented. Canan and Gülistan, both of Ukrainian origin, found their way to the court because their former owner died, or was killed to be more precise, and his wife Hadice tried to keep the two as her slaves. The two former female slaves though accuse Hadice by using almost the same phrase as in the example before: "Once we were the slaves of this deceased Mehmed Ağa, and although he manumitted us during his lifetime for the sake of Allah, said Hadice keeps us as her slaves. We request an investigation and our release." In this case, two witnesses confirmed the following: "Canan and Gülistan were manumitted by their owner in our presence. We can witness this matter in this way." Finally, the two were released and their claim was granted.[52]

These entries show first of all that slaves not only had access to courts, but that some authority was granted to their voice. Whether there were one or more people, their statements were apparently transmitted orally. Ergene describes an effect of the

49 *İstanbul Kadı Sicilleri, İstanbul Mahkemesi 12 Numaralı Sicil* (H.1073–1074 / M.1663–1664), ed. Coşkun Yılmaz (Istanbul, İSAM 2011): [37b-1].

50 *İstanbul Mahkemesi 12*: [37b-1].

51 For corresponding information concerning German legal texts, see von Arnauld, "Was war, was ist": esp. 17. Von Arnauld also explains that judges can also act as authors of the so-called "master narrative" (32).

52 *İstanbul Kadı Sicilleri, İstanbul Mahkemesi 10 Numaralı Sicil* (H. 1072–1073 / M. 1661–1663), ed. Coşkun Yılmaz (Istanbul: İSAM, 2019): [108a-3].

method of recording the statements. He rightly notes that this transition from the passive voice to the first-person narrative, which is not indicated by quotations marks but by a grammatical change, "is definite and generates an interesting effect in the account by augmenting the feeling of proximity between the litigants and the readers"[53] of the documents. Ergene explains that this direct speech conveys the impression that the participants in the court case are speaking directly to us, without an intermediary. He also emphasizes that we cannot be sure whether this effect was intentional or not. However, "[d]irect quotations from the litigants and their witnesses indicate that these people were present during the trial – as they were legally supposed to be – and they were allowed to contribute their sides of the story through appropriate means."[54] This is at least the impression that the document conveys. In the narrative portrayed, the slaves were present and spoke for themselves. Ergene, furthermore, draws a connection between the textual design of the court entries and the demonstration of the legitimacy of the process.[55]

This is interesting in that Ergene raises several relevant points. First, he also refers to stories being told. Second, he talks about the effect of the first-person narrative, which gives the reader the impression that the parties were present. And third, he derives from this the function of this first-person narrative and the associated alleged presence of the persons, that is, to legitimize the process.

Focusing on the slaves, we can conclude from these two entries and numerous others like them that in the narrative of the documents direct speech was used when the slaves themselves claimed their freedom. In contrast to treaties or other cases where the consent of the respective slave was required, in these entries the slaves are given their voice, along with other participants whose voice carried weight and determined the outcome of the process.[56]

Regarding the dependency relationship of the slaves, these documents suggest that they are at least allowed to go to court and challenge their situation. In the transmitted legal narrative, the case is presented from the point of view of the slaves in direct speech. Their statements are endowed with a certain authority because, with the help of evidence, they manage to succeed against the slave owner and gain their freedom. In this respect, the narrative devices used in these proofs illustrate the legal dissolution of strong asymmetrical dependency relationships.

53 Ergene, *Local Court*: 133.

54 Ergene, *Local Court*: 133.

55 Ergene, *Local Court*: 133–34.

56 In these cases, the verb used to introduce the direct speech is "to claim" (*daʿvā edüp*). Sometimes one of the terms meaning "to say" or "to express" (for example "takrīr-i kelām") is added for reinforcement. This is for example the case in the last example I have shown.

4.4 Proof of *ümm-i velediyyet*

In a proof of *ümm-i velediyyet*[57] from the year 1663, everything revolves around the female slave Mülayim bint Abdullah. It is an entangled case, with many people involved: Mülayim bint Abdullah, the female slave; Mehmed, her son; Mehmed bin Abdullah, her third owner and the father of her son; Selim Beşe, who bought her from Ali Beşe, the legal representative of Hasan's son; Hasan, her first owner; Hasan's son, who became her second owner after his father's death. Mehmed bin Abdullah bought Mülayim from Hasan's son and became her owner and later freed her by recognizing the son Mehmed as his own.

The entry shows that Mülayim bt. Abdullah was the mother of Mehmed who was Mehmed b. Abdullah's son and Mehmed b. Abdullah's *ümm-i veled*. Mülayim sued a certain Selim Beşe who had seized her and her son. Her explanation in court reads as follows:

> In former times, I was the slave of the deceased Hasan and after his death when I was given to his son and his heritage was sold, the said Mehmed bought me for eight thousand *aḳçe* with the consent of the judge. After we shared the bed and this child came into being, he accepted him [the child] as his own, so that he became Mehmed's child and I his *ümm-i veled*. Although this made me free after his death and I became a free woman, the candle maker Ali Beşe, the child's [her former owner Hasan's son] legal representative, declared that it was not right for the unmarried Mehmed to have bought me for eight thousand *aḳçe*. He said, 'You and the son of Mehmed are still owned by the son of the said [Hasan]' and illegally sold and handed us over to Selim Beşe. I demand that Selim be asked to keep his hands off us.[58]

Selim Beşe confessed that the case was as described. Finally, the freedom of the two, Mülayim and her son, was recorded and Selim was accordingly asked to stay away.

In this example, we have a first-person narrative of the female slave who claims to have been freed and then resold illegally. The first-person narration gives the reader the impression that the female narrator is giving an account of an event she personally was involved in. While explaining her concerns she includes direct speech of another person into her own statement – or at least this is how it is represented in the entry. In contrast to the other entries, where different involved participants gave their own statements, here we have direct speech embedded into another direct speech.

Narratology distinguishes between different points of views (or narrative perspectives). "[N]arratives may be told from the perspective of a narrator, from that of a character and, last but not least, from a neutral, impersonal perspective. [. . .] A distinction can be made, then, between embodied and impersonal points of view, and

57 For *ümm-i velediyyet* see n. 32.

58 *İstanbul Mahkemesi 12*: [2a-7] and [2b].

between external and internal ones."[59] In the examples from the court records, the perspective changes during the texts. The dialogues are embedded in a larger narrative and a narrative situation is created that resembles the impersonality of the figural narrative situation. Here, reflector figures play a major part in representing events.[60] Some characters speak for themselves, others have a statement attributed to them. The first-person narrative though conveys the impression that the persons who speak were present at court. We can consequently conclude from this that the statements of those whose presence was obligatory or whose statements were more than an approval were reproduced in the entries through direct speech.

In the example above, the female slave's statement was reproduced in direct speech, whereas the statement of the child's representative was included in her speech. The confession of the man who claimed her as his property last was mentioned, but not reproduced verbatim. Here, in fact, as in the approvals of the slaves mentioned above, affirmation sufficed.

By inserting the statement of the opposing side into the verbal speech of the plaintiff, the narrative already seems to suggest in whose favor the case is decided. It could be deduced from this that the presentation of the statements is designed in such a way that it justifies the decision. As with the previous example, this entry thus represents the resolution of the asymmetrical dependency relationship in the legal sense. The woman leaves her slave status and attains freedom.

In proofs of freedom (*isbāt-ı ḥürriyyet*), originally free persons who were illegally enslaved try to prove their freedom. This is particularly significant in the context of descriptions of asymmetrical dependencies because it shows that the boundaries between free and unfree could easily become blurred, as even originally free people could end up in slave status. The widow Meryem bint Abdullah went to court to sue Hüseyin Bey bin Ebibekir for unlawfully seizing her as his slave. Meryem gave the names of her father and mother and stated that both were freeborn and had never been enslaved. The female slave's statement was reproduced in direct speech, as in the case mentioned before. The statement by Hüseyin, who countered that he had acquired Meryem four months ago from a slave trader as a slave of Ukrainian origin, and who also claimed not to know that Meryem was allegedly a freeborn, was also reproduced in direct speech. Meryem was then asked to prove her claim. She succeeded in producing witnesses who confirmed that she was the daughter of freeborn parents and her freedom was thus considered proven. In these cases, the same narrative devices as in the cases mentioned above are used to demonstrate the proof.[61]

So, transitions were not always clear-cut; enslaved people could be set free, but free people could also be enslaved. In most cases in the court records, people were

59 Monika Fludernik, *An Introduction to Narratology* (London: Routledge, 2009): 36.

60 See Fludernik, *An Introduction*: 36.

61 *İstanbul Kadı Sicilleri, İstanbul Mahkemesi 10 Numaralı Sicil* (H. 1072–1073 / M. 1661–1663), ed. Coşkun Yılmaz (Istanbul, İSAM 2019), [57b-1].

able to prove that they were originally free, but we can assume that not all of them succeeded in this endeavor. There are hardly any entries in which the proofs were not accepted, however. This does not mean that the (alleged or former) slaves only received a right to speak when freedom was considered confirmed and they thus left the status of slave and obtained that of a free person. The few rejections speak against this. It rather seems to have been due to the fact that presumably only those went to court whose application promised success, since it required money and effort.

4.5 Amicable Agreement

In the last example – just like in the one above concerning Mülayim bint Abdullah – direct speech is incorporated into direct speech. Here, both speeches are about statements by allegedly freed slaves, while one is supposed to be the slave of the other freed slave. In this case, which is a settled dispute, a certain Rıdvan bin Abdullah is presented as the former slave, who was freed by *ʿıtḳ*, of a certain Mahmud Ağa. From the entry we learn that Rıdvan was among other slaves who were manumitted in the same manner of manumission and there was at least one more slave with the name Kazım. In the presence of Kazım bin Abdullah, Rıdvan states the following:

> When said Kazım was still my slave, he refused to serve me and when I objected to this in court, said Kazım stated 'When I was the slave of the aforementioned Mahmud Ağa [the former owner of Rıdvan], he set me free during his lifetime' and refused to be my slave. A great dispute arose between us.[62]

The document states that the dispute was settled by the two agreeing in an amicable agreement (*ṣulḥ*)[63] which specified that Kazım would pay a sum of 3,000 *aḳçe* to Rıdvan, who then would withdraw his claim.

According to the outcome, both former slaves, Rıdvan and Kazım, were manumitted slaves of the same owner, Mahmud Ağa. Rıdvan claimed that Kazım was his slave without mentioning how he came into his possession. Kazım refused to serve Rıdvan and claimed to have been manumitted by Mahmud Ağa as well. So, in this case, it does not become apparent whether one was indeed the slave of the other freed slave since the dispute ends with a settlement. Nevertheless, there are cases from which it is evident that former slaves could become slave owners themselves.

The statements of the persons involved are represented as a dialogue, but within the statement of the person making the request. Thus, direct speech here again con-

62 *İstanbul Kadı Sicilleri, Rumeli Sadâreti Mahkemesi 40 Numaralı Sicil*, ed. Coşkun Yılmaz (Istanbul, İSAM 2019), [63b-3].

63 Işık Tamdoğan, "'Sulh' and the 18th Century Ottoman Courts of Üsküdar and Adana," *Islamic Law and Society* 15, no. 1 (2008): 5–83. We can also find the term "amicable settlement" as Ergene translates it, *Local Court*: 62.

tains direct speech. However, there is evidence to support the assumption that these are not in fact the actual statements of the persons involved. Maybe this can be called a kind of "fake orality,"[64] which is created by the fact that the persons involved refer to already mentioned persons. This is made clear by expressions like "the person mentioned above" or "the person already mentioned." These references are typical of written texts and not of oral statements.

This emphasizes that there is no *true* presentation of the statements, but rather a strategy, presumably supposed to meet the requirements of legal texts. As Ergene already claimed, this could be associated with the legitimacy of the process. However, it helps us derive statements about the status and dependency relationships of slaves. In comparison with other cases where the slave voice is represented, we can see a remarkably complex structure.

Another feature that we can see here, and that can also be seen in other cases, is the reference to the fact that the statements were made in the presence (*maḥżar* or *muvācehe*) of certain people. In the last example, for instance, it is mentioned that Rıdvan makes the statement in the presence of Kazım. However, Kazım's statement is not rendered as direct speech, although, according to the text, he was present.

In the cases mentioned at the beginning of this paper, where the approval of the slaves was assured, we also find the note that the slaves were present. Both in the entries in which it is confirmed that the slaves gave their approval "face to face and verbally" and in those in which this is not explicitly stated, it has been noted that the statement of the owners was made in the presence of the slaves. This further supports the idea that the narrative strategies used to convey the slaves' statements served to emphasize their presence in court – with the aim of satisfying legal requirements.

5 Conclusion

Ottoman court records are an interesting genre because they are based on multiple translation processes. These translation processes concern the transformation of the trials from orality to writing and from informal into formal language. The entries are short narratives in which the judge writes a version that is convincing to himself on the basis of the statements presented to him. It serves as an aid to his memory, summarizing the most important key data in case he needs to look it up again. Since the entries have to be adapted to a certain legal structure and language, the entries belonging to one specific category are quite similar. Although having been 'edited' by the judge and adapted to the legal conventions, the entries give us insights into the

64 An adequate German term could be "Fingierte Mündlichkeit" as used by Paul Goetsch in his paper "Fingierte Mündlichkeit in der Erzählkunst entwickelter Schriftkulturen," *Poetica: Zeitschrift für Sprach- und Literaturwissenschaft* 17 (1985): 202–18.

concerns of the people involved and provide us with 'snapshots of their lives.' In certain entries that involve slaves, we notice that the slaves express themselves in specific ways about the circumstances. Their utterances range from expressing agreement to uttering claims. The slaves' statements are either mentioned or described, or they are reproduced verbatim, as direct speech.

In the case of agreements, we know that *both* parties had to agree in order for them to come into being. Therefore, we find the approval of the slaves in the *mükātebe* contracts. The verbatim reproduction of the slaves' statements in the proofs suggests that this provided evidence of the slaves' presence in court, which was legally required. Thus, the narrative elements in the court records seem to fulfil legal requirements that had to be met for validity.

In this respect, the narrative devices used in the entries in the Istanbul court records did not serve to convince the jury or the judge of one version of the events. One can assume that they were rather used to meet legal requirements. It is also possible that the narrative techniques serve to support the decisions of the *ḳāżī*s by presenting the case in such a way that the judge's decision seems justified. After all, the verdicts should appear plausible and credible. It can also be argued that the content is reduced to the essentials to make the outcome of the decision comprehensible.

Concerning the slaves' status and strong asymmetrical dependency relations, the entries show that slaves could obtain different legal statuses depending on the case dealt with. From this, in turn, different degrees of dependency can be deduced – in a legal sense at least. In the legal sense, slaves occupy an intermediate position: As 'speaking property', they gained the right to speak out in certain situations, that is, to make claims and stand up for their rights. The narrative analysis of the court records has shown in which cases this was possible. It is precisely this intermediate position, or the different positions that slaves could take depending on the situation, that points to different asymmetrical dependency relationships. They take different positions in court, with a different type of participation represented through their voice: A confirmed agreement or a statement in direct speech. From this it can be seen that slaves could attain different degrees of dependency within their lifetime. In conclusion, the basic argument is that the more voice was attributed to a slave, the more independently he or she was represented in the legal narrative.

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3. Research Lenses

3.1. Semantics, Lexical Fields, Narratives

Narratives

Michael Zeuske. "Narrative Self-Representations of Enslaved People under Slavery Regimes – Myth or Reality?" in *Narratives of Dependency*, ed. Elke Brüggen and Marion Gymnich (Berlin: De Gruyter, 2024): 235–300.

https://doi.org/10.1515/9783111381824-013

Michael Zeuske

Narrative Self-Representations of Enslaved People under Slavery Regimes – Myth or Reality?

> Pocas veces tenemos ocasión de escuchar, sin mediaciones distorsionadoras, la voz de los esclavos. En la literatura de su tiempo o en la historia emerge siempre en condición de representado.
>
> Rarely do we have the opportunity to listen, without distorting mediations, to the voice of the slaves. In the literature of their own time or in history they are always being written about.[1]
>
> p.[ar]a juntar el cap.[ital] de su libertad
>
> to collect the capital of his freedom[2]
>
> No ha habido un libro como este antes y es improbable que vuelva a existir otro como él
>
> There has never been a book like this before and it is unlikely that there will ever be another like it[3]

1 Introduction

Did enslaved people speak, tell, sing, narrate or even write about their own real lives, their work, their suffering, conflicts, and joys? My main argument here is – yes, they did. But possibly mainly among themselves in their respective times. We have relatively few sources and virtually no self-representations of slaves.[4] Only very, very few wrote with their own hand. This means we know a great deal about the institutions of slavery and slavery regimes, about slavery laws, slave trade, economic data, and slav-

1 Gloria García, "Estudio introductorio," in *La esclavitud desde la esclavitud*, ed. Gloria García (La Habana: Ciencias Sociales, 2003): 3.

2 "Declaracion del esclavo Roberto," La Habana, 2 de Marzo de 1818, in *Archivo Nacional de Cuba* (ANC), *Escribanía de Daumy*, legajo (leg.) 370, number (no.) 1 (1818): Daniel Botefeur, contra su esclavo Roberto sobre hurto, f. 9r–13r, f. 10v.

3 Graham Greene in a sort of blurb on Miguel Barnet's *Cimarrón* book, quoted twice in one of the latest editions in Cuba: Miguel Barnet, *Biografía de un Cimarrón* (La Habana: Ediciones Cubanas, ARTEX, 2014): 238 and back cover.

4 Rare exceptions are the "Princes of Calabar" and Mohammed Ali Said: Mohammad Ali Sa'id, *The Autobiography of Nicholas Said; A Native of Bornou, Eastern Soudan, Central Africa* (Memphis: Shotwell & Co., 1873), www.docsouth.unc.edu/neh/said/said.html [accessed 04.04.2017]; Randy J. Sparks, *The Two Princes of Calabar: An Eighteenth-Century Atlantic Odyssey* (Cambridge, MA: Harvard University Press, 2004).

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ers, their support staff, and the respective slave society, and we are debating a great deal about the so-called heritage of slavery, but we know extremely little about the real life of slaves in slavery. This also means that everyone who speaks and writes about slavery and the slave trade or even their heritage today, in the representation of enslaved people does so across a gigantic void.[5] There is a huge field of discourse despite a lack of sources. In the following, I want to place at least a few bars over the void.

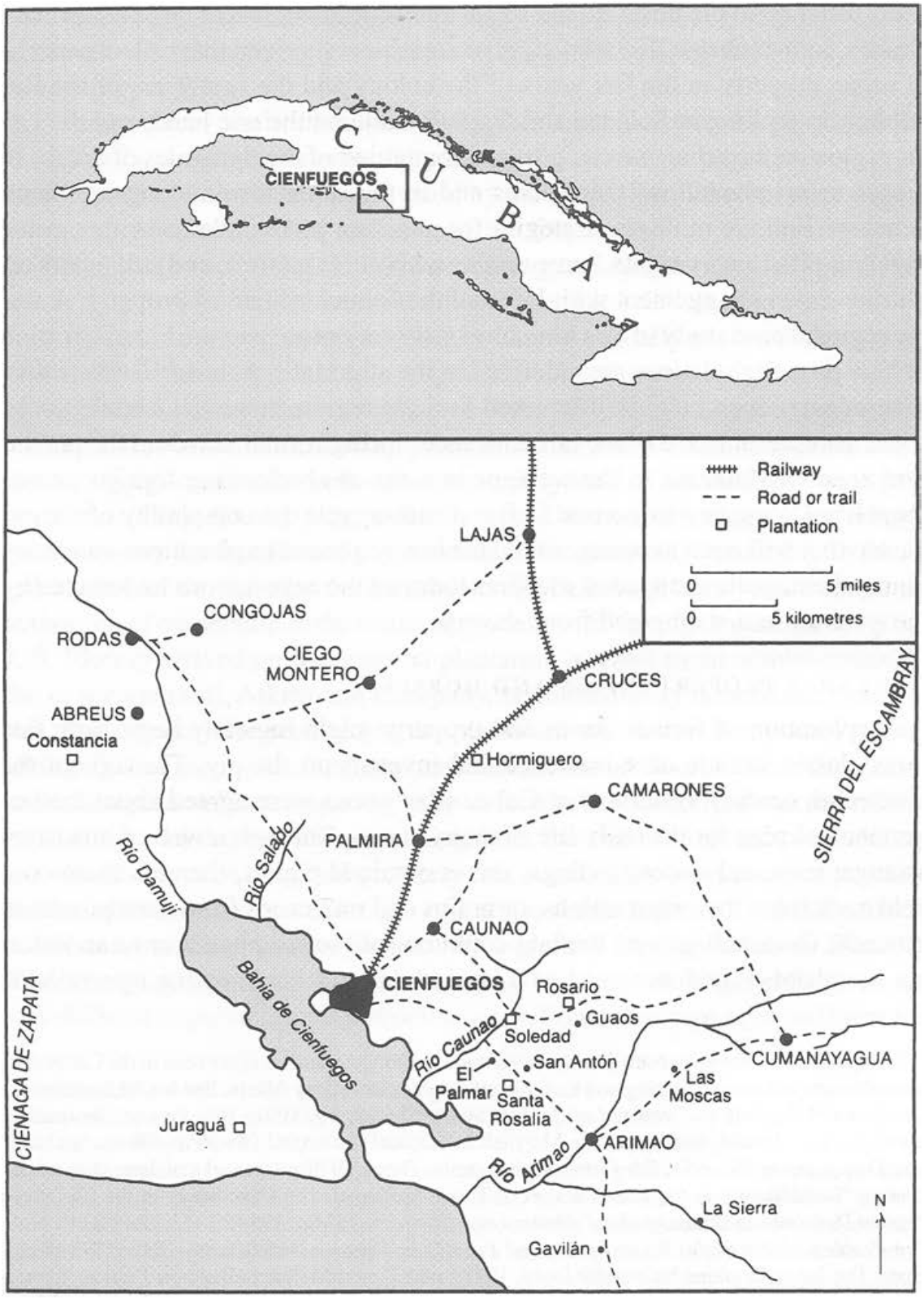
In 1993, i.e. more than 30 years ago, I started researching 'voices of the enslaved', a version of 'the voices of the voiceless', in the region around Cienfuegos.[6] In the 1880s, Cienfuegos, in Southern Central Cuba, was the most technologically, economically, and technically developed region of Atlantic sugar slavery. It embodied rural slavery capitalism, with 16 gigantic sugar factories (*centrales*) (see Maps 1 and 2 and Fig. 1).[7] From this research undertaken over a period of almost one historical generation (1993–2024), I have achieved results in numerous areas, aspects of which I will present in this contribution – that is what I mean by 'bars'.

The initial, basic problem is twofold: firstly, the micro-history of the lives that slaves lived in reality (their *life histories*) and, secondly, the question of whether slaves represented themselves and whether they were heard – at the respective time – and if so, by whom. After all, during the time of Atlantic slavery (1500–1888), around 11 million people were abducted from Africa alive to the Americas. In other global areas many more people were abducted. In his research on Dutch Transatlantic and Indian Ocean slavery, Guno Jones comments on the problem of the void: "Impactful, horrific stories of many millions have disappeared into black holes of epistemological nothingness, and there is

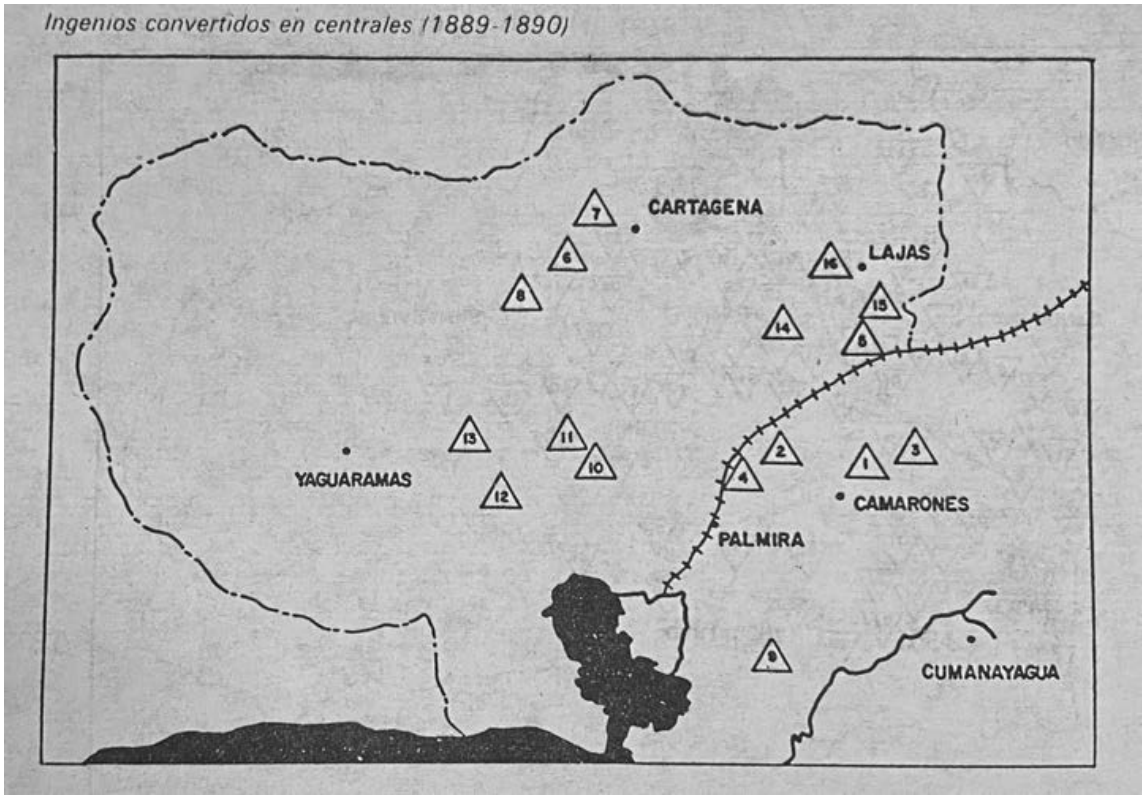
5 Herman L. Bennett, "Writing into a Void: Representing Slavery and Freedom in the Narrative of Colonial Spanish America," *Social Text* 25, no. 4 (2007): 68–89.

6 Michael Zeuske, "'Los negros hicimos la independencia': Aspectos de la movilización afrocubana en un hinterland cubano – Cienfuegos entre colonia y república," in *Espacios, silencios y los sentidos de la libertad: Cuba 1878–1912*, ed. Fernando Martínez Heredia, Rebecca J. Scott and Orlando García Martínez (La Habana: Ediciones Unión, 2003): 193–234; Michael Zeuske, "Hidden Markers, Open Secrets. On Naming, Race Marking and Race Making in Cuba," *New West Indian Guide / Nieuwe West-Indische Gids* 76, no. 3–4 (2002): 235–66; Michael Zeuske, "Verborgene Zeichen, offene Geheimnisse. Sklaverei, Postemanzipation, Namen und die Konstruktion von Rasse auf Kuba, 1870–1940," *Zeitschrift für Weltgeschichte* 2 (2002): 89–117; Rebecca J. Scott and Michael Zeuske, "Property in Writing, Property on the Ground: Pigs, Horses, Land, and Citizenship in the Aftermath of Slavery, Cuba, 1880–1909," *Comparative Studies in Society and History. An International Quarterly* 44, no. 4 (2002): 669–99.

7 Cf. Edwin F. Atkins, *Sixty Years in Cuba* (New York: Arno Press, 1980) [1st ed.: *Sixty Years in Cuba. Reminiscences of Edwin A. Atkins* (Cambridge: At the Riverside Press, 1926)]; Orlando García Martínez, "Estudio de la economía cienfueguera desde la fundación de la colonia Fernandina de Jagua hasta mediados del siglo XIX," *Islas* 55–56 (1976–1977): 117–69; Orlando García Martínez, *Esclavitud y colonización en Cienfuegos 1819–1879* (Cienfuegos: Ediciones Mecenas, 2008); Fernando Martínez Heredia, Rebecca J. Scott and Orlando García Martínez, *Espacios, silencios y los sentidos de la libertad: Cuba 1878–1912* (La Habana: Ediciones Unión, 2003); Zoila Lapique Becali and Orlando Segundo Arias, *Cienfuegos, Trapiches, ingenios y centrales* (La Habana: Editorial de Ciencias Sociales, 2011).



Map 1: Cienfuegos and region. Taken from: Rebecca J. Scott and Michael Zeuske, "Property in Writing, Property on the Ground: Pigs, Horses, Land, and Citizenship in the Aftermath of Slavery, Cuba,



Map 2: The transformation of *ingenios* into *centrales* c. 1890. *Revista de Agricultura* 9, no. 30 (1889): 360. Taken from: Carmen Guerra Díaz and Isabel Jiménez Lastre, "La industria azucarera cienfueguera en el siglo XIX: Notas históricas para su estudio," *Islas* 91 (1988): 52–76, 76 (map 5).

no way to retrieve them."[8] I will concentrate on Atlantic slavery in the following – also to show how little we really know. We will see whether we really have to speak pessimistically of "epistemological nothingness" or whether we simply have not searched enough.

Throughout history, enslaved people have been among the 'subalterns'.[9] 'Subaltern' slaves spoke, but where are the sources representing their individual 'voices' (or whatever was spoken and fixed in written texts / images or other traces)? These are the aspects of the problem of narrative self-presentation I will address in the following:

Map 1 (continued)
1880–1909," *Comparative Studies in Society and History* 44, no. 4 (2002): 669–99, 673 (.Map 1: "The Cienfuegos region, showing selected plantations").[10]

8 Guno Jones, "The Shadows of (Public) Recognition: Transatlantic Slavery and Indian Ocean Slavery in Dutch Historiography and Public Culture," in *Being a Slave. Histories and Legacies of European Slavery in the Indian Ocean*, ed. Alicia Schrikker and Nina Wickramasinghe (Leiden: Leiden University Press, 2020): 288.

9 I do not like the term, and I only use it out of respect for Gramsci.

10 See also: Orlando García Martínez, "Estudio de la economía cienfueguera desde la fundación de la colonia Fernandina de Jagua hasta mediados del siglo XIX," *Islas* 55–56 (1976–1977): 117–69.

ANEXO VI.

Centrales cienfuegueros

Partidos	*Centrales*
Camarones	1. Andreíta
	2. Hormiguero
	3. Teresa
	4. Portugalete
	5. San Francisco
Cartagena	6. San Lino
	7. Lequeitio
	8. Parque Alto
Cumanayagua	9. Soledad
Las Casas	10. Manuelita
	11. Dos Hermanos
Yaguaramas	12. Constancia
	13. Cienaguita
Lajas	14. San Agustín
	15. Dos Hermanas
	16. Caracas

Fig. 1: List of the most important *centrales* (stationary gigantic sugar factories) in the Cienfuegos region c. 1890. Taken from: Carmen Guerra Díaz and Isabel Jiménez Lastre, "La industria azucarera cienfueguera en el siglo XIX: Notas históricas para su estudio," *Islas* 91 (1988): 52–76, 71 (anexo VI).

- the role of names as access, or as the key, to the real lives of slaves;
- the oral history of the families of formerly enslaved people, i.e., a treasure of 10,000 names and life histories in the Cienfuegos region;
- 200,000 documents about buying and selling enslaved people (notaries' protocols);
- a considerable number of written police reports, interrogations, depositions, and court cases (murder, jealousy cases, theft, fraud, flight, conspiracy, rebellion – legal material);
- The source categories *Esclavitud* (slavery) and *Quejas* (complaints) by enslaved people as well as interrogations / depositions of enslaved people from slave ships after the abolition of the Atlantic slave trade as special dimensions of the legal material.

In the last part of the chapter, I will analyze some contemporary forms of memory: reminiscences of formerly enslaved people about their African origin (or the African

origin of other enslaved people), their individual destiny in slave ships, i.e., in slave trade and in slavery.

I will round off the article with the literary testimonial *Memoirs from the Future* by Esteban Montejo, called *el Cimarrón*. The biographical book, orally narrated by Esteban Montejo and documented / written down by Miguel Barnet,[11] was and still is a world bestseller as 'testimonio'.

I will primarily draw upon individual cases, in which slaves and ex-slaves spoke (and wrote) *in* slavery or *shortly after* slavery about their life histories. One exception in this regard is Esteban Montejo, who narrated his life to Miguel Barnet in the 1960s. The other exception is María de los Reyes Castillo Bueno, who narrated her life to her daughter in the 1990s. The expression '*in* slavery or *shortly after* slavery' addresses a specific but very common problem in research on enslaved people in slavery regimes: the opposition *in* and *after* slavery. All narratives dating from the time after the abolition of slavery (in Cuba in 1886; the same applies to the USA (1865) or Brazil (1888)) are not "slave narratives" but "freedom narratives".[12]

At the very end of the present chapter, I will briefly touch upon other forms of self-representation – images of enslaved people (and their bodies, clothes, skin-markers ('dermographs')). Mainly non-textual or performative visual memories, i.e., individual corporal marks – tattoos, scars, brandings, cultural mutilations, and religious masquerades (with some images) – will be taken into consideration.

2 Oral History / Memory and their Relation to the History of Enslaved People in Slavery or: How We Can Find Real Life Histories Narrating the Existence of Slaves *in* Slavery

The concrete starting point for me was a change from the historiography of a global elite of leaders and/or intellectuals of 'bourgeois' revolutions and from class analysis based on Karl Marx, of course without banning them entirely, to archival research in provincial archives on the one hand and oral history on the other.[13] The oral history is that of many persons, who I assumed belonged to families of formerly enslaved in the

11 The original text is Miguel Barnet, *Biografia de un cimarrón* (La Habana: Instituto de Etnología y Folklore, 1966); the English translation is Miguel Barnet, *Biography of a Runaway Slave*, trans. W. Nick Hill (Evanstone: Curbstone/Northwestern University Press, 2016).

12 Paul Lovejoy, "'Freedom Narratives' of Transatlantic Slavery," *Slavery & Abolition* 32, no. 1 (2011): 91–107.

13 Michael Zeuske, "Writing Global Histories of Slavery," *Writing the History of Slavery*, ed. David Stefan Doddington and Enrico Dal Lago (London: Bloomsbury Academic, 2022): 41–57.

sugar production region around Cienfuegos in Southern Cuba (1994–2004): c. 10,000 names and life histories. In research in provincial archives, in a persistent (in Cuban slang one says *horas nalgas* – roughly translated: "hours on the buttocks") but more and more disappointed search for traces of slaves I later analyzed about 200,000 documents about buying and selling enslaved people (notaries' protocols); a large number of written police reports and court cases (murder, jealousy cases, theft, fraud, flight – legal material); *Esclavitud*, *Quejas* (complaints of slaves) in the archives *Gobierno Superior Civil* and *Gobierno General* (*Archivo Nacional de Cuba* – National Archives of Cuba). I came to the second research dimension (analysis of notarial files and legal material) by accident.

The problem was that no researcher in any former slavery area can and should just ask people directly about their slave ancestors. When I started doing archival and field research in and around Cienfuegos in 1993, I initially had the extremely naïve notion that it would be an easy task to find access to their enslaved ancestors through contact with people from former slave families. I imagined that it would be possible to start from their narratives and materials (letters, photos, memoirs, newspapers, etc.) and identify individual enslaved ancestors before the formal abolition of slavery (in Cuba in 1886, in Brazil in 1888). Luckily, at the time, I refused to read 'postmodern' literary theory. Otherwise, I would not have started this research. I went to Cienfuegos with Humboldt's *Essay on Cuba*[14] and Miguel Barnet's *Cimarrón* (published in 1970 in the GDR[15]) and, with support of the Deutsche Forschungsgemeinschaft (DFG), happily set to work. I found everything, but not what I was looking for. No Answer.

Fernando Martínez (1939–2017), a famous Cuban intellectual and good friend, saved me. His grandfather was a Black veteran of the anti-colonial wars of liberation against Spain (1868–1880 and 1895–1898). He kept telling him the phrase *los negros hicimos la independencia* [literally: "we, the negros, made independence"], meaning "we" – the Cuban Black people, as soldiers and officers, as *libertadores de la patria* ("liberators of the fatherland"), gained independence from Spain.[16] Thus, I started with army lists of soldiers and officers of the *Ejercito Libertador Cubano* 1895–1899 (ELC = Cuban Liberation Army).[17] I looked for names of soldiers and officers who had only one surname (*primer apellido*). In the Iberian naming tradition, a person whose parents are officially

14 Alexander von Humboldt, *Cuba-Werk*, ed. Hanno Beck (Darmstadt: Wissenschaftliche Buchgesellschaft, 1992).

15 Miguel Barnet, *Der Cimarrón. Die Lebensgeschichte eines entflohenen Negersklaven aus Cuba, von ihm selbst erzählt*, trans. Hildegart Baumgart (Berlin: Rütten & Loening, 1970).

16 One of my first publications on this topic has exactly this title: Michael Zeuske, "'Los negros hicimos la independencia': Aspectos de la movilización afrocubana en un hinterland cubano – Cienfuegos entre colonia y república," in *Espacios, silencios y los sentidos de la libertad: Cuba 1878–1912*, ed. Fernando Martínez Heredia, Rebecca J. Scott and Orlando García Martínez (La Habana: Ediciones Unión, 2003): 193–234.

17 See: *Yndice Alfabético y Defunciones del Ejército Libertador de Cuba. Datos compilados y ordenados por el Ynspector General del Ejército Libertador Mayor General Carlos Roloff y Mialofsky, ayudado del*

married is given two surnames: in the Castilian tradition, the father's first surname as the first surname (*primer apellido*) and the mother's first surname as the second surname (*segundo apellido*); in the Portuguese tradition, the mother's surname comes first and the father's surname second. That soldiers with enslaved mothers had only one surname was a consequence of the realities of late slavery in Cuba (slave women were rarely formally married) and the legal developments of the official abolition process.

The Spanish overseas minister Segismundo Moret had issued the *Ley Moret* of July 4, 1870, because of the anti-colonial war of the Cubans against the Spanish Empire (named also *Ley de Vientres Libres* = "Law of Free Womb"), since from the time of the proclamation children born to slave women, slaves older than 60 years and *emancipados* (see below) were formally free (retroactive from September of 1868). In the reality of rural slavery, the children who were now 'free' stayed with their enslaved mothers. Mothers gave their children only one 'civil' name, their maternal surname (which is usually also the surname of one of the last owners). The place of the second name was left blank in written documents (protocols and other forms). *Un sólo apellido* (just only one surname) remained a social disgrace until 1959 and in a way even to this day. *Sin segundo apellido* ('no second surname') or *sin otro apellido* ('no other surname') became a marker of poverty and social shame. Though it was much more: racism 'without racism' of spoken or written words. This wording or its written abbreviation (*soa* or *ssa*; usually *soa*) was recorded in legal documents, such as notarial records, in the space where the second surname normally appeared.[18]

A majority of enlisted soldiers and sergeants of the 1895–1898 War of Independence were young men with only one *apellido*; among them were some poor white people, but the bulk were sons of formerly enslaved mothers. For me, that was a first step towards connecting today's memories with ex-slaves and with those who were enslaved *in* slavery.

So, as we see, there was another fundamental initial problem – let us call it the threshold of slave names and ex-enslaved names (initially mostly on lists; not only army lists, but also plantation lists, cemetery books and election lists). This specific problem occupied me for about five years. Finally, it was called the "problem of slave names".[19] It concerns how I recognize on the basis of the information from today's

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Jefe del Despacho, Comandante de Estado Mayor Gerardo Forrest, Editado oficialmente por disposición del General Leonard Wood, Gobernador Militar de Cuba (Habana: Ymprenta de Rambla y Bouza, 1901).

18 Michael Zeuske, "'Sin otro apellido'. Nombres esclavos, marcadores raciales e identidades en la transformación de la colonia a la república, Cuba 1870–1940," *Tzintzun. Revista de Historia* 36 (2002): 153–208; Rebecca J. Scott and Michael Zeuske, "Le 'droit d'avoir des droits': Les revendications des ex-esclaves à Cuba (1872–1909)," *Annales HSS* 3 (2004): 521–45.

19 Michael Zeuske, "Hidden Markers, Open Secrets: On Naming, Race Marking and Race Making in Cuba," *New West Indian Guide / Nieuwe West-Indische Gids* 76, no. 3–4 (2002): 235–66; Zeuske, "'Sin otro apellido'"; Michael Zeuske, "The Names of Slavery and Beyond: The Atlantic, the Americas and Cuba," in *The End of Slavery in Africa and the Americas: A Comparative Approach*, ed. Ulrike Schmieder, Katja Füllberg-Stolberg and Michael Zeuske, Sklaverei und Postemanzipation. Esclavitud y

oral histories, i.e., spoken words and archival research in written sources (texts, lists), firstly real people who were enslaved until they gained the respective 'freedom' (manumission, will, abolition) in the nineteenth century. Secondly, how do I recognize the same people according to the respective 'freedom' in an emerging independent nation (Wars of Independence against Spain 1868–1878; 1895–1898; Spanish-American War in 1898), whose economic basis was, thirdly, sugar production on large industrial plantations (*centrales*) and in general an economy/services with many Black and colored workers.[20] And finally: can today's memory be combined with the information gained from the second and the third dimensions.[21]

3 Slaves Have No 'Proper' Names – The Entrance to the World of Slaves

Names were my keys into the world of the enslaved *in* slavery. It was possible to identify slaves on the basis of their names. These names of slavery also have a history. Enslaved persons from slaving zones in Africa were sold to Atlantic slave traders who almost always ignored the 'African' names (I must use this extreme generalization here). Since they all came across the Atlantic, both the ships from Europe and those from the Americas, they were 'Atlantic' to Africans. Catholics sometimes gave 'Christian' names on the coasts of Africa – but this was done rather rarely. The 'proper' baptism then took place in the Catholic territories in the Americas. As we know, two-thirds to three-fourths of the c. 11 million enslaved came to Catholic areas of the Americas and the Caribbean, especially Brazil (c. 4 million), the Spanish Empire until 1825 (more than 1 million), or colonial Cuba (c. 1 million). Most of the people who were forced to cross the Atlantic as slaves, slave women and enslaved children of 'Christian powers' were recorded in ship lists (as cargo) without names, only as male or female bodies, with their apparent age. The latter was guessed on the basis of an examination of their physical condition in Africa; sometimes this was done by medi-

Postemancipación. Slavery and Postemancipation 4 (Münster: LIT, 2011): 51–80; Michael Zeuske, "The Second Slavery: Modernity, Mobility, and Identity of Captives in Nineteenth-Century Cuba and the Atlantic World," in *The Second Slavery: Mass Slaveries and Modernity in the Americas and in the Atlantic Basin*, ed. Javier Laviña and Michael Zeuske (Münster: LIT, 2014): 113–42.

20 Michael Zeuske, "Legados de la esclavitud y afrodescendientes en Cuba," in *Afroamérica, espacios e identidades*, ed. Ricardo Piqueras and Cristina Mondejar (Barcelona: Icaria editorial, 2013): 146–80.

21 Fernando Martínez Heredia, Rebecca J. Scott and Orlando García Martínez, eds., *Espacios, silencios y los sentidos de la libertad: Cuba 1878–1912* (La Habana: Ediciones Unión, 2003); Rebecca J. Scott, "A Cuban Connection: Edwin F. Atkins, Charles Francis Adams, Jr., and the Former Slaves of Soledad Plantation," *Massachusetts Historical Review* 9 (2007): 7–34.

cal professionals (like the German slaver Daniel Botefeur[22]). In the slave ports, for instance in one of the main slave ports of the Americas, Havana in Cuba, they were also identified only in terms of their gender and biographical group/age as well as their relation to the general slave value *pieza de Indias*. The term *pieza de Indias* (or *peça* in Portuguese, literally: Indian piece) was used as a unit for bookkeeping throughout the Iberian empires. Fernando Ortiz describes that a full *pieza* referred to a healthy man (called only *varón* without a name in the *armazón* lists) between 15 and 30 years of age and of at least a certain height, or a healthy, tall young woman (called *hembra*). Older women (over 25 years old), along with adolescents and children as well as babies (*piezas varones* or *piezas hembras*, children between 7 and 14 years were called *mulecones*/*-as*, children up to 7 years *muleques*/*-as* or when very little, *mulequitos*), were regarded as half or two-thirds of a full *pieza*.[23] Little children up to the age of 5 had no *pieza* value and were sold together with their mothers.

That means enslaved persons were inscribed without individual names in the *armazón* list (the list of the human 'cargo' of an arriving slave ship). This was also the case during the sale itself when a so-called *papel de armazón* was issued; the only difference is that now an *individual* body with price, origin, and ship name as well as buyer was given (Figs. 2a–b). The 'slave name' (first name/personal name) was then only assigned by the buyer and noted in the purchase record (*protocolo notarial*), written down by the notary or one of his scribes. Slaves had this single name for a long time. In a court case in 1887–1888, which I shall discuss in more detail below, i.e. in the year after the abolition of slavery, the niece (the brother's daughter) of a formerly enslaved woman, who was quite well off, had to demonstrate the legality of her claim to inherit, being the nearest direct relative and heir. In this context, the practice of slave names is explained in a very matter-of-fact manner: "que todos los negros de Africa al llegar á esta Isla perdían los nombres que tenían en su país y tomaban el que les daban sus dueños y el apellido de éstos [that all the negros from Africa, when they came to this island, lost the names that they had in their land and they took the [name] that their masters gave them and [also] the surname of those]."[24] In further

22 Michael Zeuske, "Del reino de Hannover a Cuba y Estados Unidos, pasando por el infierno de la trata en Senegambia y el Atlántico: el médico y negrero alemán Daniel Botefeur 1770–1821," in *Caribe hispano y Europa: Siglos XIX y XX. Dos siglos de relaciones*, ed. Josef Opatrný, Ibero-Americana Pragensia Supplementum 48 (Prague: Universidad Carolina/Editorial Karolinum, 2018): 47–81.

23 Fernando Ortiz, *Hampa afro-cubana: Los negros esclavos. Estudio sociológico y de derecho público* (La Habana: Revista Bimestre Cubana, 1916); Fernando Ortiz, *Los negros esclavos* (La Habana: Ed. de Ciencias Sociales, 1976). See also: Manuel Lucena Salmoral, "El período de los asientos con particulares (1595–1700)," in *La esclavitud en la América española*, ed. Manuel Lucena Salmoral (Warsaw: Universidad de Varsovia / Centro de Estudios Latinoamericanos, 2002): 178–205.

24 "Intestado de la morena Belén Álvarez, Escribanía de Gobierno," *ANC*, leg. 864, exp. 9, f. 145v-f. 151v, Francisco O. Ramírez, La Habana, 18 de enero de 1888, f. 149r. This is not true for the so-called *emancipados* (see below).

sales, this slave name was often provided with a designation that mixed culture, tribe and region of origin in Africa (*nación* – "nation"). But that was not a name. The designations of the *naciones* (*congo*, *mina*, *gangá*, *arará*, *carabalí*, *lucumí*, *angola*, *macuá*, etc.[25]) were usually written in lower case letters in formal documents. Out of habit and custom, urban slaves were first given a kind of surname – that of their owner. Usually only when an individual was released (often in a will, as in the case of Albertina Escher, the illegal daughter of a Swiss owner[26]), but certainly when the inscription in the civil register took place after the formal abolition of slavery (1886[27]) was a surname documented. A case in point is Cristobal *lucumí* as slave, who adopted the civil name Cristobal Ribalta after his self-ransom.[28] Former slaves were officially listed in this register with the first surname of one of their last owners. Until 1893, on election lists this racist designation appeared: "Albertina parda Escher" ("Albertina colored Escher") or "José moreno Apezteguía" ("José black Apezteguía"). This was the practice of documenting names of enslaved people.

It seems that there was also a hidden practice of names in *lengua* – in the language of the respective *nación*. In 1833, there was an uprising on the San Salvador *cafetal* (a coffee-plantation west of Havana). Military action ensued. Most of the fight-

25 Rafael L. López Valdés, *Africanos de Cuba* (San Juan de Puerto Rico: Centro de Estudios Avanzados de Puerto Rico y el Caribe, 2004); Jesús Guanche [Pérez], *Africanía y etnicidad en Cuba (Los componentes étnicos africanos y sus múltiples denominaciones)* (La Habana: Editorial de Ciencias Sociales, 2009); on the designations see especially: Guanche, "Anexos," in Guanche [Pérez], *Africanía y etnicidad en Cuba (Los componentes étnicos africanos y sus múltiples denominaciones)* (La Habana: Editorial de Ciencias Sociales, 2009): 195–284 (Anexo 19: "Presencia histórica de los componentes africanos en Cuba según las principales zonas geográficas de procedencia," Guanche [Pérez], *Africanía y etnicidad en Cuba*: 274–84).

26 Michael Zeuske, "Tod bei Artemisa. Friedrich Ludwig Escher, *Atlantic Slavery* und die Akkumulation von Schweizer Kapital ausserhalb der Schweiz," *Schweizerische Zeitschrift für Geschichte* 69, no. 1 (2019): 6–26.

27 "Estadistica de la abolicion de la esclavitud en la Ysla de Cuba por. D. Manuel Villanova," *Gobiero General, Esclavitud*, leg. 522, no. 26920 (1880).

28 Número 18. "Libertad", Sagua la Grande, 25 de mayo de 1845, Protocolos Notariales de Andrés Arceo, 1845, Archivo Histórico Provincial de Villa Clara (AHPVC), f. 16r–16v: "en el Puerto de Sagua la grande [. . .] D. Tomás Rivalta de este vecindario y Comercio [. . .] que entre sus esclavos tiene uno nombrado Cristobal de nacion Lucumí le ha suplicado le conceda su libertad p.r la cantidad de seiscientos dose p.s, los cuales le ha entregado en moneda corriente [. . .] Tomas Ribalta [in the Port of Sagua la grande [. . .] D. Tomás Rivalta of this neighborhood and Commerce [. . .] who among his slaves has one named Cristobal of the Lucumí nation has begged him to grant him his freedom for the amount of six hundred and two p.[eso]s, which [he] has given him in current currency [. . .] Tomas Ribalta]." In a later annulment protocol, it is mentioned that Cristobal could not raise the full 612 pesos and worked off the remainder of 112 pesos in half a year; he is referred to by the notary as Cristobal Ribalta; see: Núm. 166 "Cancelacion," Sagua la Grande, 20 Agosto 1845, Protocolos Notariales de Andrés Arceo, 1845, *Archivo Histórico Provincial de Villa Clara*, f. 148r–148v.

MUY Señor mio: Sirvase Vmd. formar escritura á favor de Fran.ca Lerignac negra que le he vendido del armazon que ha conducido de la Costa de Africa la fragata Española nombrada El Bello Gaditano su Capitan Samuel Chandler en el precio de Cien pesos con la calidad de bozal, alma en boca, huesos en costal, á uso de féria, sin asegurar de tachas ni enfermedades, mal de corazon, gota coral, de S. Lázaro, ni otra qualesquiera que pueda padecer la humana naturaleza, porque todas corren por cuenta del comprador, y tambien la escritura.

Ntro. Sr. gde. á Vmd. mis. as. Habana, y Mayo 21 de 1810

B. L. M. de Vmd. su mas atento servidor.

Se presentará a la Administracion general, antes de formar la escritura, para formar la filiacion.

Son 100. ps

Muy señor mio: Sirvase Vmd. formar escritura á favor de Juan del Granado negro que le he vendido del armazon que ha conducido de la costa de Africa la goleta española nombrada Maria Josefa, su capitan D. Nicolas Junquera, en el precio de Dos cientos cincuenta pesos con la calidad de bozal, alma en boca, huesos en costal, á uso de feria, sin asegurar de tachas ni enfermedades, mal de corazon, gota coral, de S. Lázaro, ni otra cualesquiera que pueda padecer la humana naturaleza, porque todas corren por cuenta del comprador, tambien la escritura.

Nuestro señor guarde á V. muchos años. Habana y Dic 29 de 1812

B. L. M. de V. su mas atento servidor

Son 250 ps

Figs. 2a–b: *Papel de armazón* – A purchase deed certified by a notary that had to be given to the buyer when they acquired a single slave from a specific slave ship (the deed contained both the name of the ship and the captain). Photo 2a: "[Papel de armázon] Habana, Mayo 21 de 1810," in: ANC, Protocolos de Cayetano Pontón, 1811, vol. 1, f. 274r–v. Photo 2b: "[Papel de armázon] Habana, D[iciemb]re 29 de 1812," in: ANC, Notaría Marina 1818, vol. 1, f. 636r–v. Collection of papers of armazones. Private archive of Michael Zeuske (Leipzig/Bonn).

ing insurgents were killed. Of the dead leaders, only their *lucumí* names are documented in the archives because the testimonies of most recaptured slaves were in *lucumí*. They claimed to know only these names.[29] It may be that there were religious reasons for this as well.

29 "Contra los autores y complices principales de la sublevacion de negros del Cafetal Salvador de D. Francisco Santiago de Aguirre ubicado en Banes ocurrida la noche del 13. de Agosto por cuyo delito se juzgan á Pedro el Carretero, Gonzalo mandinga, Eusebio gangá, Luis idem, Pascual Lucumí, Romualdo id., Antonio lucumí, Agustin id., Hilario id., Juan id., Hermenegildo id.," *ANC, Fondo Miscelánea de Expedientes* [Comisión Militar] (FM), leg. 540, Exp. B (1833); Gloria García, "La Guerra en tierra de Mariel (Banes, 13. August 1833)," in Gloria García, *La esclavitud desde la esclavitud* (La Habana: Ciencias Sociales, 2003): 205–09; Michael Zeuske, "Saint-Domingue en Cuba: el levantamiento en Banes, 13 y 14 de agosto de 1833," in *Esclavitud, huida y resistencia en Cuba*, ed. Christian Cwik, Javier Laviña and Michael Zeuske (Berlin: Wissenschaftlicher Verlag, 2013): 139–82.

4 Notary's Protocols: The Reality of Human Bodies in a Slavery Regime

The truth of the existence of real bodies with short life histories is important. As discussed above, I found slave names primarily in notarial records of purchase/sale and manumission. Over the years, I have seen c. 200,000 notarial protocols, the majority of which documented the acts of buying and selling enslaved people (notaries protocols/purchase deeds[30]) as well as manumission and wills.[31] Moreover, I have seen many written police reports and court cases (murder, jealousy cases, theft, fraud, conflicts over the use of drums, rebellion, conspiracy, flight). That is legal material. The second-slavery-regime in Cuba,[32] because of fears of slave rebellions, had since c. 1825 a special military commission (*Comisión Militar*) to prosecute real and suspected conspiracies and rebellions.

In summary, the most important category of sources for the study of slavery in Cuba is that of the notarial records of the purchase and sale of male and female slaves. Ever since I decided to write a history of the slaves in Cuba (around 2005), I have made the following assumption: in the nineteenth century there were around 700,000–1,000,000 male and female slaves who had been abducted to Cuba directly from Africa or via other Caribbean regions.[33] Estimates are difficult to verify because

30 Catherine LeGrand and Adriana Mercedes Corso, "Los archivos notariales como fuente histórica: una visión desde la zona bananera del Magdalena," *Anuario Colombiano de Historia Social y de la Cultura* 31 (2004): 159–208; Aisnara Perera Díaz and María de los Ángeles Meriño Fuentes, "El registro de la voz esclava," in *La Cesión del patronato: Una estrategía familiar de la emancipación de los esclavos en Cuba (1870–1880),* ed. Aisnara Perera Díaz and María de los Ángeles Meriño Fuentes (La Habana: Editorial Unicornio, 2009): 36–39. Tomás Ribalta was the owner of Esteban Santa Teresa, later Esteban Montejo.

31 Pedro Deschamps Chapeaux, "Testamentaria de pardos y morenos libres en La Habana del siglo XIX," Pedro Chapeaux Deschamps and Juan Pérez de la Riva, *Contribución a la historia de gente sin historia* (La Habana: Ed. de Ciencias Sociales, 1974): 97–110.

32 For the concept of second slavery see: Dale W. Tomich and Michael Zeuske, eds., *The Second Slavery: Mass Slavery, World-Economy, and Comparative Microhistories*, 2 vols. (Binghamton: Binghamton University, 2009) [special issue of *Review: A Journal of the Fernand Braudel Center* 31, no. 2–3 (2008)]; Dale W. Tomich, ed., *The Politics of Second Slavery* (Albany: State University of New York Press, 2016); Michael Zeuske, "The Second Slavery: Modernity, Mobility, and Identity of Captives in Nineteenth-Century Cuba and the Atlantic World," in *The Second Slavery: Mass Slaveries and Modernity in the Americas and in the Atlantic Basin,* ed. Javier Laviña and Michael Zeuske (Münster: LIT, 2014): 113–42.

33 Juan Pérez de la Riva, *El monto de la inmigración forzada en el siglo XIX* (La Habana: Ed. de Ciencias Sociales, 1974); Juan Pérez de la Riva, *El barracón y otros ensayos* (La Habana: Ed. de Ciencias Sociales, 1975); Jorge Felipe-González, "Reassessing the Slave Trade to Cuba, 1790–1820," in *From the Galleons to the Highlands: Slave Trade Routes in the Spanish Americas*, ed. Alex Borucki, David Eltis and David Wheat (Albuquerque: University of New Mexico Press, 2020): 223–48. This chapter contains today's most accurate estimate of the number of slaves trafficked to Cuba – but not for the entire nineteenth century, i.e., not for the time of illegal slave smuggling (*hidden Atlantic*), 1820–1880.

of the endemic smuggling of so-called *mala entrada* (literally: 'bad entrance' – a legal concept whereby slave traders could buy their way out of smuggling by paying a fine) for the period between 1820 and 1880. So, around a million. If we assume that all abductees/enslaved people were sold/bought at least twice in Cuba, that would result in around 2 million notarial records.

In 30 years of archival research in central and provincial archives I have seen about a tenth of these, i.e., the c. 200,000 documents mentioned above. They contain all sorts of legal property stamps, prices, concepts of power regarding disposal/dominion in legal, formulaic language (power of disposition/transfer of ownership forms). Basically, like today's notarial records, they served to avoid future conflicts over expensive and valuable goods (back then this meant land, houses, ships, livestock as well as enslaved people) and to have the sale/purchase acts recorded by notaries in a legally binding manner, secured by witnesses and archived (in central legal territories such as the Iberian states/colonies – where there is a tradition of notaries and notarial offices with archives (these archives do not exist in spaces of Common law). For research on the self-representation of slaves, notarial records are of no use at first (apart from minor insertions, for example when the name of a slave child was misspelled, and the mother, who was present, protested). But, in the description of a body, its wounds, sometimes (rarely) corporal markings, character traits (for example*: cimarrón*/*cimarrona*, i.e., tends to run away, *tomador*/*tomadora* (drinker), *respondón*/*respondona* – constantly contradicts, etc., sometimes illnesses or mental peculiarities) and above all the age and the place where the slave is located, as with today's data traces, we are confronted with a rudimentary life history of a person. So to speak, we can deduce the life profile of an individual slave, an enslaved woman, or a slave child.

It is often claimed that archives only register the voices of the powerful and the ruling class. This is not the case. Everyone and everything are present in the archive – we must, however, search, find, link and interpret the information. Archive historians who have examined the lives of slaves for a long time must at some point understand that the notarial records contain one incontrovertible truth regarding the history of slaves within a particular slavery regime. The information we find is always about a real human body (sometimes several bodies whose sale is referred to in one protocol), i.e., the only thing that really interested slave traders and owners. This means that what is at stake is truth in relation to the historical reality of human bodies. Since that is exactly what interested the buyer and the seller, and given that these bodies had considerable value as 'capital of human bodies' (or *pieza*), the short profiles in which they are described are, on the one hand, partly legal fiction (the name of the slave is invented by the buyer); on the other hand, we are confronted with an almost individual truth. It was really about the presentation of a real, individual body. So at least we have access to a large quantity of data on slaves in the form of short profiles. That is a lot. It is not a matter of narrating for the most part, but a matter of counting and profiling.

An average notary's protocol from a location in Cuba looked like this:

> la morena libre Pilar de la Paz vecina de esta población, dice [. . .] vendo [. . .] á D. José M.a Dária una negra mi esclava nombrada Clara criolla como de veinte as y su hija nombrada Candida de cuarenta dias de nacida [. . .] ambas de doscientos cincuenta ps
>
> the free *morena* [Black] Pilar de la Paz, a neighbor of this town, says [. . .] I am selling [. . .] to D. José Maria Dária a black slave named Clara, a *criolla* [Creole], about twenty years old, and her daughter named Candida, forty days old [. . .] both for two hundred and fifty pesos.[34]

'Criolla' – slave in Cuba means a woman born as a slave in Cuba. Instead of *criolla* (lowercase), many protocols use 'negro bozal' (*bozal* = born in Africa), 'negro ladino' (*ladino* = mostly for enslaved persons from African regions where an Iberian language was spoken, such as Angola) or 'negro de Africa', usually followed by a mention of the *nación*.

The next example is a protocol on *coartación*, the purchase of one's own body by an enslaved person, paying a predetermined sum of money:

> [. . .] comparece el Ldo. D. Manuel Suarez del Villar, casado, mayor de edad, abogado y propietario, natural de Trinidad i de este vecindario [. . .] i dice: Que se halla ser apoderado representante encargado de los bienes quedados al fallecimiento de su legítimo padre el Sor. Magistrado Dr. D.n Gabriel Suarez del Villar [. . .] otorga: que ahorra i liberta de todo cautiverio i servidumbre al negro africano Adriano, de cincuenta años de edad, empadronado en el partido de Camarones i perteneciente á la dotacion del ingenio 'Palmasola'; i esta libertad es por el precio de dos mil cuatrocientos sesenticinco pesetas en oro; que del mencionado esclavo confiesa haber recibido en dinero efectivo
>
> Don Manuel Suarez del Villar, married, of legal age, lawyer and owner, a native of Trinidad and of this neighborhood [. . .] appears and says: That he is found to be the representative in charge of the goods left at the death of his legitimate father, Sr. Magistrate Dr. Don Gabriel Suarez del Villar, [. . .] granted: that he saves and frees from all captivity and servitude the African negro Adriano, fifty years old, registered in the district of Camarones and belonging to the endowment of the 'Palmasola' sugar mill; and this freedom is [to be] for the price of two thousand four hundred and sixty-five pesetas in gold; that from the aforementioned slave he confesses to have received in cash.[35]

What a written uproar of 'Roman' legal formulas!

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34 "Venta de sierva," San Juan de Dios de Cardenas, 12 de diciembre de 1843, *ANC, Fondo Protocolos Notariales, Protocolos de Cárdenas. Protocolos Notariales de Carlos Acosta Spou*, no. 309, Año 1843, tomo 1, f. 104v–105r.

35 "Libertad," Cienfuegos, 20 de Agosto de 1874 *Archivo Histórico Provincial de Cienfuegos* (*AHPC*), *Protocolos José Rafael de Villafuerte y Castellanos*, 1874 (Enero–Dic.), fols. 295r–296v (escritura no. 107).

5 Legal Material from Investigations, Interrogations, Depositions, Representations, Testimonies in General, and Testimonies at Trials

There are already several excellent publications based on legal material as source.[36] Yet, these publications possibly overestimate the agency of the enslaved. This is because it seems to be the only existing type of source where enslaved agency – however defined – can be demonstrated.[37] As already mentioned above, an analysis of the narratives of the enslaved in this category of source must always consider an extremely important filter and often also a pre-filter. The filter consists in the fact that

36 Rebecca J. Scott, *Slave Emancipation in Cuba. The Transition to Free Labor, 1860–1899* (Princeton: Princeton University Press, 1985) [repr., Pittsburgh: University of Pittsburgh Press, 2000]; Keila Grinberg, "Freedom Suits and Civil Law in Brazil and the United States," *Slavery & Abolition* 22, no. 3 (2001): 66–82; Sue Peabody and Keila Grinberg, eds., *Slavery, Freedom, and the Law in the Atlantic World: A Brief History with Documents* (Boston: Bedford St. Martin's Press, 2007); Orlando García Martínez and Michael Zeuske, "Notarios y esclavos en Cuba, siglo XIX," *Su "único derecho": los esclavos y la ley*, ed. Alejandro de la Fuente (Madrid: Fundación Mapfre/Tavera, 2004) [= *Debate y perspectivas. Cuadernos de Historia y Ciencias Sociales* 4 (2004): 127–70]; María de los Ángeles Meriño Fuentes and Aisnara Perera Díaz, *Para librarse de lazos, antes buena familia que buenos brazos. Apuntes sobre la manumisión en Cuba* (La Habana: Editorial Oriente, 2009); Andrew Fede, *Roadblocks to Freedom: Slavery and Manumission in the United States* (New Orleans: Quid Pro Quo Books, 2011); María de los Ángeles Meriño Fuentes and Aisnara Perera Díaz, *El universo de Hipólito criollo. Derecho, conflicto y libertad en el ingenio La Sonora, La Habana (1798–1836)* (Artemisa: Editorial Unicornio, 2011); Rebecca J. Scott and Jean-Michel Hébrard, *Freedom Papers: An Atlantic Odyssey in the Age of Emancipation* (Cambridge, MA: Harvard University Press, 2012); Edward Bartlett Rugemer, *Slave Law and the Politics of Resistance in the Early Atlantic World* (Cambridge, MA: Harvard University Press, 2018); Edgardo Pérez Morales, *Unraveling Abolition: Legal Culture and Slave Emancipation in Colombia* (Cambridge: Cambridge University Press, 2022); Sue Peabody, "Political and Legal Histories of Slavery," in *Writing the History of Slavery*, ed. David Stefan Doddington and Enrico Dal Lago (London: Bloomsbury Academic, 2022): 153–70. Carlo Ginzburg rightly pointed out that legal sources are problematic: "The use of court records [. . .] does not imply that historians, disguised as judges, should try to reenact the trials of the past – an aim that would be pointless, if it were not intrinsically impossible", Carlo Ginzburg. "Checking the Evidence: The Judge and the Historian," *Critical Inquiry* 18, no. 1 (1991): 90.

37 Walter Johnson, "On Agency," *Journal of Social History* 37, no. 1 (2003): 113–25; Anne C. Bailey, "African Agency in the Atlantic Slave Trade. Realities and Perceptions," in Anne C. Bailey, *African Voices of the Atlantic Slave Trade: Beyond the Silence and the Shame* (Boston: Beacon Press, 2006): 57–93; Anne C. Bailey, "European and American Agency in the Atlantic Slave Trade: From Raid and Trade to Operational Breakdown," in Anne C. Bailey, *African Voices of the Atlantic Slave Trade: Beyond the Silence and the Shame* (Boston: Beacon Press, 2006): 115–51; Walter Johnson, "Agency: A Ghost Story," in *Slavery's Ghost: The Problem of Freedom in the Age of Emancipation*, ed. Richard Follett, Eric Foner and Walter Johnson (Baltimore: The Johns Hopkins University Press, 2011): 8–30; Juliane Schiel, Isabelle Schürch and Aline Steinbrecher, "Von Sklaven, Pferden und Hunden: Trialog über den Nutzen aktueller Agency-Debatten für die Sozialgeschichte," *Schweizerisches Jahrbuch für Wirtschafts- und Sozialgeschichte. Annuaire suisse d'histoire économique et sociale* 32 (2017): 17–48.

professional scribes, notaries, and lawyers, often also law enforcement commissions (such as the abovementioned *Comisión Militar* in Cuba) conducted interrogations, recorded the results and wrote down the texts we find in the documents; the pre-filter mentioned above is translation (often by other slaves from the respective *nación*). Overall, however, we are only at the beginning of the research, especially in view of the masses of legal sources. This is especially true for the large number of *Quejas* (complaints of slaves, also with other subtitles, like *Esclavitud* and *Negros*) – special categories of legal material in Cuba.

With regard to the legal material, as mentioned above, there are often claims that the agency of slaves was particularly evident here. This can certainly be assumed for some cases (as in relation to the release of the individual, biological children, or close relatives, i.e., above all *coartación* (literally: restricted slavery; legal self-ransom)).[38]

There were, however, three barriers to the agency of enslaved people: first, very few slaves, especially rural slaves, did have a person who could write for them, or a person with legal knowledge in the general sense, to a *síndico* (a special trustee urban advocate of the poor or city slaves);[39] secondly, in all measures (interrogations, depositions) taken by the slavery society to prosecute what was considered a crime (committed by a slave), the owners and direct controllers of slaves (*mayordomos*, *mayorales*, administrators, owners, policy, prosecutors, state organs), slaves showed an unwillingness to testify (and even less to appear as a witness), thirdly, we learn something about their concrete living and working conditions from the interviews, statements and complaints of the enslaved themselves, but little about what they themselves thought. That means, mostly about the negative sides. Even these comparatively 'direct' sources are never written by the enslaved themselves. This probably also applies to the sheer mass of *Quejas* (and similar funds, like *Esclavitud* or *Negros* in the Spanish legal system).[40] In some of these sources, however, archive historians have the impression that the slave or the slave child is standing or lying next to the writer, i.e., is ill or on her/his deathbed. The best representation of such an individual closeness between the people presented, in this case María Coleta and her Capuchin confessor, is discussed in an article by Rebecca J. Scott and Carlos Venegas.[41]

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38 Claudia Varella and Manuel Barcia, *Wage-Earning Slaves: Coartación in Nineteenth-Century Cuba* (Gainesville: University of Florida Press, 2020).

39 In 1874, a slave woman from Güines even managed to send a written request about her *coartación* to the governor; she wanted to appear in front of a *síndico* in Havana, see: "Expediente promovido por la morena Joaquina Gomez esclava de D. Fernando Gomez vecino de Guines, solicitando ser coartada ante uno de los tres Sindicos de esta Capital (Habana)," *ANC, Gobierno General*, Esclavos, leg 566, no. 28173 (1874).

40 Digna Castañeda Fuertes, "Demandas judiciales de las esclavas en el siglo XIX cubano," in *Afrocubanas: Historia, pensamiento y prácticas culturales*, ed. Daisy Rubiera Castillo and Inés María Martiatu Terry (La Habana: Editorial Ciencias Sociales, 2011): 17–29.

41 Rebecca J. Scott and Carlos Venegas Fornias, "María Coleta and the Capuchin Friar: Slavery, Salvation, and the Adjudication of Status," *William and Mary Quarterly* 76, no. 4 (2019): 727–62.

The most complete publication about the subject of enslaved narratives in legal sources about diverse conflict situations and *Quejas*/*Esclavitud* (complaints) so far is Gloria García's *La esclavitud desde la esclavitud* (Slavery from the point of view of slavery[42]). The book traces the social structure of a slavery regime and its most important spaces of representation – historically and functionally (functionally from 'top to bottom'). First, there is an analysis of the forms of slavery up to the emergence of the *ingenio* (the mechanized slave plantation), which is characteristic of second slavery, including the slave family and their parentela ('kinship'), urban slavery and slave resistance. The larger second part of the book is dedicated firstly to the legal space of the Spanish Empire, i.e. the imperial representation of the *Código negro* (Collection of laws on dealing with slaves and the colored free population; 31 May, 1789), which was never officially proclaimed and no longer functioned due to the revolution in Saint-Domingue/Haiti and the independence of the continental colonies of America (1808–1830).[43] The imperial legal representation was replaced by a still colonial, but de facto pre-national *Reglamento de Esclavos* (1842), which was in fact a decree of a liberal Captain General. It was only valid in Cuba.[44] Then follows a whole chapter on "The slave and his family world", which addresses diverse complaints *(Quejas*/*Esclavitud*) by enslaved people, which were written down by scribes or *síndicos*. In Cuba's slavery regime, which was hardly controlled by the state, this legal form of paper gained such fame among enslaved people that the fixed phrase *buscar papel* emerged (literally 'to seek/obtain paper', also *buscar amo*, literally 'to seek master', meaning another master).[45] Legally, this was the written permission for slaves by the state (*Reglamento*), but written by the old owner, to seek a new master (*amo*/*ama* – master/mistress) if they felt they were being treated too harshly. They got permission on a piece of paper (*papel*).

We learn most about the real living conditions of enslaved people in Cuba's high-tech plantation economy in the chapter "The Social Structure of the Plantation" with the exciting sub-chapters "Slaves and Mayorales" (*mayorales* were the chief overseers, i.e., (mostly) white managers, primarily old soldiers, or boatswains with some agricultural knowledge[46]); "Conflicts in the dotación" (*dotación* = term for all slaves of a plantation) and "Solidarity against Injustice". The next two chapters are called "The coartado slave and his labor relations" and "The violence of the masters". The interests of the slaves evident from the book, which, from the sources used by Gloria Gar-

42 Gloria García, *La esclavitud desde la esclavitud* (La Habana: Ciencias Sociales, 2003).

43 The Código was still effective over rumors that the king had set the slaves free; see: Wim Klooster, "Slave Revolts, Royal Justice, and a Ubiquitous Rumor in the Age of Revolutions," *William and Mary Quarterly* 71, no. 3 (2014): 401–24.

44 Since 1826, Puerto Rico also had such a pre-national regulation adapted to the local slavery regime.

45 For example: "Expediente en que el negro Agustín Montalvo solicita papel para buscar nuevo amo," *GSC, Esclavitud*, leg. 947, no. 33444 (1852).

46 "Circular para que todos los amos de fincas de campo que tengan dotación de negros, pongan mayorales blancos," *GSC, Esclavitud*, leg. 936, no. 33039 (1832).

cía (the majority are from *Esclavitud* and/or *Quejas* from *Gobierno Superior Civil* or *Gobierno General*), are their individual relationships, mostly with relatives, spouses, and children,[47] as well as with their direct owners, overseers (*mayorales*, *mayordomos*). Group interests can also be found (e.g., in strikes of field workers, but also in runaways as group/*dotación* for some days) but are rather rare. Not really 'class' interests at all.

I analyze below a source in which an influential free Black man argues in favor of an enslaved woman. It can be found in the chapter "The coartado slave and his labor relations". Even if it involves the abovementioned problem of having been written by persons other than the enslaved, the source is very interesting for our approach. From three sides, the interests of an enslaved woman are negotiated. One could almost speak of four sides since the writer also plays a role. The most important actor mentioned is the "moreno libre Pedro Real, de nación congo y primer capataz del cabildo de sus paisanos y vecino del barrio de Chávez [free moreno Pedro Real, from the Congo nation and first foreman [*capataz*] of the council of his countrymen [*cabildo de nación*] and resident [*vecino*, literally: neighbor] of the Chavez neighborhood [*barrio*]]."[48] Pedro Real represents the interests of his enslaved *paisana* (countrywoman, i.e., someone also from the *nación conga*). A slightly longer section (translated by me) shows what problems arose in the legal space of the extremely dynamic second slavery in Cuba:

> A Vuestra Excelencia dice que habiéndosele presentado la morena de su nación con el papel por dos días para buscar amo, nombrada María Luisa González, coartada en la cantidad de 350 pesos y los derechos atrasados, de la propiedad de don Ángel Arrechasabaleta [a Basque, MZ], este le dio papel a pedimento de la dicha esclava para buscar amo por los dos dichos días y yo le busque para que la comprara al [this is probably a copyist's mistake and should be *el* in the original; it might of course also be an error on the part of the original writer, MZ] señor licenciado don José Fornaris [a notary, MZ]; que el dicho señor estaba esperando al dicho Arrechasabaleta para hacer la escritura de la compra y que sucedió que el ante dicho amo [Arrechasabaleta, MZ], en lugar de pasar a la escribanía, no lo hizo y arrebató a la negra y la mandó al campo a que la castigaran, y gozando el esclavo coartado de las preeminencias de no poderse vender para el monte no siendo a gusto del siervo, y más cuando ésta tenía comprador [. . .]. A Vuestra Excelencia suplico, como capataz de su nación, se sirva expedir una orden para que inmediatamente mande el amo a buscar a la negra para que el comprador haga la escritura [. . .]

47 See the heartbreaking example of an already free mother begging for the freedom of her four children: "Expediente promovido por la parda libre Clara Linares pidiendo la libertad de sus cuatro hijos esclavos de D Juan Fernandez Salgas," *ANC, Gobierno General*, Esclavos, leg 566, no. 28174 (1874); or the example of the free *morena*, who is the mother of a slave woman and demands a *papel de buscar amo* for her daughter: "Expediente promovido por la morena libre Apolonia Criolla, madre de la de igual color Eduarda Yosefa proponiendo se de papel a la ultima para variar de dueño, que lo es hoy D.n Juan Valdes Mumpienes," *ANC, Gobierno General*, Esclavos, leg 519, no. 26885 (1877).

48 Gloria García, "Pedro Real congo, capataz del cabildo, representa a su paisana María Luisa González, La Habana, 21 de abril de 1854," Gloria García, *La esclavitud desde la esclavitud* (La Habana: Ciencias Sociales, 2003): 146.

> To your Excellency he says[49] that, having been approached by the *morena* of his nation named María Luisa González, who held a paper for two days to look for a [new] master,[50] valued at the amount of 350 pesos[51] plus the right to arrears, of the property of Mr. Ángel Arrechasabaleta [a Basque, MZ] who had given the said slave at her request a paper to look for a master for the two said days, and I[52] looked for him to purchase her from Mr. José Fornaris [a notary, MZ]; that the said man was waiting for the said Arrechasabaleta to make out the deed of purchase[53] and that it happened that the aforementioned master [Arrechasabaleta, MZ], instead of going to the notary's office, did not do so and snatched the black woman and sent her to the field[54] there to be punished, and the constrained slave enjoying the preeminence of not being able to sell himself to the mountain,[55] not being to the liking of the serf, and even more so when the latter had a buyer [. . .] I beg Your Excellency, as foreman of her nation, that you may please issue an order so that the master immediately sends for the black woman so that the buyer can make the deed [. . .][56]

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49 This is a complaint to the Captain General of Cuba. The formal *dice* with which every written concern begins means 'he says', not *digo* ('I say'), which reflects that the respective actor 'only' spoke and the notary procured the written version in legal language). Many purchase and sale protocols in which the words of free members of the slave-owning society have been written by notaries begin in this way (*digo* - I say).

50 This means that the *amo* (= master/owner) gave the slave a paper with written permission for a certain number of days, allowing her to look for a new master to buy her during that time.

51 The price of the slave woman had been set at 350 silver pesos (by a *síndico*, a city slave attorney); at this price (in total or in installments/rates) the slave could legally buy her freedom. If the slaves had paid a deposit on the total sum, here the female slave, they became a *coartado* or a *coartada* (literally "limited", i.e., no longer a "full" slave). As a *coartada*, the slave woman could legally request this document from her previous *amo* (= *buscar papel*) and look for a new *amo* (who wanted to buy her at her now lower price, which means, among other things, *buscar amo*). The *amos* were not actually allowed to increase the fixed price of the coartación (but obviously they often did), see: "Expediente promovido por el Síndico 2º de esta Capital (Habana) para que no se haga por los escribanos escritura de venta de esclavos coartados sin que se presente por los dueños el documento de coartación, expresivo de la cantidad en que está y clase de moneda," *ANC, Gobierno General*, Esclavos, leg 566, no. 28179 (1876).

52 The "I" here is unusual since both Black people and writers typically referred to the enslaved by third-person pronouns or by terms referring to their function.

53 The purchase notary protocol.

54 That means: A house slave was sent to a plantation to work in the fields – a severe punishment that all female house slaves and most house slaves feared especially; see Claudia Varella, "'Roaming Coartados': Strengthening the Rural Slave Sector," Claudia Varella and Manuel Barcia, *Wage-Earning Slaves: Coartación in Nineteenth-Century Cuba* (Gainesville: University of Florida Press, 2020): 66–82.

55 *Vender al monte* means being sold for working outside the house.

56 Gloria García, "Pedro Real congo, capataz del cabildo, representa a su paisana María Luisa González, La Habana, 21 de abril de 1854," Gloria García, *La esclavitud desde la esclavitud* (La Habana: Ciencias Sociales, 2003): 146; according to (original): "Espediente en que el negro Pedro Re.l se queja del mal trato q.e le dá Dn Angel Arechavaleta á su esclava M.a Luisa (1854)," *ANC, Gobierno Superior Civil*, GSC, Esclavitud, leg 948, no. 33540, Hab.a 21 de Abril 1854 f. 3r–3v. In the same document there is a note from the *síndico* Miguel Estorch (May 16, 1854) that the *amo* gave the slave another paper for three days and another for two days. When María Luisa could not find a buyer, contrary to Pedro Real's statements, she fled for four days (*cimarrona*), was recaptured, and sent back to the countryside as punishment. The *síndico* recommends that the Captain General should not comply with Pedro

What real information do we have? One of the *ilustres apellidos*, i.e., a big man of the urban elite of free blacks, the chief (*capataz*) of a *cabildo de nación conga*, possibly also a militia officer and himself the owner of slaves, makes a deliberate (?) false statement regarding the notary's intention to buy in favor of a *conga* slave. Notaries were considered very powerful as scribes of all papers connected with the fate of enslaved people. The owner and master (*amo*) of the slave performs his duties as prescribed by the *Reglamento* formally; i.e., he accepts an installment of money for self-ransom. He makes, certainly reluctantly, the *papel* formally due to the slave (albeit for a very short time). At the same time, he is delaying the whole process – that is what the statement refers to (*derechos atrasados* – rights in arrears). Finally, by virtue of the right to dispose of his property, he sends the slave woman to his rural plantation. He does this like most slave owners in Cuba: he takes the slave's money,[57] which he believes is due to him anyway as *peculium* according to traditional 'Roman' law, and then punishes her for her intention to exercise agency by having her sent to the countryside, probably for field work. We learn nothing concrete about the slave herself, about her living and working conditions. We can only conclude that she was well-informed about the legal situation, that she had some relationship with the capataz Pedro Real and possibly with the notary José Fornaris, and that she defended herself against her *amo* with a brief escape, as a *cimarrona* (maroon; runaway). She attempted to exert agency but was confined in the harsh structures of private property slavery. The *papel* for two days referred to is in the bundle of the *queja*:

> Doy licencia ami esclava Luisa conga para que busque Amo en la Cantidad de trescientos Cincuenta pesos en que esta coartada, habien [hardly legible] mas unos dros [derechos] atrasados segun Consta de escra. Pub.ca, es sana y sin tachas pero sin re[i]ción á red[h]ibitoria es de oficio buena labandera y planchadora le vale por los dos dias Contados desde la fecha Habana y M.zo 27/854 debe dormir en mi casa. – – Angel de Arechavaleta
>
> I give license to my slave Luisa Conga to seek a Master for the amount of three hundred and fifty pesos, which [is the amount at which] she has been valued, there are [hardly legible] plus some [rights] to the arrears according to the *escra. Pub.ca* [*escritura Pública* = the notary's protocol],

Real's request because "por ahora [for now]", the "L.do José Fornaris q.e la queria comprar no se halla muy dispuesto á hacerlo [Graduate (licenciado) José Fornaris, who wanted to buy it, is not very willing to do so]" ("Espediente en que el negro Pedro Re.l se queja del mal trato q.e le dá Dn Angel Arechavaleta á su esclava M.a Luisa (1854)," *ANC, Gobierno Superior Civil*, GSC, Esclavitud, leg 948, no. 33540, Hab.a 21 de Abril 1854, La Habana, Abril 25 1854, f. 2r).

57 The types of money were a special problem, see: "Expediente promovido por el Síndico 2º de esta Capital (Habana) para que no se haga por los escribanos escritura de venta de esclavos coartados sin que se presente por los dueños el documento de coartación, expresivo de la cantidad en que está y clase de moneda [File promoted by the 2nd síndico of this Capital (Havana) so that the public scribes do not issue a deed of sale of coartado slaves without the owners presenting the document of coartación, expressing the amount and type of currency]," *ANC, Gobierno General*, Esclavos, leg 566, no. 28179 (1876).

> she is healthy and without blemishes, but without recourse to recission, she is by profession a good laundress and ironer. This paper is good for the two days counted from the date of Habana and M.zo [March] 27/854, she must sleep in my house . – – Angel de Arechavaleta[58]

In a letter dated May 16, 1854, Miguel Estorch informed the Captain General of what happened after Luisa Conga had fled:

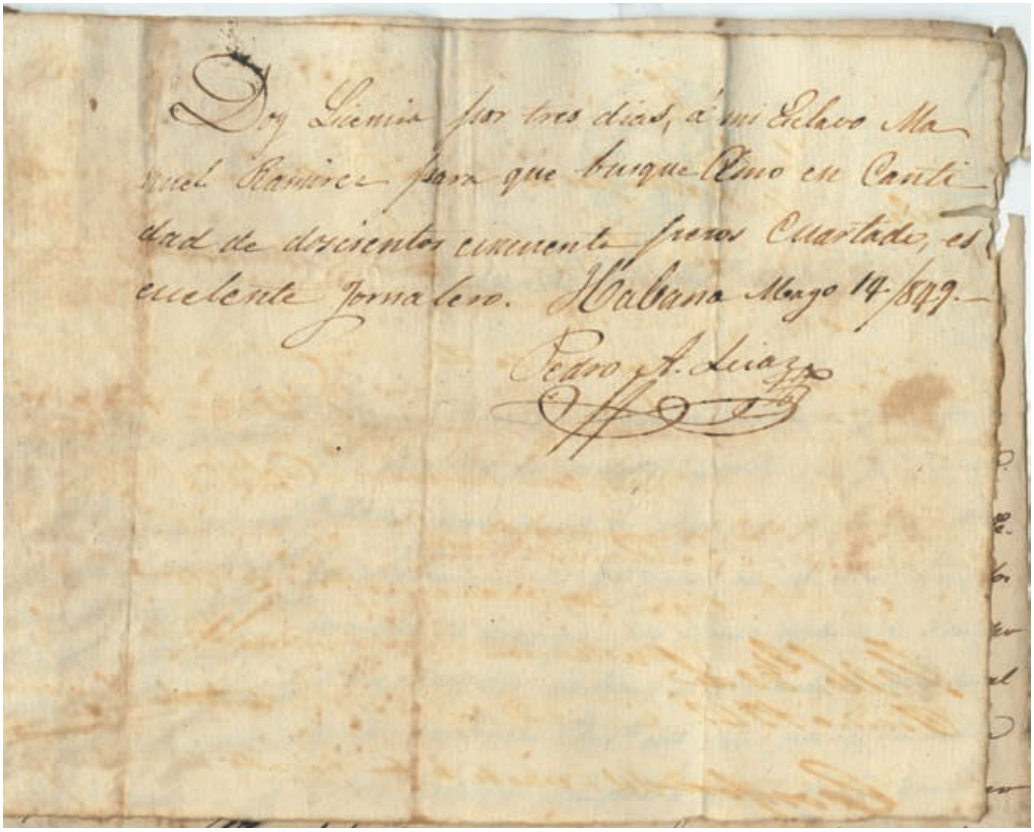
> [. . .] vencidos estos [dos papeles], en véz de regresar á su casa se fugó, habiendo sido preciso llamarla por los periódicos segun consta del que se acompaña. Capturada á los cuatro dias por D. Joaquin Oliva en la calla dela Merced esquina á la de la Habana, fué entregada á su dueño que tuvo que pagar la Captura. Por via de correcion la mandó al Campo [. . .]
>
> Once these [two papers] had expired, instead of returning to her house she ran away, her [flight] having been announced through the newspapers as stated by the one accompanying [this letter]. Captured four days later by D. Joaquin Oliva in Calle de la Merced [at the] corner of Havana [Street], she was handed over to her owner, who had to pay the Capture. By way of correction, he sent her to the field.[59]

There is another *Queja* with a formal semi-subject status of a slave: the *moreno* Manuel Ramírez found a scribe and complained with a *Queja* to the captain-general that his master was demanding from him more and more of his *jornal* (the money he earned daily). Manuel worked as *esclavo de jornal*/*esclavo alquilado* (rental slave). The *amo* also constantly increased the price of the *coartación*. He argued with Manuel about the money already paid (*ahorros*). In a letter from La Habana dated May 7, 1849 to the Captain General, we read on behalf of the slave, who, however, 'speaks' himself in this *Queja*, as can be seen from the verb *dice* ('he says'): "Manuel Ramirez esclavo coartado de Dn Pedro Ant. o Diaz, con la humildad que acostumbra y es debida á VE dice [. . .]. Por no saber firmar hace + [Manuel Ramirez, coartado slave of Don Pedro Antonio Diaz, with the usual modesty that he owes you says [. . .]. Because he cannot write, he makes + [a cross as signature]]". As a result, the owner Pedro Antonio Diaz had to issue his slave a *licencia para buscar amo* (license to search for a new master = the formal name for a *papel de buscar amo*) due to the instructions of the Captain General: "Doy Licencia por tres dias, á mi Esclavo Manuel Ramirez para que busque Amo en Cantidad de doscientos cincuenta pesos cuartado [sic], es esselente [sic] Jornalero. Habana Mayo 14/849.- Pedro A. Diaz [I give a license for three days to my slave Manuel Ramirez to look for a Master in the amount of two hundred and fifty pesos cuartado [sic], he is [an] esselente [= excellent – sic] Day Laborer. Havana May 14/849.- Pedro A. Diaz]" (Fig. 3).

58 Glued on: *ANC, Gobierno Superior Civil*, GSC, Esclavitud, leg 948, no. 33540, Hab.a 21 de Abril 1854, f. 3v.

59 Ibid., f. 4r.

Quejas and the other categories of sources in *Gobierno Superior Civil* or *Gobierno General* like *Esclavitud* are to be regarded as a special category among the legal sources that may only exist for the second slavery in Cuba under the legal regulations of the 1842 *Reglamento*. Despite the many *Quejas* and *Esclavitud* sources that Gloria García evaluated for her excellent book, the enormous number of this kind of sources in Cuba's National Archives alone has not really been systematically explored from the point of view of narrative self-representation.



Doy Licencia por tres dias, á mi Esclavo Manuel Ramirez para que busque Amo en Cantidad de doscientos cincuenta pesos Cuartados, es excelente Jornalero. Habana Mayo 14 1849.

Pedro A. Diaz

Fig. 3: *Papel de buscar amo* – document issued by a lawyer for the poor (síndico) at the request of a slave, which allowed the slave to look for a new owner during a fixed period of time (in this case: three days) who could buy him or her for a specified sum. GSC, Quejas, No. 52776, leg. 1350, 1849: Expediente en que el moreno Manuel Ramírez se queja de que su amo D. Pedro Díaz se niega a rebajarle del precio de su coartación, el ahorro que ha dejado en su poder el tiempo que expresa
(without foliation). Private archive of Michael Zeuske (Leipzig/Bonn).

6 Ships and Narratives – Presentations of Enslaved People in the Shiploads of Captured Ships of the Hidden Atlantic

If *Quejas* and *Esclavitud* are a special category of legal sources, this also applies to statements (depositions) by enslaved people on slave ships, which had been seized after the formal abolitions of the Atlantic slave trade (in the United States and Great Britain in 1808 and in Spain in 1820). A third special category of legal sources are those on emancipated slaves/*emancipados* (a kind of new state slavery of the nineteenth century). A relatively extensive literature already exists on emancipated slaves/*emancipados*.[60] I will therefore only mention them briefly and focus instead on the depositions of enslaved people from slave ships – so to speak before they became emancipated slaves/*emancipados*.

Some slave ships were wrecked or captured. The people on the lower deck of slave vessels were generally considered "*armazón* of slaves" by the slave vessels' crews and captains (the cargo of one slave vessel is called *armazón*). Because their depositions are sources on the Atlantic and Caribbean slave trade, they are inherently broader in a spatial sense than national sources on land slavery. But are they narrative self-representations?

Jonathan M. Bryant recently explored the long legal dispute over people from captured ships in the United States in the case of the slave ship *Antelope* (see also the famous *Creole* or the slave vessel *Solicito*).[61] I will also use the wealth of these sources in the United States in the Federal District Courts in the south, which are collected in

60 Henry B. Lovejoy, "The Registers of Liberated Africans of the Havana Slave Trade Commission: Transcription Methodology and Statistical Analysis," *African Economic History* 38 (2010): 107–35; Henry B. Lovejoy, "The Registers of Liberated Africans of the Havana Slave Trade Commission: Implementation and Policy, 1824–1841," *Slavery & Abolition* 37, no. 1 (2016): 32; see also: Sharla M. Fett, "Middle Passages and Forced Migrations: Liberated Africans in Nineteenth-Century US Camps and Ships," *Slavery & Abolition* 31, no. 1 (2010): 75–98; Sharla M. Fett, *Recaptured Africans: Surviving Slave Ships, Detention, and Dislocation in the Final Years of the Slave Trade* (Chapel Hill: The University of North Carolina Press, 2017); Beatriz G. Mamigonian, *Africanos livres. A abolição do tráfico de escravos no Brasil* (São Paulo: Companhia das Letras, 2017); Inés Roldán de Montaud, "On the Blurred Boundaries of Freedom: Liberated Africans in Cuba, 1817–1870," in *New Frontiers of Slavery*, ed. Dale W. Tomich (Albany: State University of New York Press, 2015): 127–55.

61 John T. Noonan, *The Antelope: The Ordeal of the Recaptured Africans in the Administration of James Monroe and John Quincy Adams* (Berkeley: University of California, 1977); Walter Johnson, "White Lies: Human Property and Domestic Slavery Aboard the Slave Ship Creole," *Atlantic Studies* 5 (2008): 237–63; Anita Rupprecht, "'All We Have Done, We Have Done for Freedom': The *Creole* Slave-Ship Revolt (1841) and the Revolutionary Atlantic," *International Review of Social History* 58 (2013): 15–34 [special issue: *Mutiny and Maritime Radicalism in the Age of Revolution: A Global Survey*, ed. Clare Anderson, Nyklas Frykman, Lex Heerma van Voss and Marcus Rediker]; Jonathan M. Bryant, *Dark Places of the Earth: The Voyage of the Slave Ship Antelope* (New York: Liveright Publishing Corporation, 2015).

Atlanta and are concerned with violations of the 1807 Atlantic Slave Trade Abolition Law (such as: "Caricubura, Arrietta and Company v. Josefa Segunda and 152 Negro Slaves, filed July 18, 1818", in: Survey of Federal Archives in Louisiana, 1940).[62]

This category of sources also includes sources from Spanish and Cuban archives about ships wrecked off the north coast of Cuba (such as the slave ship *Guerrero*[63] or the slave ship (*goleta*) *Batans* alias *Brick Segundo*[64]) as well as a ship "without a name" with 16 traumatized boys between 7 and 16 years of age who came from a ship

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Solicito see: deposition of captain Juan Villas y Aprisa, capitan, maestre y primer piloto, to Comandante Militar de Marina in Havanna, La Habana (no date, c. December 1820)), in *ANC, Tribunal de Comercio (TC)*, leg. 240, no. 14 (1820). Hernandez (Gaspar). "Varios de la Tripulacion del Bergantin Negrero 'Solicito' contra D.n Gaspar Hernandez su armador sobre soldadas," f. 15r–18v; see also: Sean M. Kelley, *The Voyage of the Slave Ship Hare: A Journey into Captivity from Sierra Leone to South Carolina* (Chapel Hill: University of North Carolina Press, 2016); see also: *ANC, Fondo Miscelánea de Expedientes* (Miscelánea de Expedientes/Libros) (FME/L), tomo XI, Leg. 1502, F: Expediente de salida del bergantín americano "Antelope," Habana 1821; ANC, FME/L, tomo XIII, Leg. 1864, Bd: Expediente de entrada de la goleta americana "Creole," Habana 1835; ibid., Leg. 1912, no. Añ. Expediente de salida de la goleta americana "Antelope," Habana 1822. There has been more and more very interesting research on individual slave ships in recent years, see for example: Leitão de Almeida and Marcos Abreu, "African Voices from the Congo Coast: Languages and Politics of Identification in the Slave Ship Jovem Maria (1850)," *Journal of African History* 60, no. 2 (2019): 167–89; Alex Borucki, "The U.S. Slave Ship Ascension in the Río de la Plata: Slave Routes and Circuits of Silver in the Late Eighteenth-Century Atlantic and Beyond," *Colonial Latin American Review* 29, no. 4 (2020): 630–57.

62 See the Spanish documents about Carricaburu and Arrieta in *ANC, TC*, leg. 97, no. 11 (1820). Carricaburu Arrieta y C.a. (Sociedad). La casa de Carricaburu Arrieta y C.a contra la de seguros de esta Plasa [sic], sobre el que practicaron en el bergantín goleta, Segunda Josefa.

63 Archivo Histórico Nacional (AHN), Madrid, Estado, Trata de Negros, Legajo (Leg.) 8022/8, no. 12: "Lista de los Buques que han Salido de la Habana para la Costa de Africa durante el Año de 1827" (26 españoles, 1 Francés, and also, July 14, 1827 "Bergantin Guerrero", Maestre Jose Gomez, with a note "Observacion": "Apresado. Mas despues hizo naufragio en el Arrecife de la Florida. Regresó Enero 5 de 1828"; AHN, Madrid, Estado, Trata de Negros, Leg. 8022/8, no. 13: "Lista de los Buques que han Regresado de la Costa de Africa, y han conseguido Desembarcar Cargamentos de Negros en las inmediaciones de la Habana durante el Año de 1827" (10 Españoles, 5 de Diciembre de 1827: Bergantin Guerrero, observaciones [notes]: "Apresado por la Goleta de S.M. "Nimble", pero se encalló despues en el Arrecife de la Florida. 400 de los Negros fueron desembacados en la Ysla por dos Wreckers Americanos"); AHN, Madrid, Estado, Trata de Negros, Leg. 8022/8, no. 14, Translation of a report by H.J. Kilbee u W.S. Macleay from Havana, 3 de Enero de 1828 to Conde Dudley, about trying to bring up the "Guerrero", with 500 or 600 enslaved ("negros"), but then at night, they were brought by American Wreckers to Florida, and partly to the port of Santa Cruz del Norte, between Havana and Matanzas; see also: National Archives, Washington, RG 45, M124, Roll 115 (courtesy of Gail Swanson, who found, transcribed and kindly made the document available to me; cf.: Gail Swanson, *Slave Ship Guerrero. The Wrecking of a Spanish Slaver off the Coast of Key Largo, Florida with 561 Africans Imprisoned in the Hold While Being Pursued by the British Warship HBM Nimble in 1827* (West Conshohocken: Infinity, 2005).

64 Testimony of Antonio, kidnapped on the goleta Batans, October 7, 1854, in: "Testimonio del espediente gubernativo instruido para la averiguacion de la introduccion de negros bozales por la Costa de Nuevitas" (contemporary orthography and punctuation), in AHN, Madrid, Estado, Trata de negros,

wrecked on a rocky reef. They had been discovered by fishermen.[65] The Cuban naval attorney had to form a commission to interview the boys with the help of translators.[66] The translators played an extremely important role; firstly, in negotiations between the newly arrived enslaved and the legal institutions of slaving apparatuses (in Portuguese, Spanish or English, etc., with its own language of 'nations' and often corporal characteristics).[67] They acted within the orality of the world of the enslaved, but could also make themselves heard in the literate world.[68] Shipwrecks in which enslaved people escaped are even less visible in government documents, economic documents or legal documents (such as notarial files or reports on illegal landings). There are very interesting studies on this in Mexico (especially on the Costa Chica between Acapulco and Puerto Escondido (Oaxaca)).[69]

The main part of the research consisted of analyzing cargo lists that include African names drawn from several slave ships (*Ninfa Habanera* 1824–1825, *Negrito*, *Joaquina*, *Manuelita* 1833, *Carlota*, *María*, *Chubasco* 1834[70]) and the interviews conducted especially with enslaved children on the *Jesús María* from 1841 or with those enslaved

leg. 8060, no. 4/3, f. 119v–120r; testimony of Manuel María de la Concepción, kidnapped on the goleta Batans, Ocotober 7, 1854, in: ibid., f. 154v–156r; see also: Arturo Arnalte, *Los últimos esclavos de Cuba: Los niños cautivos de goleta Batans* (Madrid: Alianza Editorial, 2001).

65 For general information on trauma, see: Janett Reinstädler and Michael Zeuske, "Esclavitud y memoria cultural en Hispanoamérica," in *Trauma y memoria cultural: Hispanoamérica y España*, ed. Roland Spiller, Kirsten Mahlke and Janett Reinstädler (Berlin: De Gruyter, 2020): 125–43.

66 AHN, Madrid, Estado, Trata de Negros, leg. 8059/1, no. 2 (without foliation): "Testimonio de la sumaria formada en averiguacion del naufragio de un bergantin que se ignora el nombre, nacion y procedencia, en los arrecifes de Cayo Verde, Quebrado del Sardinero," Boca del rio [Sagua] (today: Isabela de Sagua), 27 de febrero de 1853 – La Habana, 18 de Abril de 1853.

67 Leitão de Almeida, "African Voices from the Congo Coast": 167–89.

68 National Archives, Washington, RG 45, M124, Roll 115, f. 79 (courtesy of Gail Swanson). See also: Dale T. Graden, "Interpreters, Translators, and the Spoken Word," in Dale T. Graden, *Disease, Resistance, and Lies: The Demise of the Transatlantic Slave Trade to Brazil and Cuba* (Baton Rouge: Louisiana State University Press, 2014): 150–77 as well as Michael Zeuske, "Afrikanische und amerikanische Atlantikkreolen und Atlantisierung," in Michael Zeuske, *Sklavenhändler, Negreros und Atlantikkreolen. Eine Weltgeschichte des Sklavenhandels im atlantischen Raum* (Berlin: De Gruyter, 2015): 196–205.

69 Sébastien Lefèvre and Paul Mvengou Cruzmerino, "Propuestas para una 'relectura' trasatlántica afrodiaspórica de las Américas negras a partir del caso mexicano," in *Nuestra América Negra: Huellas, rutas y desplazamientos de la afrodescendencia*, ed. Flor Márquez, Inés Pérez-Wilke and Eduardo Cobos (Caracas: Ediciones de la Universidad Bolivariana de Venezuela, 2016): 5–44.

70 The National Archives, Kew/London (TNA), Foreign Office (FO) 313/67 (1819–1866): Logbooks of Captured Ships, condemnations of slave ships, etc. et al. There is a logbook of the slave vessel "Ninfa Habanera", with a documented slave voyage from April 1824 to early 1825. Many lists with African names can be found in: Register of Slaves (TNA, FO 313/ 56–62). For example, TNA, FO 313/59 Register of Slaves 1833 (bigger than an octave-sized volume, hardcover, lists of slaves of the British-captured ships with the serial number "nombre Africano" [African name], "id Cristiano" [Christian name], sex, age, "nación" [African nation], "estatura" [stature/size] (it is not entirely clear whether Spanish or English units are referred to), "señales" [body markings] and [African or enslaved] translators). The first

on the slave ship *Negrinha*. I have identified several cases of mostly young men from Africa who were aboard ships that are considered slavers (slaving vessels). Some captains of ships that seized the slaving vessels used the formerly enslaved in an unclear status as sailors (translators or cooks or guards/*dispenseros*/*dispenseiros* (food distributors)) on their ships, as in the case of the US ship *General Paez*.[71] Access to U.S. Federal District Court records is crucial for these. The translators in the *Amistad* case also

(numbers 199 to 477; a few pages are missing), f. 0v–29r, are the slaves of Bergantín *Negrito* (almost all *lucumiés*, a few *mina popo* and *arará*), La Habana, January 5, 1833; FO 313/59 Register of Slaves 1833 "Cargam to de la Goleta mercante Española Joaquina," no. 1–318 (f. 29v–62r), all "Carabali suama", "Carabalí viví" (1 from 193), no. 306 and 307 are "Lucumí tapa", no. 308 "Lucumí cacanda", 309 "Lucumí mico" as well as no. 310–318 are "Lucumí Baza"; FO 313/59 Register of Slaves 1833 "Cargamento de la Goleta mercante Española Manuelita", no. 1–477 (f. 62v–110r), almost everybody "Lucumí Ecumachó", almost all between 10 and 26 years, translator "Ant.o Lozano y Fernando esclavos de Dn Casimiro Lozano y de Dn Pedro Robira" (f.63r). Other translators (f. 71r): "Joaquin Dasenebe moreno libre y el citado Antonio esclavo de D.n Casimiro Lozano". Nos. 411–415 are "Arará Magín" (f. 103v), translator: "Antonio y Ysidro esclavos de D.n Casimiro Lozano y de D.n Fran.co Mendiola" (f. 104r); the numbers 416–417 are "Carabalí Orú"; Translator: "Julian y Norverto, esclavos de D.n Ant.o del Castillo y D.n Ygn.o Roca" (f. 104r), the remaining ones "Lucumí Ecumachó" (numbers 418–477); FO 313/60 Register of Slaves 1834 "Cargamento de la Goleta mercante Carlota" (bigger than an octave-sized volume, hardcover, lists the slaves of the British-captured ships with consecutive numbers "nombre Africano", "id Cristiano", sex, age, nación, stature, body markings and interpreters). The first (numbers 13 to 163; a few pages are missing), f. 1v, 1r–16r, La Habana, December 7, 1834. Almost all "Ganga Longobá", but also (f.1v) "Ganga Bahi" (no. 15–18) and "Ganga maní" (no. 20–22, f. 1Ar / v), no. 30 African name "Balá" (f. 1v), no. 39 is "Ganga Guiri" (f. 2v). No. 95, African. Name "Cuara" is a "Ganga conó" (f. 4v); FO 313/60 Register of Slaves 1834 "Cargamento de la Goleta mercante Esp.a María", no. 1–340 (f. 15v–50r), almost everything "Carabalí", with many names of towns and village names, including no. 101, African. Name "Odeque" (f. 25v) a "Carabalí Ybo", La Habana, February 1, 1835 [sic]; FO 313/60 Register of Slaves 1834 "Cargamento del Bergant.n Gol.a Esp.a Chubasco", no. 1–230 (f. 109v–134r), almost everybody "Mandinga" (no specifications), no. 135–146 "Gangá" with names: Viá, Nimó, Balá, Abalá, Sirgué, Tormú, Bagó, Mamado [Mamadu, MZ], Bián, Caculá, Gücá, Chabú (f. 124r / v), no. 227–230 again "Gangá", names: Güemé, Talá, Fomá, Lobá (f. 132v), La Habana, May 17, 1835. Translator at all (f. 110r): "Quirino esclavo del Rey, é Ygnacio emancipado, destinado al Jardin Botanico". For the important role of translators: Leitão de Almeida, "African Voices from the Congo Coast": 167–89.

71 For the case of the ship *General Paez*: "The first involved a courtcase in Baltimore that had its beginnings near Cape Mesurado, where a war in 1821–1822 produced captives who became commodities in the trans-Atlantic slave trade. Captain John Chase's schooner General Paez intercepted the slaver in the Middle Passage and transported the captured slaves to the British West Indies, where he received the assigned bounty per slave found on board. Chase offered employment to fourteen of the freed Africans as members of his crew and proceeded northward to Baltimore to resupply his vessel. Upon entering Baltimore harbor, however, Chase was charged with failing to pay past debts, apparently to someone in Baltimore, and the General Paez was forced to remain at an anchor until that matter was resolved. Chase's problems grew when harbor officials informed persons on shore that Africans were members of the ship's crew. The presence of Africans among his crew appeared to some to be a clear violation of the Slave Trade Prohibition Act of 1819. That Act required that such persons be taken into custody and their repatriation to Africa be arranged. Those with colonization, abolitionist, and emi-

reported in their accounts of their biographies that there had been a constant shift in their experiences between slavery and other forms of dependency.[72]

The investigation report after the capture of the slave ship called "Jesus Maria" shows the violence of the Atlantic slave trade. A document of real horror and horrific trauma. Hundreds of people trafficked from Africa, many of them children, were subjected to extreme sexual violence, which was carried out by crew members (among them free people of color), officers, and certainly also by the captain. As in almost all legal documents, the enslaved were questioned in the interest of the respective commission and pressed to make statements. The main interest of the commission was the general prosecution of the Atlantic slave trade by Spanish ships, underpinned by the interest in the great conflict between Spain and Great Britain as well as the special interest of the British ship crews and officers to declare the captured ships (precisely because of the slave trade) as 'good booty', from which they received shares:

> Examinations
> [. . .] referring to the treatment of certain Africans, on their passage from Africa to Havana, by one Vicente Morales, the Master of a Slave Vessel called "Jesus Maria" and which was captured by Her Majesty's Ship "Ringdone" . . . [a huge list of crimes, including rapes and killings of children follows; here are some excerpts]
>
> No. 139. Crossy. – an African Girl of about the age of 14 years, one of the Witnesses named in the Despatch, being examined through an Interpreter named Thomas Weatherfield, a Private in H. M.'s 2.d W.I. Regiment [a colored or black soldier, MZ], states that while on board the "Jesus Maria", Manual [sic], an African, one of the Captain's servants, broke a Demyohn [demijohn, a clay bottle, MZ] containing Rum, on account of which the Captain, Vicente Morales, took a stick and severely beat him, which caused his Death, in about two days after, as the Examinant be-

gration sentiments at Baltimore joined forces to bring the Africans onshore and to the court's attention and to embroil Captain Chase, the Baltimore court system, and the Maryland Federal District Court in litigation from mid-l822 to late 1823", see Bruce L. Mouser, "The Baltimore/Pongo Connection: American Entrepreneurism, Colonial Expansionism, or African Opportunism?" *The International Journal of African Studies* 33, no. 2 (2000): 316; see also: Bruce L. Mouser, "Baltimore's African Experiment, 1822–1827," *Journal of Negro History* 80, no. 3 (1995): 113–30.

72 Benjamin N. Lawrance, "'Your Poor Boy No Father No Mother': 'Orphans,' Alienation, and the Perils of Atlantic Child Slave Biography," *Biography: An Interdisciplinary Quarterly* 36, no. 4 (2013): 672–703; Benjamin N. Lawrance, "La Amistad's 'Interpreter' Reinterpreted: James Kaweli Covey's Distressed Atlantic Childhood and the Production of Knowledge about Nineteenth-Century Sierra Leone," in *Slavery, Abolition and the Transition to Colonialism in Sierra Leone*, ed. Paul Lovejoy and Suzanne Schwarz (Trenton: Africa World Press, 2014): 215–56; Benjamin N. Lawrance, *Amistad's Orphans: An Atlantic Story of Children, Slavery, and Smuggling* (New Haven: Yale University Press, 2014); Benjamin N. Lawrance, "'A Full Knowledge of the Subject of Slavery': The Amistad, Expert Testimony, and the Origins of Atlantic Studies," *Slavery & Abolition* 36, no. 2 (2015): 298–318; see also: Jaime Rodrigues, *De costa a costa: escravos, marinheiros e intermediários do tráfico negreiro de Angola ao Rio de Janeiro* (São Paulo: Companhia das Letras, 2005); Jaime Rodrigues, "Marinheiros forros e escravos em Portugal e na América Portuguesa (c. 1760–c. 1825)," *Revista de História Comparada* 7, no. 1 (2013): 9–35.

lieves, and that the Cotton steeped in Rum and Gunpowder was put up the Fundament of several of the Africans for the avowed purpose of destroying worms.

No. 150.-Mahuma and 146 *Mamboisi*, African Females about 12 years of age, examined, and fully corroborate the foregoing statement of Crossy No. 139.

No. 147.-Cunha a Female, -No. 7 Barron and No. 3 Duba, Males, also corroborate the statement of Crossy in the fullest manner. In reference to the cruelties and abuses committed on the Females on board the Schooner "Jesus Maria" and alluded to in the Despatch the following examinations were taken viz:

No. 167. Jumer, African Girl, about 12 years, examined and states that no Spaniard, or other Person had any connection with her.

No. 148.-Jaddy, an African Girl about 14 years examined, states that one of the sailors of the "Jesus Maria", had connection with her against her will, and that she was previously a Virgin.[73]

[see appendix 1].

It was only after the Spanish-Cuban slave ship had been brought up that the names of the enslaved were even asked for; it was their African name.

An internal letter from the Spanish ministry in Madrid shows the quantitative dimensions. Spanish officials, in general, took the investigation of those abducted from Africa, including their narrations, and in particular the written report from Nassau, fairly seriously, as can be seen from the following internal summary from Madrid (possibly contributing to the enactment of *Reglamento de Esclavos* and the *Bando de Buen Gobierno* of 1842):

El buque [Jesús María, MZ] iba cargado con 240 negros africanos, de los cuales sobrevivieron 233 cuando llegaron á las Bahamas [. . .]. Del numero de estos desdichados 136= son varones y 97= hembras, todos jovenes, particularmente las hembras que no tienen sino de 13 á 15 años de edad. Estas muchachas segun sus declaraciones ante el Gobernador de Nassau, en Nueva Providencia, el 8 de febrero ult.o, cuyos detalles son adjuntos, fueron violadas y mal tratadas por el Capitan del "Jesus María", llamado Vicente Morales, y por otros individuos de la tripulacion, durante su viaje de Africa á Cuba

The ship [Jesús María, MZ] was loaded with 240 black Africans, of whom 233 had survived when they arrived in the Bahamas [. . .]. Of the number of these unfortunates, 136= are male and 97= female, all of them young, particularly the females, who are only between 13 and 15 years old. These girls, according to their statements before the Governor of Nassau, in New Providence, on February 8, the details of which are attached, were raped and mistreated by the Captain of the "Jesus María", named Vicente Morales, and by other individuals. of the crew, during their trip from Africa to Cuba.[74]

73 Attachment of a letter from Francis Cockburn of New Providence, Nassau, Bahamas, February 24, 1841 to Lord John Russell (original copy) *Archivo Histórico Nacional*, Madrid (*AHN*), Estado, Trata de negros, leg. 8020/45, no. 4; for the slave ship Jesús María see also: www.slavevoyages.org [accessed 07.09.2023]. Voyage ID=2071 (April 18, 2009) as well as: "Letter Acknowledging Receipt of the One that Reported the Seizure of the Slave Ship 'Jesus Maria'," *ANC, Reales Cédulas y Ordenes*, leg. 121, no. 175 (Habana, 21 de Abril de 1841).

74 Letter from the Palacio [King's Palace], July 22, 1841, unsigned; extract for internal use in the *Primera Secretaría del Despacho de Estado* [in the Ministry of Foreign Affairs] *AHN, Estado*, Trata de ne-

Summarizing these cases, we reach the following conclusions: the short biographies (profiles) that can be extracted from the surviving documents as well as the names that are mentioned show that for the worlds of Atlantic Slavery – as a functioning system of slavery-regimes and slave trades, this is what I mean with the concept "*in* Slavery" – the omnipresence of extreme cruelty and violence can be proved.[75] But there was also a high ambiguity between temporary liberation, other forms of dependency, manumission, re-enslavement, and 'voluntary' enslavement. Atlantic slavery also produced specific jobs, for instance that of translators or those of the final sellers of individual slaves (often free Black or colored people, often also women). Each of these forms of dependency could result on a temporary basis, due to hunger, political conditions, violence, or transport costs, and might alternate with a life as a sailor or doing another job on board or as dock worker in the ports of the Atlantic.

7 Talking Commodities and Writing Slaves

In the following part, I will briefly review some particularly interesting cases. For a long time, I had the impression that only a micro-historical approach can help us identify narrative self-representations of enslaved people. We know of at least one 'talking commodity' in self-representation: Roberto Botefeur. That is one of the most important cases of a courageous slave speaking for himself. Roberto Botefeur, as we will see, even talks about his work and his personal circumstances (appendix 2). Iberian slave traders have always considered themselves less 'capitalist' than slave traders of other religions, particularly the English and the Dutch. This is a recurring theme regarding slave owners and slave traders (as well as the respective slave-owning societies) from Brazil to Cuba, from Portugal to Spain, from Simón Bolívar to Francisco de Arango, during the period of slavery's existence.

In the Spanish colony of Cuba, however, some 'new' slavers were more capitalist than those in other societies. The Hanoverian surgeon, slave trader and slave owner Daniel Botefeur (c. 1770–1821) was a pioneer of the cosmopolitan and Atlantic slavery capitalism. He was most likely a Lutheran before his career as Catholic slave trader. After his time in Africa (Gallinas), he fought in a real and symbolic way against the traditional rights of slaves in Cuba. Francisco de Arango called these traditional rights los *cuatro consuelos* ('the four consolations'); the *coartación* already analyzed, which

gros, leg. 8020/45, no. 8; see also: Michael Zeuske, "Slaving – Traumata und Erinnerungen der Verschleppung," in Michael Zeuske, *Sklavenhändler, Negreros und Atlantikkreolen: Eine Weltgeschichte des Sklavenhandels im atlantischen Raum* (Berlin: De Gruyter, 2015): 55–115.

75 See the book about the slaveholder and plantation owner Thomas Thistlewood in Jamaica (1750–1786), in which violence had an extremely sexual dimension (Thistlewood records 3,852 sexual assaults, mostly rapes of enslaved women), see: Trevor Burnard, *Mastery, Tyranny, and Desire: Thomas Thistlewood and his Slaves in the Anglo-Jamaican World* (Chapel Hill: University of North Carolina Press, 2004).

only became a law in 1842 but was practiced before, is an example of these rights. Daniel Botefeur sued his own *esclavo de confianza* (slave of trust) Roberto Botefeur, who wanted to become a *coartado* by paying money in 1818; he wanted to buy the freedom of his entire slave family. But there was more than that. Daniel Botefeur also complained about the traditions of slavery in Cuba before 1820 that were mentioned above. He was a pioneer of modern, capitalist second slavery. The interesting thing is that Daniel Botefeur was successful in this specific case (and maybe for a few years in relation to the climate of self-purchase/enslavement), but not in general. *Coartación* became a mass phenomenon in Cuba, despite the appalling hardships and many years of extra labor demanded from the enslaved.[76]

First, Daniel Botefeur, a man who was experienced in dealing with legality and illegality, accused his slave Roberto of stealing 2,000 pesos from what he himself refers to in a record as an "iron box in which I deposit my cash". He then talks about the real reason for his conflict with his "trusted" slave: "My suspicion has been confirmed that the negro Roberto is the thief, because his wife has been telling his companions these days that the husband [Roberto, MZ] must free her and four children". As mentioned above, Roberto Botefeur wanted to achieve the *coartación* of his whole family in one fell swoop. Being also a very experienced and cosmopolitan man, he appeared in the office of the mayor of Havana and dictated what we might call a *representación*, which is actually a document of a 'talking commodity' and a slave who legally could not represent himself, but does so before the *coartación* becomes legal (in 1842):

> Robin Botefaud [sic] moreno esclavo de D.n Daniel Botefaud con el mayor rendimiento à V[os] dice: que [en] muchas ocasiones ha deseado salir del poder de su amo, y este le ha exigido 4000. p.s por el, la mujer y tres hijos menores, lo que no le ha permitido lograrlo por lo escandaloso de este precio; pero conciliando [. . .] tiene determinado libertarse, contribuyendo à su amo amas de las quince onzas que la tiene el demas dinero q.e llene su precio, regulado por un Perrito [a specialist]: en esa virtud AV suplica, [. . .] se haga saber [. . .] á su amo D.n Daniel, manifieste por [. . .] cuanta cantidad estima por la libertad al exponiente [. . .], La Hab.a y En.e 31 de 1818 – – – A ruego del esclavo
>
> Robin Botefaud [sic] *moreno* slave of Don Daniel Botefaud with the highest devotion to your [Excellency] says: that [on] many occasions he has wanted to leave his master's power, and that the latter demanded 4,000 pesos for him, the woman and three underage children, which did not permit him to achieve it due to the scandalous price; but seeking a reconciliation [. . .] he has determined to free himself, paying to his master the fifteen ounces that he has [and] the other money that is his price, as determined by a *perrito* [a specialist]: in virtue of which AV begs [your [Excellency]], [. . .] let [. . .] his master Don Daniel know, [and] state [. . .] how much he estimates for the freedom of the exponent [. . .], Havana and Jan. 31, 1818 – – – At the request of the slave.[77]

76 Varella and Barcia, *Wage-Earning Slaves*: passim.

77 "Representación al Señor Alcalde Ordinario, La Habana y Enero 31 de 1818," *ANC, Escribanía de Daumy*, leg. 370, no. 1 (1818): Daniel Botefeur, contra su esclavo Roberto sobre hurto, f. 4r-v.

On February 26, 1818, Daniel Botefeur wrote to the tribunal convened by the mayor, demanding "that my slave be brought before the S.or [Señor] Assessor and respond to the details of the closed interrogation that I sent S[u] S[eño]ria [your reignship]]". Daniel Botefeur had compiled a questionnaire entitled "Interrogation [closed], with which the negro Roberto, slave of Don Daniel Botefeur, should be questioned". The owner is asking his slave to represent himself – albeit in a closed, non-public session of a tribunal.

That list of questions and answers in appendix 2 allows us to reconstruct much of the daily life of a house slave under almost full control of his master. His master is basically fighting all agency of his slave.

The source describes what happened next. Robin Botefeur must go to a *depósito* (a Slave Depot – we do not know which one) and from there he must appear in court, swear an oath and answer (which shows that a slave could have legal personality): "appeared before the Assessor the moreno Roverto slave of Don Daniel Botefour from whom the oath was received". The written trace of his voice is found in the "Declaration", made in Havana, March 2, 1818.[78] It contains scenes from the life of an enslaved person, narrated by himself (appendix 3). Roberto was manumitted in 1821 or 1822, according to the will of Daniel Botefeur. He continued to work on one of the Botefeur family's *cafetales* (coffee plantations) to buy the freedom of his whole family.

8 Writing Slaves: Margarito Blanco and his Club of Stevedores-*Abakuás*

There were also slaves who perhaps wrote themselves. Two specific sources are examples in which the enslaved 'speak' to us by writing themselves. Neither of the writers of these two sources had been subject to forced migration or the Atlantic slave trade, since both had been born in Cuba as Creole house slaves (*esclavos criollos*), but they nevertheless were 'talking commodities', because they always faced the risk of being sold on by their respective owners. One of these examples, that of Juan Francisco Manzano, is very well-known. Manzano, while still a slave in Cuba, wrote and recited poetry that the slave owners (and possibly his co-enslaved) liked to hear. His freedom was purchased by a group of slave owners and writers, and he wrote an autobiography.[79]

78 "Declaracion del esclavo Roberto," La Habana, 2 de Marzo de 1818 (original spelling) *ANC, Escribanía de Daumy*, leg. 370, no. 1 (1818): Daniel Botefeur, contra su esclavo Roberto sobre hurto, f. 9r–13r.

79 Letter to José Luis Alfonso stating that they have already paid Manzano's ransom to María de Zayas and commenting on her reaction. He expresses that Manzano has put a candy shop, Habana, julio 23, 1836 *Biblioteca Nacional de Cuba* (BNC), Colección Manuscritos (C.M.) Monte, no. 5: Monte y Aponte, Domingo del, 1804–1853 (2 pages); José Luciano Franco, ed., *Autobiografía, cartas y versos de Juan Fran-*

The other possible writer, by contrast, is much less known: a young slave in Havana, Margarito Blanco, who, with the written permission of his master, had his own house and looked for work on the streets or in the harbor. What we know of him comes from his recorded testimony before the Military Commission in 1839: he was 22 years old, a Creole slave, married, living in the quarter Jesús María (outside the walls, but near to them and to the harbor of Havana), and he had two jobs, as a cook and a harbor worker. He had asked the authorities for permission to hold a nightly dance with a drums event (*bailar Diablito* – "dancing little devil",[80] i.e., *abakuá* dances with *ekpe*-masquerade as a leopard [see Figs. 4a–b]) with drums at the walls of Havana.[81] Not only did Margarito speak as a 'talking commodity'; he also left some texts written in his own hand on pieces of paper.[82] From other sources it seems that Margarito was

cisco Manzano (La Habana: Municipio de la Habana, 1937); Juan Francisco Manzano, *Autobiografía de un esclavo*, introduction, notes and modernization of the text by Ivan A. Schulman (Madrid: Ediciones Guadarrama, S.A., Madrid, 1975); Gera C. Burton, *Ambivalence and the Postcolonial Subject: The Strategic Alliance of Juan Francisco Manzano and Richard Robert Madden* (New York: Peter Lang, 2004); Alain Yacou, ed., *Un esclave-poète à Cuba au temps du péril noir: Autobiographie de Juan Francisco Manzano (1797–1851)* (Paris: Karthala, 2004); Matthew Pettway, *Cuban Literature in the Age of Black Insurrection: Manzano, Plácido, and Afro-Latino Religion* (Jackson: University Press of Mississippi, 2020). In addition to Manzano and the free man Gabriel de la Concepción Valdés, Plácido (1809-1844), there are some more examples of enslaved or free Black and colored writers / poets; see Francisco Calcagno, *Poetas de color* (Havana: Imprenta militar de la v. de Soler y compañía, 1978): 47-48.

80 "Declar.n del comisario del Barrio de S.n Ysidro" [Declaration of the commissar of the neighborhood of San Ysidro], La Habana, 22 de Julio de 1839 *ANC, Comisión Militar* (CM), leg. 23, no. 1 (2 Tomos): Contra los morenos, Cap.n Leon Monzon, Sub.tes José del Monte del Pino, Pilar Borrego, y Ambrosio Noriega, Sarg.to José Florencio Daván, José Andrade, José Felipe Cabrera, Agustin Toledo, Margarito Blanco, Tomas Peñalver, Eusebio de Mora, Serapio Villa, Gabriel Rodriguez Padrón, Regino Abad, Bartolomé Villena, Tadeo Abrantes, José Nemesio Jaramillo y los profugos Fran.co Valdes Nogares, y Fran.co Valdivia, acusados de haberse reunidos clandestinamente con el fin de trastornar el orden publico (1839), 1ª Pieza (Tomo I), *ANC, Comisión Militar* (CM), legajo (leg.) 23, no. 1 (2 tomos), (in the following quoted as: ANC, Comisión Militar (CM), legajo 23, no. 1 (2 vols.): Contra los morenos . . . (1839)), f. 86v–87v, f. 86r.

81 Original copies of the interrogation protocols, signed by Juan Almansa, La Habana, 13 a 15 de Julio de 1839 *ANC, Comisión Militar* (CM), legajo (leg.) 23, no. 1 (2 tomos): Contra los morenos . . . (1839), f. 18r–32v, f. 27v–29v [original spelling]; see: Pedro Deschamps Chapeaux, "Margarito Blanco, el 'Ocongo de Ultan'," *Boletín del Instituto de Historia y del Archivo Nacional* 65 (1964): 95–109; Tato Quiñones, "De la causa seguida contra Margarito Blanco y otros por asociación ilícita. Barrio de Jesús María, La Habana, 1839," in Tato Quiñones, *Asere. Núncue Itiá. Ecobio Enyene Abacuá de la ciudad de La Habana* (La Habana: Editorial José Martí, 2016): 24–31, see also: Gloria García Rodríguez, "El complot del capitán Monzón," in García Rodríguez, *Conspiraciones y revueltas: La actividad política de los negros en Cuba (1790–1845)* (Santiago de Cuba: Editorial Oriente, 2003): 107–13.

82 "Papeles aprehendidos á los 7. Negros q.e expresa el anterior oficio," *ANC, CM*, leg. 23, no. 1, f. 11r–17v, f. 14r–v. Margarito stated in his deposition that he has not written these papers and it was written by a friend (a free taylor named Francito), but this is because slaves should not learn to write and read; see: "Instructiva de Margarito Blanco," [Instruction of Margarito Blanco] La Habana, 14 de Julio de 1839 *ANC, Comisión Militar* (CM), leg. 23, no. 1 (2 Tomos): Contra los morenos, Cap.n Leon Monzon, Sub.tes José del Monte del Pino, Pilar Borrego, y Ambrosio Noriega, Sarg.to José Florencio Daván,

a senior member of a secret mutualistic society (*asociación clandestina*[83]), known in Cuba as *abakuá* or *ñáñigos*.[84] He held the rank of *ocongo* or *mocongo*, considered to be the highest leader and warrior, responsible for making the sacred drum sound (which is considered the voice of the leopard). Men like Margarito Blanco worked as well as "labor contractors who used their position to provide favors and jobs to society members, but also to exploit them".[85] The heads of the secret society were often required to sign contracts for their members in the ports.[86]

For this reason, such slaves and former slaves learned to read and write. But there were also those who arrived as slaves from Africa and were already proficient in Latin alphabetical script. This was the case with the Efik people from the Cross River region between today's Nigeria and Cameroon as well as the *ambakistas* (*ambaquistas*) or *ambacas* from the Congo and Angola regions, Black slave traders from the town of Ambaca.[87] As very active slavers and merchants in Africa, the Efik interacted with the mainly English-speaking slave traders and captains of European, Cuban, and North

José Andrade, José Felipe Cabrera, Agustin Toledo, Margarito Blanco, Tomas Peñalver, Eusebio de Mora, Serapio Villa, Gabriel Rodriguez Padrón, Regino Abad, Bartolomé Villena, Tadeo Abrantes, José Nemesio Jaramillo y los profugos Fran.co Valdes Nogares, y Fran.co Valdivia, acusados de haberse reunidos clandestinamente con el fin de trastornar el orden publico (1839), 1ª Pieza (Tomo I), f. 27v–29v, f. 28v.

83 Gloria García Rodríguez, "El complot del capitán Monzón," in García Rodríguez, *Conspiraciones y revueltas: La actividad política de los negros en Cuba (1790–1845)* (Santiago de Cuba: Editorial Oriente, 2003): 107–13, 107.

84 Lydia Cabrera, *La sociedad secreta Abakuá, narrada por viejos adeptos* (La Habana: Ediciones C.R., 1958); Enrique Sosa Rodríguez, *Los Ñáñigos* (La Habana: Ediciones Casa de las Américas, 1982); Enrique Sosa Rodríguez, "Origen y expansión del ñañiguismo," in *España y Cuba en el siglo XIX*, Estudios de Historia Social 44–47 (Madrid: Ministerio de Trabajo y Cultura, 1988): 539–50; Tato Quiñones, "Los 'Íremes' o 'diablitos' de los ñáñigos cubanos," in Tato Quiñones, *Ecorie Abakuá. Cuatro ensayos sobre los ñáñigos cubanos* (La Habana: Ediciones Unión, 1994): 13–22; Stephan Palmié, *Wizards & Scientists: Explorations in Afro-Cuban Modernity & Tradition, Durham and London* (Durham, NC: Duke University Press, 2002); María del Rosario Díaz, "The Tragedy of the Ñáñigos: Genesis of an Unpublished Book," *New West Indian Guide/Nieuwe West-Indische Gids* 79, no. 3–4 (2005): 229–37; Ivor L. Miller, *Voice of the Leopard: African Secret Societies and Cuba* (Jackson: University Press of Mississippi, 2009); Manuel Martínez Casanova and Nery Gómez Abreu, *La Sociedad Secreta Abakúa (Visión de la única sociedad iniciática de guerreros africanos que sobrevivió en América)* (Santa Clara: Universidad Central de Las Villas, no year); Stephan Palmié, "Ekpe/Abakuá in Middle Passage: Time, Space and Units of Analysis in African American Historical Anthropology," in *Activating the Past: Historical Memory in the Black Atlantic*, ed. Andrew Apter and Lauren Derby (Newcastle: Cambridge Scholars, 2010): 1–45.

85 Rafael López Valdés, "*Abakuá*," in *The Cuba Reader: History, Culture, Politics*, ed. Aviva Chomsky, Barry Carr, Alfredo Prieto and Pamela Maria Smorkaloff (Durham, NC: Duke University Press, 2019): 201; see also his early anthropological work: Rafael López Valdés, "La Sociedad Secreta 'Abakuá' en un Grupo de Obreros Portuarios," *Etnología y Folklore* 2 (1966): 5–26.

86 López Valdés, "*Abakuá*": 201. In the survey of the group of men, the question of the ability to 'read and write' was also asked. Almost everyone could do it to varying degrees, see: "Instructiva," *ANC, CM*, leg. 23, no. 1, f. 18r–32v (several interviews [*instructivas*]).

87 Jan Vansina, "Ambaca Society and the Slave Trade, c. 1760–1845," *Journal of African History* 46 (2005): 1–27.

Fig. 4a–b: (a) Día de los Reyes (Epiphany) (b) Diablito (Little Devil). Both painted by Víctor Patricio de Landaluze. Public domain. Private archive of Michael Zeuske (Leipzig/Bonn); see: *Colección de artículos: Tipos y costumbres de la isla de Cuba por los mejores autores de este género. Obra ilustrada por D. Víctor Patricio de Landaluze, fototipia Taveira* (La Habana: Editorial Miguel de Villa, 1881 [Facsimile edition, La Habana: Biblioteca Nacional de Cuba José Martí, 2009]).

American slave ships, the *ambaquistas* interacted mainly with Luso-Africans and Portuguese. As slaves they were called *ladinos*. As in all enslavement societies and slavery regimes, slave traders also lived dangerously – some of them were enslaved themselves and were forced to migrate across the Atlantic as 'talking commodities'.

One of those arrested in the case of Margarito Blanco, a free man, "Bartolomé Villena, natural del partido de Tapaste, vecino del Barrio de Jesús estramuros de esta Ciudad, Soltero de oficio albañil y de edad de diez y siete años de condición libre [Bartolomé Villena, a native of the Tapaste district, a resident of the Jesús Estramuros neighborhood of this city, single, bricklayer, age seventeen, free status]".[88] The coroner asks him when, where and why he was arrested. The man said before the Teniente de Gobernador (coroner):

88 "Instructiva Bartolome Villena," *ANC, CM*, leg. 23, no. 1, La Habana, 13 de Julio de 1839, f. 18r–20r, f. 18r.

Fig. 4a–b (continued)

> Preguntado: quién lo aprehendio, en que día, a que hora, porque causa y de orden de que Señor Juez, dijo: Que el capitán y dos tenientes del Barrio de Jesús María el dia dies del corriente a las cinco de la tarde, hallándose en la casa de la morena Dominga su hermana; y que la causa fue porque dicho Capitán creyó que el declarante estaba reunido con otros negros que había en la Casa inmediata a la de su referida hermana, no siendo así, porque lo que sucedió fue que habiendo salido el esponente para el patio como este no tiene división y es uno mismo el de las dos casa alcanzo a ser allí varios individuos de color que estaban escribiendo y disputando a cual lo hacia mejor y acercándose a ver lo que hacían llegó entonces la justicia y les prendieron a todos sin saber la causa
>
> Asked: who apprehended him, on what day, at what time, for what reason and by order of which Lord Judge, [Villena] said: That the captain and two lieutenants of the Barrio de Jesús María on the tenth day of the current [month] at five in the afternoon, he being in the house of the *morena* Dominga, his sister; and that the cause was because the said Captain believed that the deponent was meeting with other blacks who were in the house next door to that of his sister; but that this was not the case, because what happened was that, the speaker having left by way of the patio, which does not have a division and so is only a single one for both houses, there were several individuals of color there who were writing and arguing over which one was doing better, and he approached to see what they were doing, whereupon the judiciary arrived and arrested all of them without knowing the cause.

The very important statement for the argument of this chapter, which comes up several times in the depositions, is: “varios individuos de color que estaban escribiendo y

disputando a cual lo hacia mejor" [several individuals of color [. . .] who were writing and arguing over which one was doing it better][89] – meaning writing and reading.

It is striking that these sources, written by enslaved people, are not texts with descriptions of living and working conditions. They are rather texts with a religious function, mixed with economic and cultural matters (chiefs of working gangs of stevedores) and, in the case of Blanco, perhaps with intentions of secret actions. But that probably corresponds to the fact that these papers were preserved. I am sure that more narrative sources of this kind will turn up in archives if we search more intensively.

9 Memories and Other Self-Representations: Individual Cases and Performances

Of course, there were contemporary self-representations of formerly enslaved people (or emancipated slaves) in the form of memories. These are also essentially based on interrogations by others (either depositions or interviews by abolitionist newspapers). But there are also memories and short life stories.

a) The *Emancipado* Lorenzo Clarke: An ex-state slave who did not want to stay in slavery Cuba

An exceptionally valuable self-representation of an ex-enslaved and later emancipated slave (*emancipado*) is that of Lorenzo Clarke (1854). He testified that he was between 35 and 38 years old in 1854 and had arrived in Cuba on the slave vessel *El Negrito* about 22 years earlier (in 1832) (see Fig. 5). Clarke was from Lagos (Oyo) and was captured there in a war between *jefes nativos* (native chiefs).[90] He had to make the passage to Cuba on the large brigantine *El Negrito* together with 560 other abducted and sold people, many of whom were women. (This brigantine was a notorious *negrero* of over 500 tons, which, among other things, had already been hijacked by the English in 1829 under the name *Octavio* and sold to a Spaniard in Sierra Leone under the name *El Negrito* for 5,000 pesos.[91]) On the ship, the women were separated from the men. Many of the en-

89 "Instructiva Bartolome Villena," *ANC, CM*, leg. 23, no. 1, La Habana, 13 de Julio de 1839, f. 18r–20r, f. 18r.

90 Juan Pérez de la Riva, "Antiguos esclavos cubanos que regresaron a Lagos," in *Contribución a la historia de la gente sin historia*, ed. Pedro Deschamps Chapeaux and Juan Pérez de la Riva (La Habana: Editorial de Ciencias Sociales, 1974): 163–90.

91 See the 1832 crew employment contract for this voyage: "Contrata," Bergantin Negrito, Francisco Antonio de Sarria, capitan y maestre, La Habana, 14 de Junio de 1832, expedicion a las islas del Principe y Santomé, *ANC, Notaría Marina* 1832, f. 264v–265v. On the sale of 1829: "Certification" *ANC, Notaría Marina* 1830, f. 452r William Cole, Colony of Sierra Leone, 26 of December 1829; see also "V.ta de Buq.e" [Sale of Ship], D.n Antonio Malvan, La Habana, 10 de Julio 1830 (sale to Antonio Maria de Viniegras for 5000 pesos), ibid., f. 452r–468r. The 1829 Sierra Leone acknowledgment of sale is part of the

slaved were ill and 22 people died. They were extremely cramped on the steerage decks, and it was difficult to sit down. An English cruiser raised the *Negrito* and directed it to Havana.[92] Clarke's African name was *Ocusona* or *Okusona* (Òkúsọná = *lucumí*, meaning *nación lucumí*).[93] Lorenzo Clarke remembered his crossing on the slave ship *El Negrito* very well and also talked about his time in the Alameda barracks (*barracones del Consulado*) and other barracks (Consulate del Lucillo [Husillo]).[94] They were held there for 22 days, until they regained their strength. Then some of the enslaved were taken to the *Consulado del Cerro* [*barracón* Misericordia at the end of the *Paseo Militar* (today Carlos III)], where their names were noted in a book. Clarke had to work as an *emancipado* in road construction and in the construction of the railway from Havana to Güines. While building the railroad, Lorenzo became a personal slave to an American engineer named Clarke (who is also the source of Lorenzo's last name). Clarke cheated him out of 300 pesos out of earnings (*ahorros*) and a lottery win; so Lorenzo Clarke sent a complaint (*queja*) to the Captain General, who ordered him to a *síndico*. The *síndico* questioned him about his history (life history) and his status, informed him about his rights as an *emancipado* and forced the engineer to hand over the

Havana sale contract. There is a list of the crew who brought the ship to Praia, Cape Verde, and from there to Havana (38 men, very cosmopolitan, including people from Bremen, New York, Pernambuco, Ibiza, Madeira, Philadelphia, Gallinas, Cape Verde, London, Maracaibo, Bordeaux, Vienna, Faro, Baltimore, Praia, 22 de Março de 1830, Secretario do Governo Antonio Marques da Contabares, in ibid., f.460r. See "Contrata,", la Habana, 25 de octubre de 1830, Don Francisco Azpeitiya, segundo piloto (second pilot), for another human trafficking voyage, an "expedicion de este Puerto á las Yslas de Prinipe y Santomé [expedition from this Port to the Islands of Principe and Santomé]" (f. 650v), in ibid., 1830, f. 650v–651v. For the voyage that took place from June 1832, back to São Tomé; see "Contrata," La Habana, 14 de Junio de 1832, in ibid., f. 264v–265v, with 9 officers, boatmen, craftsmen, a surgeon (Don José Sacramento, 25 pesos), cook as well as 9 seamen (25 pesos) and 10 novice seamen (*mozos*, 20 pesos), 1 page (15 pesos), the two 2nd officers got 50 pesos each (everything for 265r) – very high earnings.

92 Anon., "Cuban Slaves in England," *The Anti-Slavery Reporter. Under the Sanction of the British and Foreign Anti-Slavery Society*, vol. 2, Third Series (London: Peter Jones Bolton, 1854): 234–39; Pérez de la Riva, "Antiguos esclavos cubanos que regresaron a Lagos": 163–90; Michael Zeuske and Vicent Sanz, "*El Negrito* y la microeconomía política de la trata negrera en el Atlántico: La arribada a puerto con un cargamento de esclavizados," in *Reflejos de la esclavitud en el arte: Imágenes de Europa y América*, ed. Aurelia Martín Casares, Rafael Benítez Sánchez-Blanco and Andrea Schiavon (Valencia: tirant humanidades, 2021): 138–60.

93 Henry B. Lovejoy, "The Registers of Liberated Africans of the Havana Slave Trade Commission: Implementation and Policy, 1824–1841," *Slavery & Abolition* 37, no. 1 (2016): 23–44, 32; see also: Henry B. Lovejoy, "The Registers of Liberated Africans of the Havana Slave Trade Commission: Transcription Methodology and Statistical Analysis," *African Economic History* 38 (2010): 107–35.

94 Henry B. Lovejoy, "New Lucumí from Òyó," in Henry B. Lovejoy, *Prieto: Yorùbá Kingship in Colonial Cuba during the Age of Revolutions* (Chapel Hill: The University of North Carolina Press, 2018): 96.

money. Lorenzo received his papers as a *liberto* (newly liberated ex-slave)[95] and worked as a stevedore in the port.[96]

Lorenzo Clarke returned to Lagos with other ex-enslaved/*emancipado* people.[97]

Fig. 5: Slave vessel El Negrito. Privately owned; courtesy of the owner. Private archive of Michael Zeuske (Leipzig/Bonn); see also: Pablo Diener, Katherine Manthorne and François Mathurin Adalbert, Barón de Courcy, *Ilustraciones de un viaje, 1831–1833* (México: Artes de México, 1998): 29, 93; Michael Zeuske and Vicent Sanz, "El Negrito y la microeconomía política de la trata negrera en el Atlántico. La arribada a puerto con un cargamento de esclavizados," in *Reflejos de la esclavitud en el arte. Imágenes de Europa y América*, ed. Aurelia Martín Casares, Rafael Benítez Sánchez-Blanco and Andrea Schiavon (Valencia: tirant humanidades, 2021): 139–60.

b) Ex-slave and free *morena* Belén Álvarez

The most interesting information about Africa (the Oyo Empire in what is now Nigeria) has been written down in the case of an ex-slave named Belén Álvarez. Belén,

95 Aisnara Perera Díaz and María de los Ángeles Meriño Fuentes, "Los libertos," in Aisnara Perera Díaz and María de los Ángeles Meriño Fuentes, *Para librarse de lazos, antes buena familia que buenos brazos: Apuntes sobre la manumisión en Cuba* (La Habana: Editorial Oriente, 2009): 152–69.

96 Pérez de la Riva, "Antiguos esclavos cubanos que regresaron a Lagos": 163–90, 172.

97 Pérez de la Riva, "Antiguos esclavos cubanos que regresaron a Lagos": 163–90.

morena libre, *lucumí*, was born in Africa and taken to Cuba, single and without children. She died in Havana in 1887 (one year after the final abolition of slavery) at the age of 65.[98] She had suffered from heart disease for a long time, but did not leave a will. When she died she owned two stone houses with tiled roofs, an eight-room built *solar* for rent, expensive furniture and trinkets, and a 6,500 pesos account in the *Banco Español de La Habana*. Two white caretakers were in her service. Belén was rich. For a time, she also owned and traded slaves. One slave sale is documented in a record (notary's protocol) from 1845. Belen Alvarez, as she is called in this document, sells a young mother with a six-month-old infant:

> Maria Belen Alvarez morena libre viuda vecina de esta Ciudad otorgo que vendo en favor de D.a Toribia Martinez viuda vecina del Barrio de Jesus Maria extramuros una negra mi esclava nombrada Carmen de nacion Mandinga como de veinte y cinco años de edad y su hija nombrada Trinidad [. . .] expresada negra [. . .] compré á Da Ysabel Miranda [. . .] [es] labandera y planchadora [. . .] [precio] trescientoscincuenta pesos [. . .] trescientos la madre en que se halla coartada para no poder ser vendida en mayor suma
>
> Maria Belen Alvarez, free *morena*, a widow and resident of this City, I declare that I sell in favor of Doña Toribia Martinez, a widow from the Barrio de Jesus Maria outside the walls, a black woman, my slave named Carmen of the Mandinga nation, about twenty-five years old, and her daughter named Trinidad [. . .] the said black woman [i.e. the slave] [. . .] I bought from Doña Ysabel Miranda [. . .] [she is] a laundress and ironer [. . .] [price] three hundred and fifty pesos [. . .] three hundred for the the mother, to which she is limited so she may not be sold for a larger sum.[99]

Belén Álvarez had no husband and no children. As mentioned, she also left no will (*intestado* = i.e., a legal case when a person had died without a will). Her niece Evarista González y Gómez was her direct heir. However, the niece could not accept the inheritance easily. Evarista had to prove, first, that Belén's parents (Evarista's grandparents in Africa/Oyo) had been legally married and, second, that her father Agustín González really was Belén Álvarez's biological brother and Belén thus her aunt. To this end, Evarista filed a *juicio intestado* with the help of a lawyer (*procurador*) named Juan Martí. The testimonies in this court case show how much the slave trade and slavery destroyed traditional social relationships and names and transculturated the identities of those who were abducted from Africa. Belén's parents had married in Oyo according to local rites and had always stayed in Africa.[100] There was no written document about

98 Intestado de la morena Belén Álvarez ANC, *Escribanía de Gobierno*, leg. 864, exp. 9; see also: Ohilda Hevia Lanier, "Reconstruyendo la historia de la exesclava Belén Álvarez," in *Afrocubanas: Historia, pensamiento y prácticas culturales*, ed. Daisy Rubiera Castillo and Inés María Martiatu Terry (La Habana: Editorial Ciencias Sociales, 2011): 30–53.

99 "Venta de esclavas,", La Habana, 14 de noviembre de 1845 *ANC, Notaría Marina 1845*, f. 559r–v; Belén Alvárez Belén probably could not write but had a signature; she signs this way: "Belenalbares".

100 Intestado de la morena Belén Álvarez ANC, *Escribanía de Gobierno*, leg. 864, exp. 9, f. 112r–118r, Juan Martí, La Habana, 15 de noviembre de 1887 (Martí opens *juicio intestado* and explains his motives as well as the procedure, questions and the results of questioning the witness).

the African wedding. Moreover, there was nothing written about the illegal import (after 1820 the Atlantic slave trade was illegal in the Spanish Empire) as abductees of an *expedicion negrera*, as lawyer Juan Martí emphasized several times, there "no había [. . .] traza alguna"[101] – there was not a trace – of a written form (a lie). Evarista was therefore unable to prove immediately in written form that her father and Belén were the children of a legitimately married couple and that they were actually biological siblings. However, the *Ley de Enjuiciamiento Civil* allowed witnesses to be questioned who might have seen the wedding and who could also testify that Evarista's aunt (Belén) and father (Agustín) were siblings. The testimonies state that the parents of the enslaved siblings were Esin (or Esí) and Dadá and that Agustín had borne the name Oyó and Belén Luoco in Oyo. According to their statements, both siblings (and the witnesses) came from the "tribu de Oyó", i.e., from the famous Oyó empire (or Oyo) in today's Nigeria, had arrived in Cuba on the same (illegal) slave ship and had been sold to different owners there. As urban house slaves they bore the surnames (*apellidos*) Álvarez and González. Agustín was married to María Loreto Gomez (Evarista's mother). Slaves should marry; then they were considered "casados y seguros [married and safe]".[102] Although all friends and other relatives knew that both were siblings and treated them as such, it was difficult to provide legal proof for Martí's "slavery reasons" mentioned above. The lawyer searched and found five elderly former slaves. All of them lived in Regla near to Havana and belonged to the "tribu de Oyó". They came from the same area in Africa and had been abducted with the siblings in the same slave vessel. All had lived in the same African *caserío* (settlement) as Agustín and Bélen's parents and had seen their wedding. Martí made them testify. A man who apparently used an African name as surname, Manuel Curunié, for example, remembered and stated: "Preguntado si conocio a Agustin y Belen en Africa y á los padres de ellos dijo: que vivian muy inmediatos y por eso los conocia y sabe cuanto ha dicho [Asked if he knew Agustin and Belen in Africa and their parents, he said: that they lived very close and that is why he knew them and knows how much he has said]". A memory and a narrative presentation of a life history covering several generations (and their African roots) very close to the time of slavery and of life *in* slavery.

c) Ex-Slave and Free *moreno* Antonio Pérez

The ex-slave Antonio Pérez declares paternity of a boy and gives the child his African genealogy as a memory and as part of his life history:

> [. . .] Ante mi [. . .] comparece el moreno libre Antonio Perez, sin segundo apellido, natural del pueblo de Yisá, de nacion Lucumí, en Africa, soltero, de edad de cincuenta y un años, labrador de campo y de este domicilio, [. . .] y dice: que con motivo de las relaciones amorosas que llevó con la de su clase, morena libre Regina Pared, natural y vecina de esta ciudad, soltera, mayor de

101 Ibid., f. 115v.

102 María del Carmen Barcia, "Desbrozando caminos para el estudio de la familia esclava en Cuba," *Anales de Caribe* (2004): 79.

> edad, y ya difunta, de sus resultas dió luz la misma el dia veinte de Diciembre de mil ochocientos setenta y ocho [1878] un niño, que cual hijo de ella y de padre no conocido, fué bautizado [. . .] con el nombre de Julio Domingo [. . .]. Respecto a dicho niño, por la presente [. . .] otorga: que declara y reconoce por su hijo natural al nombrado Julio Domingo [. . .] y por lo tanto le corresponde el derecho á los alimentos y educacion, y á sucederle como heredero forzoso [. . .] facultándole para que desde luego pueda usar su apellido; queriendo dejar consignado á los efectos oportunos que los abuelos paternos del niño reconocido eran Yícocun Hova y Fá Chipe, ambos naturales de dicho pueblo de Yisá, y ya difuntos [. . .]
>
> Before me [. . .] appears the *moreno* Antonio Perez, without a second surname, a native of the town of Yisá, of the Lucumí nation, in Africa, single, fifty-one years old, a farm worker from this place [. . .] and says: that with respect to the amorous relations he had with a free *morena* of his class, Regina Pared, native and resident of this city, single, of legal age, and already deceased, as a result of which she gave birth on December twentieth, one thousand eight hundred and seventy-eight [1878], to a child, who as a son of hers and of an unknown father, was baptized [. . .] with the name of Julio Domingo [. . .]. With respect to the said child, hereby [. . .] [Antonio] declares: that he declares and recognizes as his natural son[103] the aforementioned Julio Domingo [. . .] who therefore has a right to food and education, and to succeed him as his legal heir [. . .] – so that as of now he is entitled to use his last name; wanting to record for the appropriate purposes that the paternal grandparents of the acknowledged child were Yícocun Hova and Fá Chipe, both natives of said town of Yisá, and already deceased [. . .][104]

The memory of the father Antonio is linking a sugar mill in middle Cuba and a barrio in Cienfuegos, where his 'natural son' Julio Domingo was living, with the collapsed Oyo empire in what is now Nigeria – what a transatlantic life history!

d) *Negra* María de los Reyes Castillo Bueno

These biographical transatlantic references to Africa form something like a known, but hidden tradition in Cuba. Reyita (María de los Reyes Castillo Bueno, 1902–1997), who told her biography and life story to her daughter Daisy Rubiera, a famous Black historian of Cuba, remembers her grandmother from Angola.[105] Daisy Rubiera's mother, nicknamed Reyita, told her daughter what she had heard about the fate of her beloved grandmother, nicknamed Tatica, as a child. Tatica was from Cabinda (Portuguese Congo). She was kidnapped from her village as a child and, together with two sisters, crossed the Atlantic, and was taken to a sugar plantation (*hacienda* Hechavarría) in eastern Cuba.

103 Karen Y. Morrison, "Creating an Alternative Kinship: Slavery, Freedom and the Nineteenth-Century Afro-Cuban hijos naturales," *Journal of Social History* 41, no. 1 (2007): 55–80.

104 "Acta de reconocimiento de hijo natural por el M.eno [Moreno] Antonio Perez," Cienfuegos, 28 de Febrero de 1885 *AHPC, Protocolos José Rafael de Villafuerte y Castellanos*, 1885, t. 1 (Enero–Abril), fols. 164r–166v (escritura no. 27).

105 Michael Zeuske, "Schwarze Erzähler – weiße Literaten. Erinnerungen an die Sklaverei, Mimesis und Kubanertum," in *Ich, Reyita. Ein kubanisches Leben*, ed. Daisy Rubiera Castillo, trans. Max Zeuske (Zurich: Rotpunktverlag, 2000): 211–62 (Spanish original: Daisy Rubiera Castillo, *Reyita, sencillamente (Testimonio de una negra cubana nonagenaria)* [La Habana: Prolibros, 1997]; in English: *Reyita. The Life of a Black Cuban Woman in the Twentieth Century. By María de los Reyes Castillo Bueno, as Told to her Daughter Daisy Rubiera Castillo* [Durham, NC: Duke University Press, 2000]).

One of her daughters, Isabel, Reyita's mother, was later a domestic slave and raped by a male member of the *amo* family at the Hechavarría sugar mill. The owners had the surname (*apellidos*) Castillo Hechavarría. When slavery came to an end (abolition in 1886), the slaves of the Hechavarría plantation had to adopt the Hechavarría name as their civil surname. Since many members and relatives of Reyita's family were *mambises* (an African-Cuban slang term for fighters for Independence) in the 1895 War of Independence, they thereafter, as veterans, changed their name from that of the enslaver and enlisted in the registers with the surname Castillo Bueno.[106]

e) Esteban Montejo – The *cimarrón* Boy who Remembers his Life *in* Slavery Eighty Years Later

There are also less timely 'memories from the future'. The most important memory from the future is the *testimonio* by Esteban Montejo 1860 (1868)–1974 (Fig. 6). The Cuban revolutions in the twentieth century (1930s, 1950s) took place at a time when many people from the time of Atlantic slavery (1500–1886) were still alive in Cuba or at least the first and second generations of their descendants were active. Ex-slaves and their descendants, too. There is a tradition among Cuban intellectuals dealing with the subject of slaves, slavery, and the slave trade to seek advice from informants from this group.[107] They listened to their narratives and wrote them down. The informants were a *fuente viva* (a 'living source'). The writer Miguel Barnet founded a book series using this title (*Colección la Fuente Viva*) in his foundation (*Fundación Fernando Ortiz*) and published a book with this title.[108] Since the plantation proprietor and slave-owning writer Anselmo Suárez y Romero (who turned the life of the slaves on his sugar mill *Suriname* into literature) this tradition was an important basis for all research – including the works of Lydia Cabrera and Fernando Ortiz and many others. After all, Ortiz published a book with the title *Los esclavos negros* and not with the title "Slavery" or "The Slave Trade".[109] Ortiz subordinated the two structural concepts to his cultural history of people *in* slavery – even if it did not yet use the concept of life history.

Miguel Barnet did so, too. Esteban Montejo, in the parts of the book about the slavery era, recalled the 'normal' life of slaves in the *barracones* (barracoons: the nineteenth-century 'modern' plantation slave housing) (see Fig. 7). He talks less about work than about social relationships, resistance, dance, music, festivals, women, sex,

106 See "Anmerkungen," in Rubiera Castillo, ed., *Ich, Reyita*: 189–96, 189, footnotes 2 and 3; Zeuske, "Schwarze Erzähler – weiße Literaten": 211–62.

107 For a more general picture see: Martin Lienhard, *Disidentes, rebeldes, insurgents: Resistencia indígena y negra en América Latina. Ensayos de historia testimonial* (Vervuert: Iberoamericana, 2008).

108 Miguel Barnet, *La fuente viva* (La Habana: Editora Abril, 2019) [first edition: 1970].

109 Fernando Ortiz, *Hampa afro-cubana: Los negros esclavos. Estudio sociológico y de derecho público* (La Habana: Revista Bimestre Cubana, 1916) [rev. edition: Fernando Ortiz, *Los negros esclavos* (La Habana: Ed. de Ciencias Sociales, 1975)].

Fig. 6: Photo of Esteban Montejo. Collection of images. Private archive of Michael Zeuske (Leipzig/Bonn).

food, colors, clothes, love affairs, bets, Chinese coolies, *naciones*, as well as short escapes to the pubs (*cantinas*) surrounding the plantations to do business, drink, and gamble. According to the book's perspective, there were also joys in slavery. The problem with this form of memory, self-presentation and its being written down by a white writer is that we do not know what Esteban Montejo portrays in a glorified way from the perspective of an old man (who was between 90 and 100 years old when narrating [appendix 4]) and what the writer did not include in his documentation of the narration. Despite these reservations, the book is the best, most colorful and most interesting account of the inner life of the slaves in the barracoons on sugar-plantations of the second slavery. It is also a coherent biography of important stages of an actor's life history, something like an aria in a huge choir of less individual subaltern voices and profiles.

In addition to a chapter on the 1895 War of Independence and the involvement of sons of enslaved mothers, such as Esteban Santa Teresa (this was his 'first' slave name, because he was born and lived as a formally 'free' boy on the sugar mill Santa Teresa), a later chapter shows that not much had changed for ex-slaves and black

Fig. 7: Ingenio with barracón. Ingenio Unión (Cantero/Laplante). Private archive of Michael Zeuske (Leipzig/Bonn). Taken from: Luis Miguel García Mora and Antonio Santamaría García, eds., *Los Ingenios. Colección de vistas de los principales ingenios de azúcar de la Isla de Cuba* (Madrid: CEDEX_CEHOPU; CSIC, Fundación MAPFRE Tavera y EDICIONES Doce Calles, S.L., 2005): 182.

sugar workers in the 'post-slavery' labor regimes.[110] Esteban Montejo, as a *mambí* (freedom fighter), also changed his slaver surname after the War of Independence and entered the civil register with the status of two *apellidos*: Esteban Montejo y Mera.[111] There is a slave who could probably tell more about the birth and early life of Esteban Santa Teresa. In a notary's protocol we can read:

> Sagua la Grande en veinticuatro de noviembre [1869] . . . ante mi [. . .] compareció D. Francisco Santos de Lamadrid, de este vecindario [. . .] dijo: que con poder bastante [. . .] de D. Tomás Ribalta [. . .] ahorra de cautiverio y servidumbre y dá libertad á la negra gangá nombrada Trinidad Machado, como de cincuenta años y perteneciente á la dotación del Yngenio Santo Tomás propiedad de su representado; y procede por la suma de mil ochenta y ocho escudos á sean quinientos

110 The latest German edition: Miguel Barnet, *Der Cimarrón. Die Lebensgeschichte eines entflohenen Negersklaven aus Cuba, von ihm selbst erzählt*, trans. Lisa Grüneisen (Frankfurt am Main: Suhrkamp, 1999); English translation: Miguel Barnet, *Biography of a Runaway Slave*, trans. W. Nick Hill (Evanstone: Curbstone/Northwestern University Press, 2016).

111 Zeuske, "Schwarze Erzähler – weiße Literaten": 211–62.

> cuarenta y cuatro pesos que de dicha morena ha recibido el otorgante en monedas corrientes a su satisfacción [. . .]. Fran.co S. de Lamadrid
>
> Sagua la Grande, the twenty-fourth day of November [1869] . . . before me [. . .] appeared D.[on] Francisco Santos de Lamadrid, of this neighborhood [. . .] [and] said: that with sufficient power [. . .] of D.[on] Tomás Ribalta [. . .] he saves from captivity and servitude and gives freedom to the black *gangá* woman named Trinidad Machado, about fifty years old and belonging to the staff of the Yngenio Santo Tomás [the other sugar mill owned by Tomás Ribalta, MZ], his client's property; and further that the grantor has received from the said *morena* the sum of one thousand eighty eight escudos, or five hundred forty four pesos, in current coins to his satisfaction [. . .] Fran.co S. de Lamadrid.[112]

Unfortunately, we have no other sources about and from Trinidad Machado.

10 Body Markers and Corporal Representations: Dancing Devils

Special cases of self-representations were body markers, performances, and religious masquerades. They are special because they are not written texts, but visualizations. Almost all enslaved people from Africa had body markings and/or tattoos, denture mutilations, and scarifications.[113] In Africa, these were primarily affiliation and status markers.[114] Raid enslavers and slave traders in Africa and – as Atlantic slave traders – on the coasts of Africa recognized enslaved people based on these markers and assigned them to *naciones*. Enslaved people on ships formed groups, often lifelong friend-

112 N.o 284 "Libertad.", Sagua la Grande, 24 de Noviembre de 1869, *Archivo Histórico Provincial de Villa Clara*, Santa Clara (*AHPVS*), Protocolos Notariales de Antonio Ponce, 1869 Enero-Diciembre, f. 290v–291v.

113 Andrew Apter and Lauren Derby, eds., *Activating the Past: Historical Memory in the Black Atlantic* (Newcastle: Cambridge Scholars, 2010); João José Reis and Beatriz Gallotti Mamigonian, "Nagô and Mina: The Yoruba Diaspora in Brazil," in *The Yoruba Diaspora in the Atlantic World*, ed. Toyin Falola and Matt Childs (Bloomington: Indiana University Press, 2004): 77–110; Sandra Estévez Rivero, Pedro Castro Monterrey and Olga Portuondo Zúñiga, eds., *Por la identidad del negro cubano* (Santiago de Cuba: Ediciones Caserón, 2011); Michael Zeuske, *Sklavenhändler, Negreros und Atlantikkreolen: Eine Weltgeschichte des Sklavenhandels im atlantischen Raum* (Berlin: De Gruyter, 2015); José Antonio Piqueras, ed., *Orden político y gobierno de esclavos: Cuba en la época de la segunda esclavitud y de su legado* (Valencia: Centro Francisco Tomás y Valiente UNED Alzira; Fundación Instituto de Historia Social, 2016).

114 Paul E. Lovejoy, "Scarification and the Loss of History in the African Diaspora," in *Activating the Past: Historical Memory in the Black Atlantic*, ed. Andrew Apter and Lauren Derby (Newcastle: Cambridge Scholars, 2010): 99–138.

ships and quasi-kinship relationships (*carabelas*) based on these visual identification markers.[115] Those who were enslaved by Iberian slave traders and slave owners as well as ex-slaves adopted the term associated with their respective *nación* and activated the African symbols, here the tattoos, dermographs and corporal markers/scarifications, of their life histories for their re-socialization in the Americas (see Figs. 4a–b). In the religious masquerades for (permitted) catholic processions/celebrations, the masked religious leaders of the legal (*cabildos*[116]) and illegal associations of ex-slaves, free blacks as well as *pardos* and *mulatos* presented themselves as cultural counter-hegemony. Free ex-slaves also formed one of the first street cultures in the world and dressed/masked in the latest fashions (see Fig. 8). This was *transculturación*.[117]

But there was also control and oppression: The latest technologies were also used to recognize escaped slaves, to fight diseases/epidemics or to prove racist theories through visualization. Often all three problem areas together.[118]

One of the many descriptions of body markers and their use for control and as emerging biotechnology for person recognition is that of a *cimarrón* named Julián macuá in the *depósito de esclavos* [penal depot]: "como de 28. a.s buena estatura, embuelto en carnes, cabal dentadura y afilados los de arriba, rallitas [rayitas] en la f. [ren]te dijo ser de D. José Maria de la Cruz: vecino del Aguac.te [about 28 years old, good build, muscular, good teeth and filed the upper [incisors] to a point, scratches

115 Gabino La Rosa Corzo, *Tatuados: Deformaciones étnicas de los cimarrones en Cuba* (La Habana: Fundación Fernando Ortiz, 2011).

116 *Cabildos* were corporate councils with their own houses as part of Spain's political culture; see: "Expediente donde se relacionan cabildos de distintos barrios, con sus nombres, calles donde hacen sus diversiones y capataces y matronas de que se compónen," *GSC, Cabildo*, leg. 1677, no. 83995 (1843); "Relación de Cabildos del cuarto Distrito," *GSC, Cabildo*, leg. 1677, no. 84010 (1868); "Expediente en que se solicita la aprobación de capataces y matronas para el Cabildo de la nación Carabalí bricamo," *GSC, Cabildo*, leg. 1677, no. 83987 (1864); "Tomas de razón de las patentes de capataces y matronas de los Cabildos de la Santísima Trinidad y de Arará Magino Segundo," *GSC, Cabildo*, leg. 1677, no. 83982 (1865); "Expediente en que el Cabildo de la nación carabalí Isicuato y titulado S. Benito de Palermo solicita permiso para efectuar la reunión con objeto de proceder a la elección de capataz," *GSC, Cabildo*, leg. 1677, no. 83999 (1863); see also: Rafael L. López Valdés, *Pardos y morenos esclavos y libres en Cuba y sus instituciones en el Caribe Hispano* (San Juan de Puerto Rico: Centro de Estudios Avanzados de Puerto Rico y el Caribe, 2007).

117 Fernando Coronil, "Transculturation and the Politics of Theory: Countering the Center, Cuban Counterpoint," in *Cuban Counterpoint: Tobacco and Sugar*, ed. Fernando Ortiz (Durham, NC: Duke University Press, 1995): IX–LVI.

118 Henry Dumont, *Antropología y patología comparadas de los negros esclavos*, trans. L. Castellanos (La Habana: Calle L, esq. a 27, 1922 [1876]); Gabino La Rosa Corzo, "Henri Dumont y la imagen antropológica del esclavo africano en Cuba," in *Historia y memoria: sociedad, cultura y vida cotidiana en Cuba, 1878–1917*, ed. José Amador and Fernando Coronil (La Habana: Centro de Investigación y Desarrollo de la Cultura Cubana Juan Marinello; Latin American and Caribbean Studies Program of the University of Michigan, 2003): 175–82; Michael Zeuske, "Doktoren und Sklaven: Sklavereiboom und Medizin als 'kreolische Wissenschaft' auf Kuba," *Saeculum* 65, no. 1 (2015): 177–205.

Fig. 8: Negros curros (Free Blacks). Painted by Víctor Patricio de Landaluze. Public domain. Private archive of Michael Zeuske (Leipzig/Bonn); see: *Colección de artículos: Tipos y costumbres de la isla de Cuba por los mejores autores de este género. Obra ilustrada por D. Víctor Patricio de Landaluze, fototipia Taveira* (La Habana: Editorial Miguel de Villa, 1881 [Facsimile edition, La Habana: Biblioteca Nacional de Cuba José Martí, 2009]).

[decorative scars] on the forehead he says he is [slave] to Don José María de la Cruz: citizen of Aguacate]".[119] (Fig. 9)

119 Negros cimarrones que quedaron existentes en las obras de caminos en 31. de Diciem. de 1830 (La Habana), Noviem.e 25 (1831) *ANC, Miscelánea de Libros*, no. 2370, f. 190r.

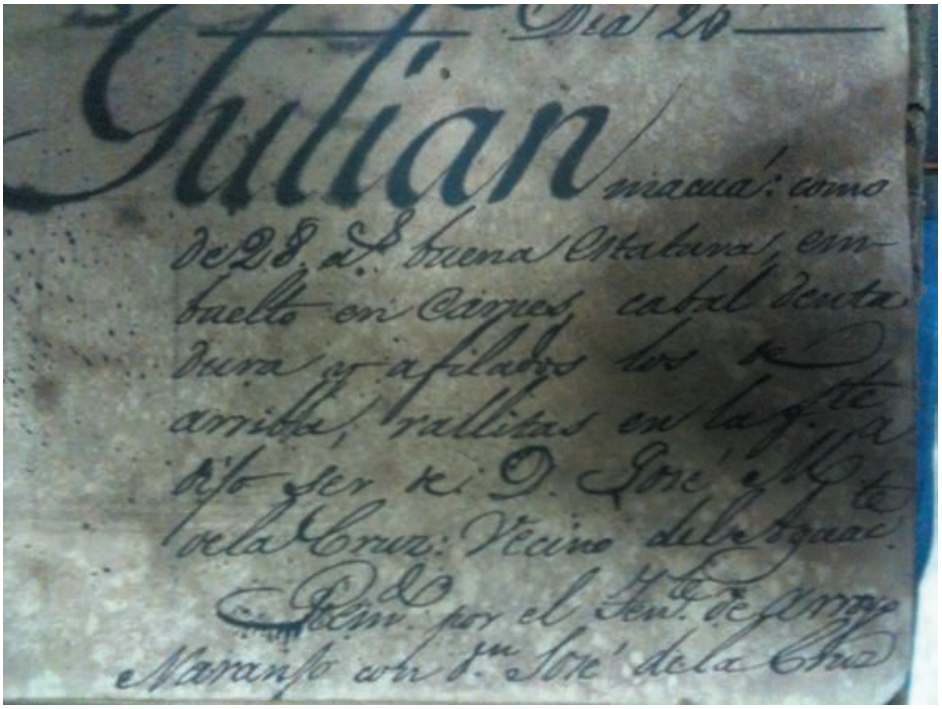

Fig. 9: Description of a *cimarrón* named Julián. From ANC, Miscelánea de Libros, no. 2370: Negros cimarrones que quedaron existentes en las obras de caminos en 31. de Diciem. de 1830 (La Habana), Noviem.e 25 (1831), f. 190r. Private archive of Michael Zeuske (Leipzig/Bonn).

11 A Short Conclusion

Self-representations of enslaved people *in* slavery are not a myth. They existed. They are in the archives. But they are extremely rare, hard to find and, with very few exceptions, not written by slaves themselves. The words of slaves were almost always heard (and written down) by men in functions of control and oppression or members of slavery society who benefited from slaves and slavery/the slave trade or had jobs in and because of slavery as an economic system. Few were friendly to enslaved people. But there are touching examples of people who listened to slaves or ex-slaves and wrote down their words. It is still a kind of non-history, primarily *in* slavery.[120] Immediately after the formal end of slavery, ex-slaves themselves, first of all women, started to use the notary offices.[121] We can start to fill this void of non-history with

120 Michael Zeuske, "Die Nicht-Geschichte von Versklavten als Archiv-Geschichte von 'Stimmen' und 'Körpern'," *Jahrbuch für Europäische Überseegeschichte* 16 (2016): 65–114.

121 Rebecca J. Scott and Michael Zeuske, "Property in Writing, Property on the Ground: Pigs, Horses, Land, and Citizenship in the Aftermath of Slavery, Cuba, 1880–1909," *Comparative Studies in Society and History. An International Quarterly* 44, no. 4 (2002): 669–99; Rebecca J. Scott and Michael Zeuske, "Le 'droit d'avoir des droits'. Les revendications des ex-esclaves à Cuba (1872–1909)," *Annales HSS*, no. 3 (2004): 521–45.

life histories, depositions, images, and artifacts, as well as reports on legal and illegal associations (often connected with the so-called slave religions, such as *santería*, *palo monte*, *vudú*, *espiritismo*, *abakuá*, ancestor invocations, etc.[122]). I wish we could fill the void with music, performances, songs, rhythms and lyrics too, but this extremely interesting type of sources is almost impossible to date at all.

Appendix

1) Examinations

> At Nassau, New Providence, between the 8th and 15th of February 1841; before the Governor, Colonel Francis Cockburn, the Hon. W.m Hamlyn, a member of H.M.'s Council of Collectors of H.M.'s Customs; Robert Duncome Esq.re, Police Magistrate of the Colony, Charles R. Nesbett Esq.re Provincial Secretary, and Keeper of the Records, and John Richardson Esq.re, Principal Medical Officer, and which took place in consequence of a Letter, a copy of which is hereto attached from David Turnbull Esq.re, Her Britannic Majesty's Consul and Agent for Captured Slaves at Havana, referring to the treatment of certain Africans, on their passage from Africa to Havana, by one Vicente Morales, the Master of a Slave Vessel called "Jesus Maria" and which was captured by Her Majesty's Ship "Ringdone" [. . .] [a huge list of crimes and raped as well as killed children follows; here are some excerpts] No. 139. Crossy. – an African Girl of about the age of 14 years, one of the Witnesses named in the Despatch, being examined through an Interpreter named Thomas Weatherfield, a Private Soldier in H. M.'s 2.d W.I. Regiment [a colored or Black soldier, MZ], states that while on board the "Jesus Maria", Manual [sic], an African, one of the Captain's servants broke a Demyohn [a clay bottle, MZ] containing Rum, on account of which the Captain, Vicente Morales, took a stick and severely beat him, which caused his Death, in about two days after, as the Examinant believes, and that the Cotton steeped in Rum and Gunpowder was put up the Fundament of several of the Africans for the avowed purpose of destroying worms.- No. 150.- Mahuma and 146 *Mamboisi*, African Females about 12 years of age, examined, and fully corroborate the foregoing statement of Crossy No. 139. No. 147.-Cunha a Female, -No. 7 Barron and No. 3 Duba, Males, also corroborate the statement of Crossy in the fullest manner. In reference to the cruelties and abuses committed on the Females on board the Schooner "Jesus Maria" and alluded to in the Despatch the following examinations were taken viz:

122 Joel James [Figarola], José Millet and Alexis Alarcón, *El Vodú en Cuba* (Santiago de Cuba: Editorial Oriente, 1998); Margerite Fernández Olmos and Lizabeth Paravisini-Gebert, *Creole Religions of the Caribbean: An Introduction from Vodou and Santería to Obeah and Espiritismo* (New York: New York University Press, 2003); Jesús Fuentes [Guerra] and Grisel Gómez Gómez, *Cultos afrocubanos: Un estudio etnolingüístico* (La Habana: Ed. de Ciencias Sociales, 1994); Fuentes Guerra, *La nganga africana: Un tratado de magía blanca y medicina tradicional* (Cienfuegos: Ediciones Mecenas, 2000); Fuentes Guerra and Armin Schwegler, *Lengua y ritos del Palo Monte Mayombe. Dioses cubanos y sus fuentes africanas* (Frankfurt am Main/Madrid: Vervuert/Iberoamericana, 2005); Claudia Rauhut, *Santería und ihre Globalisierung in Kuba: Tradition und Innovation in einer afrokubanischen Religion* (Würzburg: Ergon, 2012); Montserrat Becerril García and Anne-Marie Brenot, *Diccionario negro de Cuba. Palabras y testimonios del siglo XIX* (Madrid/Frankfurt am Main: Vervuert-Iberoamericana, 2016).

No. 167. Jumer, African Girl, about 12 years, examined and states that no Spaniard, or other Person had any connection with her.
No. 148. Jaddy, an African Girl about 14 years examined, states that one of the sailors of the "Jesus Maria", had connection with her against her will, and that she was previously a Virgin.
No. 147. Cunha, a Girl about 14 years of age examined, states that one of the crew of the "Jesus Maria", a Black Man, forced her to have connection with him, and against her will.
No. 171. Mamber, a Girl about 11 years of age, states that one of the Crew of the "Jesus Maria" held her while another had connection with her, they were black men, she was much hurt at this time.
No. 168.-Mania, a Girl about 13 years of age, examined, states that the Captain of the "Jesus Maria" held her nose and mouth to keep her from screaming and had connection with her, she was hurt at the time.
No. 140.-Matta, a Girl about 15 years of age, states that a Black Man, one of the Crew of the "Jesus Maria" held her mouth and beat her with a Rope to have connection with her, and that she cried after the Rape had been perpetrated.
No. 157.-Lah, a Girl about 11 years of age, states that one of the Sailors of the "Jesus Maria" threatened to kill her, if she did not allow him to have connection with her and that he hurt her very much at the time. [. . .]
Examinations taken at the African Hospital on the 9th February 1841, through Interpreters named Jenny Colebrooke and Bella Dalzell.
No. 47.-Cattaway, a boy about 8 years of age examined and states that a boy named Quallabo was thrown into the Sea, by order of the Captain of the Slave Schooner "Jesus Maria", and drowned, in consequence of the Boy refusing to take medicine: – this examinant fully corroborates the statement of Crossy No. 139 regarding the murder of Manuel.
No. 2.-Fooly, a Boy about 12 years of age, states that he saw Quallabo thrown into the Sea and drowned, it was by orders of the Captain of the "Jesus Maria", he was thrown overboard by the Sailors."[123]

2) Representación al Señor Alcalde Ordinario [Representation to the Lord Mayor] (1818)[124]

Primeramente diga como es verdad que lo compré en la costa de Africa en el año de mil ochocientos, y desde entonces lo apliqué á mi servicio.
2 Ytt [Item, MZ]. Como tambien es cierto que lo puse á aprehender el oficio de herrero en una fortaleza inglesa q.e está, en la misma costa de Africa, y en efecto aprehendió bien este oficio y arte.
3 Ytt. Como lo es que situado yo en esta Ciudad y antes de casarme, tenia yo una herreria en mi propia casa, en la que p.r mi cuenta, y a mi vista trabajaba el q.e absuelve.
4 Ytt. Como tambien es verdad q.e luego q.e me case, quité aquella herreria, y apliqué al q.e absuelve como antes a mi servicio domestico.

123 Attachment of a letter from Francis Cockburn of New Providence, Nassau, Bahamas, February 24, 1841 to Lord John Russell (original copy) *Archivo Histórico Nacional*, Madrid (*AHN*), Estado, Trata de negros, leg. 8020/45, no. 4.
124 "Representación al Señor Alcalde Ordinario," La Habana y Enero 31 de 1818 *ANC, Escribanía de Daumy*, leg. 370, no. 1 (1818): Daniel Botefeur, contra su esclavo Roberto sobre hurto, f. 7r–9r (original spelling).

5 Ytt. Como tambien es cierto q.e le entregué las llaves de mis almacenes de azucar, café, y otros efectos q.e guardaba en aquellos.
6 Ytt. Como tambien es verdad q. era el único esclavo de /[f. 8v] mi confianza, y p.r este motivo estaba encargado de barrer y asear diariam.te el cuarto escritorio, y atender la cama del dependiente q.e alli dormia, p.r cuyo fin tomaba libremente la llave para hacer este servicio en dicho escritorio, donde entraba y salia sin embarazo.
7 Ytt. Diga como es verdad q.e en dicho cuarto escritorio, q.e está en el descanso de la escalera, tengo una caja grande de hierro en que guardo todo mi dinero.
8 Ytt. Diga como es verdad que habrá ocho meses mas o menos q.e lo llamé un dia para q.e viera y examinara la dicha caxa y su maquina, y en efecto abrió, desarmó la cerradura, untó aceyte á sus piezas, limpiandolas, cuya operacion executó delante de mi, hasta volver á armar la cerradura y dexarla como estaba.
9 Ytt. Como es cierto q.e todos los domingos le daba yo ocho reales [1 peso de a ocho[125]] para cigarros, los que gastaba en este objeto y en su muger é hijos mis esclavos.
10 Ytt. Como tambien es cierto q.e yo le visto á el y á su muger con todo aseo, q.e cuanto me ha pedido siempre tanto le he facilitado: que le he advertido constantemente q.e me pidiese quanto necesitara, y en / [f. 9r] efecto siempre la daba las cosas q.e me pedia.
11 Ytt. Diga como es cierto q.e yo tenia prevenido q.e si alguna persona le hacia algun regalo, especialmente de dinero, o si lo adquiria p.r algun otro motivo justo, me lo dixese, me lo enseñare, no para cogerlo yo, sino para saber con q.e titulo ó razon habia adquirido.
12 Ytt. Como es verdad que nunca me dió aviso de que tuviere dinero alguna; y como tambien le es q.e preguntandole yo una vez si tenia dinero, me contestó que no, haciendome la reconvencion de q.e ¿como podia èl tener dinero?
13 Ytt. Diga como es cierto que habrá un año y medio que se me desaparecieron dos pares de pantalones de casimir nuevos del todo; y q.e preguntandole yo p.r ellos me contestó que los habia tomado un cuñado mio.
14 Ytt. Como tambien es verdad que algun tiempo despues de esta ocurrencia, y durmiendo el q.e contesta en una casa extramuros, donde yo tenia unos negros bosales, lo sorprendí una mañana en que estaba vestido con un par de aquellos pantalones.
15 Ytt. Como es verdad q.e habiendolo yo mandado á una diligencia desde dicha casa extramuros á la q.e tengo en esta Ciudad, al presentarse el q.e absuelve á mi muger vestido con los mismos pantalones, dixo ésta sorprehendida, esos son los pantalones que decías tu haber tomado mi hermano.
16 Ytt. Diga como es cierto que habiendome dicho, habrá tres ó /[f. 9v] cuatro meses, q.e queria ganar jornal, me le niegué à ello diciendole que no estaba en necesidad de tal cosa. –
17 Ytt. Diga como es cierto que habiendome dicho q.e tenia quien lo comprara, le di papel p.r tres dias, el q.e me devolvió el q.e contesta al cabo de media hora, pidiendome perdon.
18 Ytt. Diga quien le ha dado dinero para libertarse á si mismo, á su muger, y a sus hijos segun lo ha dicho en el Tribunal.
19 Ytt. Diga de donde ha adquirido tanta cantidad como necesita para libertarse él, su muger y cuatro hijos.

125 Carlos Marichal, "The Spanish-American Silver Peso: Export Commodity and Global Money of the Ancien Regime, 1500–1800," in *From Silver to Cocaine: Latin American Commodity Chains and the Building of the World Economy, 1500–2000*, ed. Steven Topik, Carlos Marichal and Frank Zephyr (Durham, NC: Duke University Press, 2006): 25–52.

20 Ytt. Exprese claramente, y sobre esto llamo la atencion del S.or Asesor el origen de la adquisición del dinero, los medios de haberlo proporcionado, el tiempo q.e hace q.e lo este juntando, la cantidad q.e tenga, quien es su depositario en el dia, quien lo ha sido hasta aqui, sobre lo cual no se omitira circunstancia alguna.
21 Ytt. Diga como es cierto q.e compré á la muger del q.e absuelve en la costa de Africa, bosal, q.e en mi poder se casaron, y q.e los dos no han conocido otro amo q.e yo.
Ytt [sin numeración] Diga como es verdad q.e nunca lo he separado de mi lado que siempre ha estado destinado á mi servicio, q.e nunca ha ganado jornal, y q.e ha sido el criado de todas mis confianzas. Havana y Febrero 26 de 1818.----------
Daniel Botefeur D.r Sebastian Fernandez de Velasco

Firstly I state that it is true that I bought him on the coast of Africa in the year one thousand eight hundred, and from then on, I employed him in my service.
2 Item. Just as it is also true that I put him out to learn the trade of blacksmith in an English fortress that is on the same coast of Africa, and in effect he learned this trade and art well.
3 Item. As it is that located in this City and before I got married, I had a forge in my own house, in which on my own account, and in my own sight, the one who is acquitted worked.
4 Item. As it is also true that after I got married, I removed that forge, and I employed the one who is acquitted as before to my domestic service.
5 Item. As it is also true that I gave him the keys to my stores of sugar, coffee, and other effects that I kept in them.
6 Item. As it is also true that he was the only slave I trusted, and for this reason he was in charge of sweeping and cleaning the writing room daily, and tending the bed of the clerk who slept there, for which purpose he freely took the key to perform this service in said room, where she went in and out without embarrassment.
7 Item. I also state that it is true that in said writing room, which is on the landing of the stairs, I have a large iron box in which I keep all my money.
8 Item. I also state that it is true it will have been about eight months ago that I called him one day to see and examine the said box and its mechanism, and in effect he opened, disassembled the lock, oiled its pieces, cleaning them, which operation he carried out in front of me, until I put the lock back together and left it as it was.
9 Item. As it is true that every Sunday, I gave him eight reales [=1 *peso de a ocho reales*, peso of eight reales[126]] for cigars, which he spent on this object and on his wife and children, my slaves.
10 Item. As it is also true that I dress him and his wife with all cleanliness, that whatever he has asked of me I have given him: that I kept telling him to ask me for whatever he needed, and in effect always have him the things he asked me for.
11 Item. I also state that it is true that I warned him that if someone gave him a gift, especially money, or if he acquired it for some other just reason, he should tell me, he should show it to me, not to take it myself, but to know for what cause or reason he had acquired it.
12 Item. As it is true that he never gave me notice that he had any money; and as it is also [true] that when I asked him once if he had money, he answered no, putting to me the question of how he could have money?

126 Marichal, "The Spanish-American Silver Peso": 25–52.

13 Item. I also state that it is true that about a year and a half ago two pairs of brand-new cashmere pants disappeared; and that when I asked him about them he replied that a brother-in-law of mine had taken them.
14 Item. As it is also true that sometime after this occurrence the accused was sleeping in a house outside the city walls where I had some *bosal* blacks, where I surprised him one morning as he was wearing a pair of those pants.
15 Item. As it is true that having sent him in a diligence from the said house outside the walls to the one I have in this City, he appeared to my wife dressed in the same pants, whereupon she said, surprised, Those are the pants that you said my brother had taken.
16 Item. I also state that it is true that three or four months ago he told me that he wanted to earn wages, which I refused, telling him that he was not in need of such a thing. –
17 Item. I also state that it is true that having told me that he had someone who would buy him [one of the legal operations of *coartación*, see above, MZ], I gave him a paper for three days, which he returned to me after half an hour, asking for my forgiveness.
18 Item. I ask who gave him money to free himself, his wife, and his children, as he said in court.
19 Item. Where did he acquire the sum of money he needs to free himself, his wife and his four children?
20 Item. He must state clearly, and to this I call the attention of the Assessor, the origin of the the money he acquired, the means by which he obtained it, how much time he has been collecting it, the amount that he has, who kept it for him until now, about which no circumstance must be omitted.
21 Item. I also state that it is true that I bought the woman he acquitted on the coast of Africa, bosal, that they got married in my power, and that the two of them have not known another master than me.
Item. [no number] I also state that it is true that I have never separated him from my side, that he has always been assigned to my service, that he has never earned a wage, and that he has been the servant of all my trust.
Havana and February 26, 1818.----------Daniel Botefeur Mr. Sebastian Fernandez de Velasco[127]

3) Answers to the Interrogation Questionnaire by Roberto Botefeur

[respuestas a las preguntas de la lista arriba] Al prim.o que es exacto que sólo su S.or lo compro en la costa de Africa, y que no / [f. 9v] save si fue el año de ochocientos pero si que era muy joven habiendolo á su servicio desde su adquisicion ---------
Al segundo: que el sugeto q.e tenia por amo quando lo compró el q.e interroga lo tenia puesto a aprender el oficio de herrero en una fortaleza Ynglesa cituada en la costa de Africa y que continuo en su aprendizaje en la misma Fortaleza por Ord.n y designa.n de su actual S.or hasta perfeccionarse en el oficio ----------[128]
[Las respuestas de Robin Botefeur en cuanto a la tercera y cuarta pregunta fueron:] “es cierto el contenido de la pregunta”,[129] lo que deja reconocer qué el esclavizado tenía conocimientos legales.

127 Ibid., f. 7r–9r.
128 Ibid., f. 9r–v.
129 Ibid., f. 9v.

"Al quinto: que su amo no le encargo la llabes de sus almacenes como supone en la pregunta aunq.e alguna ves se las franqueaba p.a / [f. 10r] sacarse algunos efectos lo que executaba á su presencia debolvíendosela inmediatam.te que serraba ----------
Al sexto: que si merecia la confianza de su S.or y que entraba diariam.te en el quarto escritorio aseandolo y limpiandolo aunque no tendia la cama donde dormia el dependiente pues esto lo hacia una neg.a [negra] su compañera, que para este servicio tomaba librem.te la llabe [llave] de la referida pieza [cuarto] en la q.e entraba y salia sin embarazo pero siempre á vista de su S.or ó del depend.te ----------
Al septimo: que es cierto que en el precitado quarto escritorio esta la caxa grande de hierro donde el S.or . . . /[f. 10v] . . . guarda todo su dinero ----------
Al octavo: que es cierto todo el contenido de la pregunta ----------
Al noveno: que es cierto q.e su S.or le daba todos los domingos un peso p.a cigarros pero lo guardaba p.a juntar el cap.[ital] de su libertad ó la de su hijo si acaso falleciera sin haverlo ganado jamas ----------
Al decimo: que es cierto que su S.or le tenia prevenido que quando alguna otra persona le hiciera algun regalo de dinero ó si el declarante adquiria algunos reales por algunos medios ilicicizo [ilicitos] se le abisare è instruyese, no para apropiarselo sino para saver la legitimidad de su adquisicion pero que como en cierta ocacion le presentase quatro p.[eso]s y se quedare con / [f. 11r] tres entregandole solo uno, no le bolvio á enseñar otra canti.[dad] de las que adquiria dejando de cumplir aquel presepto [eso significa qué Robin no siguió a los avisos de su amo – eso es importante para la realidad del llamado *peculium* (peculio), MZ].
Al duodecimo: que despues q.e le presento los cuatro p.s de que ha hecho referencia en su ant.r contesta.n no le dio abiso [aviso] ni le comunico que hubiese alg.n dinero y que su S.or no le pregunto jamas ni tenia dinero con cuyo motivo no tubo que hacerle la reconvencion que indica la pregunta ----------
Al decimo tercio: que es cierto que habra tiempo de mas de un año que su S.or le pregunto por dos pares de pantalones de casimir, q.e habian desaparecido, y que le contesto q.e ignoraba su paradero siendo falso el que hubiese asegurado de que los tuvo un cuñado del q.e interroga -------
Al decimo quarto: que le encontro con /[f. 11v] unos pantalones de mesclilla picaros que habia desechado el mismo q.e pregunta no siendo de los pares que le habian robado ó desaparecido ----------
Al decimo quinto: que es falso el cont.o de la pregunta [¡un esclavizado valiente! – MZ] ----------
Al decimo sexto: que es cierto que habrá dos o tres meses, que manifesto a su S.or que queria ganar jornal ò lo vendiese habiendole contestado q.e no tenia necesidad de semejante cosa ----------
Al decimo septimo: que es cierto que pidió a su S.or pap.l [papel – uno de los 'cuatro consuelos', MZ] para buscar amo no por que entonces tubiese qui.[e]n lo comprase, pero q.e habiendole expresado el mismo su S.or que si salia / [f. 12r] de la parte afuera de su casa no bolvia á entrar le debolvio el pap.l q.e ya le habia ministrado pidiendole perdon ----------
Al decimo octabo: que solo tiene dinero para libertarse asi mismo y no á su muger è hijos: que lo habia reunido con los pesos que su amo le daba todos los Domingos, y con otras partidas pequeñas de dinero que le franqueaban algunos amigos del propio su S.or en cuyo servicio se ocupaba algunas veces por mandato de aquel
Al decimo nono: que se remite á su anterior contesta ----------
Al vigesimo: que tendra un capital de / [f. 12v] quinientos p.s poco mas ò menos el que ha podido reunir en los terminos y por los medios q.e lleba inaugurados desde que bino á esta Ciudad [18 años con más o menos 40–50 pesos – es probable, MZ]: que aquella suma la tiene depositadas, doscientos cinquenta y cinco p.s y una onza mas en un dependiente de que le interroga nom-

brado D.n José y el resto lo tiene entregado á una señora blanca, que vive en el Barrio del Monserrate cuyo nombre ignora-
Al vigesimo primo: que es cierto el con.t de la pregunta ----------
Al vigesimo nono [sic, en vez de secundo]: que igualmente es cierto y responde que lo que ha declarado es la verdad no cargo de su juramento se le leyo y espuso estar conforme que es mayor de veinte y cinco a.[demá]s no fir / [f. 13r] mo por que dijo no saver [. . .] el S.or Asesor de que doy fe
Benito [escribiente] Antemi
José Rafael Dequesa
With [?] two attendances [witnesses] To the first [question he said that] it is correct that only his master bought him on the coast of Africa, and that he does not / [f. 9v] know if it was the year eight [een] hundred, but that he was very young, having been at his service since his acquisition ---------
To the second: that the subject he had for a master when he bought him, the one who interrogated him, had him learn the trade of blacksmith in an English fortress located on the coast of Africa and that he continued his apprenticeship in the same Fortress by the order and designation of his current master until completionin the trade-"
[Robin Botefeur's answers to the third and fourth questions were:] "the content of the question is true", which shows that the enslaved person had legal knowledge.
To the fifth: that his master did not entrust him with the keys to his stores as he stated in the question, although he sometimes opened them to [f. 10r] remove some effects, which he did in his presence, returning them to him immediately after closing it ----------
To the sixth: that he did deserve the trust of his master and that he entered the writing room daily tidying and cleaning it although he did not make the bed where the clerk slept because this was done by a *negra* [Black woman], his companion [wife], [and that] for this service he freely took the key of the aforementioned room in which he entered and left without embarrassment but always in view of his master or the clerk–
To the seventh: that it is true that in the aforementioned writing room is the large iron box where the master . . . /[f. 10v] . . . keeps all his money –
To the eighth: that all the content of the question is true –
To the ninth: that it is true that his master gave him a peso every Sunday for cigars, but that he kept it to save up the capital for his freedom, or that of his son in case he died without ever having earned it-
To the tenth: that it is true that his master had warned him that when some other person made him a gift of money or if the declarant acquired some *reales* [money] by some illicit means, he [the master] should be told and advised, not to appropriate them but to be aware of the legitimacy of his acquisition, but that as on a certain occasion he presented him with four pesos and [the master] kept / [f. 11r] three and returned only one to him, he did not again show him [the master] any money that he acquired and so failed to comply with that order [in other words Robin did not follow his master's warnings – that is important for the reality of the so-called *peculium*, MZ].[130]
To the twelfth: that after he showed him the four pesos mentioned in his previous reply, he did not give him notice or inform him that there was any money, and that his master never asked him nor did he have any money, for which reason he did not have to make the reply mentioned in the question –
To the thirteenth: that it is true that it had been more than a year ago that his master asked him about two pairs of cashmere pants which had disappeared, and that he had answered that he did not know their whereabouts, it being false that he had replied that his brother-in-law had them –

130 Question and answer no. 11 are missing in the original.

To the fourteenth: that he [the master – MZ] found him with / [f. 11v] some pantaloons he himself had discarded, not one of the pairs that had been stolen or had disappeared – –
To the fifteenth: that the content of the question is false [a brave enslaved person!, MZ] –
To the sixteenth: that it is true some two or three months ago he told his master that he wanted to earn wages or buy himself, his master answered that he had no need of such a thing –
To the seventeenth: that it is true that he asked his master for a *papel* [paper – written permission to look for a new buyer, one of the so-called 'four consolations', MZ] to look for a [new] master [but] not because he had someone to purchase him, but that having stated the same, his master [said] that if he went outside of his house he need not return again, he returned the paper he had already been given asking for forgiveness –
To the eighteenth: that he only has money to free himself but not his wife and children: that he had saved it up from the pesos that his master gave him every Sunday, and with other small amounts of money that some friends of his master's gave him in whose service he sometimes occupied himself by order of that [master] –
To the nineteenth: that refers to his previous reply –
To the twentieth: that he has a capital of some five hundred pesos more or less, which he has been able to save up by those means ever since he came to this city [i.e. some forty or fifty pesos per year during eighteen years, which sounds feasible, MZ]: that he deposited [half] the money, two hundred and fifty-five pesos and an ounce more, with a clerk named Don José of he who interrogates him,[131] and that he had handed over the rest to a white lady living in the Barrio del Monserrate whose name he does not know.
To the twentieth-one: that the content of the question is true –
To the twenty-ninth [sic, not the twenty-second, MZ]: that it is also true, and he replies that what he has said is the truth, not under oath; it was read to him and he agreed that he is over twenty-five years of age. He did not sign it / [f. 13r] because he said he could not [write] . . . the Assessor that I attest Benito [clerk] Before me Jose Rafael Dequesa".[132]

4) Baptismal Record for the Child Esteban

Estéban Santa Teresa was baptized at the age of six months on August 5, 1869, on the plantation Santa Teresa (near Rodrigo, some kilometers south of Sagua la Grande) by the parish priest Francisco Sirola (from the church of Sagua la Grande) in north-central Cuba. Sirola wrote the following text in the Baptismal Book for Blacks of the Parish Church (Iglesia Parroquial de Ascenso de la Purísima Concepción de Sagua la Grande)[133]:

131 Roberto Botefeur evidently had supporters among the traditional *hacendado* elite (Creole landowners and slave owners who depended in a variety of ways on, and owed money to, slave traders like Daniel Botefeur); the clerk Don José must have been the straw man of this elite.
132 "Declaracion del esclavo Roberto," La Habana, 2 de Marzo de 1818 ibid., f. 9v–13r.
133 Registros parroquiales de bautizo, parroquía Inmaculada Concepción, Sagua la Grande, diocésis Santa Clara (Registros Sagua la Grande); Libro de bautismos de color 4 (domingo, 1 de Marzo de 1868 hasta domingo, 31 de Mayo de 1874), f. 66, nº. 188; on the importance of baptism for enslaved Africans in the diaspora, see: James H. Sweet, *Recreating Africa: Culture, Kingship, and Religion in the African-Portuguese World, 1441–1770* (Chapel Hill: University of North Carolina Press, 2003): 196–97. On the fact that Esteban Montejo was born in 1868 and not in 1860, as claimed in Miguel Barnet's book, see: Michael Zeuske, "The Cimarrón in the Archives: A Re-Reading of Miguel Barnet's Biography of Esteban

"Nº. 188 Estéban Santa Teresa Mº.Eº. Libre por beneficio de la Ley de 23 de Junio de 1870 Por autorización de S.S.I.	Jueves cinco de Agosto de mil ochocientos sesenta y nueve años: Yo D. Francº. Sirola, Cura Beneficiado de la Iglesia Parroquial de ascenso de la Purísima Concepción de Sagua la Grande y Vicario Fóraneo de ella y su jurisdicción, bauticé solemnemente y puse por nombre Estéban[135] a un niño que nació el día veinte y seis de Diciembre del año próximo pasado [1868, MZ], hijo de la morena Dionisia conga, perteneciente al Ingenio Santa Teresa, de D. Tomas Ribalta. Fué su padrino Quintín criollo,[136] á quien advertí el parentesco espiritual y obligaciones que contrajo; y lo firmé = Francº. Sirola"
No. 188 Estéban Santa Teresa M[oreno].S[lave] Freed by charity of the law on June 23, 1870 [Ley Moret] By authorization of S.S.I.[[134]]	Thursday, August 5, eighteen hundred and sixty-nine: I, D[on] Francisco Sirola, parish priest in charge of the Parish Church of Ascenso de la Purísima Concepción de Sagua de Sagua la Grande and vicar forane of the church and its jurisdiction, solemnly baptized and gave the name Estéban to a child who was born on December 26 of last year [1868], son of the *morena* [Black woman] Dionisia conga who belongs to the *Ingenio* Santa Teresa, by D[on] Tomás Ribalta. His godfather was Quintín criollo, to whom I communicated the spiritual kinship and the commitments he has made;signed = Francisco Sirola.

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134 "Su Santidad Ilustrísima" –"His Most Illustrious Holiness" refers to the bishop in charge.

135 Underlined in the original.

136 Most baptized children also had a godmother (*madrina*), Esteban Santa Teresa had only a godfather (*padrino*). Maybe Quintín criollo was his biological father.

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3. Research Lenses

3.2. Embodied Dependencies

Introduction

In Research Area B, we approached the phenomenon of slavery and other types of strong asymmetrical dependencies by considering a pre-colonial perspective. We aimed at establishing archaeology, art history, and object-based anthropology on an equal level with other disciplines of the humanities that focus on written sources. The second step towards a 'provincialization' of the Western/modern interpretational matrix took objects as its starting point and aimed to capture human and non-human 'bodies of dependency'. So, in analogy to the first research area, we established an inventory of material evidence of strong asymmetrical dependencies and their range of expression and information as a site of strong asymmetrical dependencies equaling the written word in importance. Relying on insights generated by the 'material turn' as well as recent debates on environmental history and bio-history, this research area aimed to relativize the modern/Western focus on written culture from a pre-colonial perspective. Many societies that were not affected by Western colonization were oral societies, where a verbal agreement could weigh heavier than a written contract, and where the normative or guiding effect of an object or image would be just as strong as that of a legal text elsewhere. The fact that many scholars tend to consider a lack of written traditions (e.g. for conquered peoples like the Etruscans or other peoples of ancient Italy, or empires of the past such as that of the Mongols or the Incas) to be indicative of an inherently deficient source situation reflects a modern Western habit of seeing things as well as an 'inherited learning disability' in terms of reading artefacts. Therefore, one aim of this research area was to correct the widespread asymmetry in the academic evaluation of written and non-written traditions by taking into consideration a pre-colonial perspective and to establish archaeology, art history, and object-based anthropology on an equal level with disciplines of the humanities that focus on written sources. The deficit in terms of material evidence seemed all the more crucial because social history has advocated giving back their voices to the 'silent' actors of history, and examining the experiences of oppression and the scope of action within human communities. However, the resulting (hi)stories that have been written about agency have remained strangely incorporeal due to the focus on human actors as intentionally acting and speaking subjects. This research area thus did not concentrate on the 'silent voices' but on the – supposedly – 'silent bodies', both human and non-human, which encompass written descriptions of bodies and objects of social dependency as well as purely material traditions. We corrected the asymmetrical attention characteristic of modern/Western approaches with regard to the conceptual pairs of written vs. nonwritten, human vs. non-human, culture vs. nature by examining 'embodied dependencies' from archaeological, art-historical and anthropological perspectives as well as from the viewpoint of a praxeologically and body-historically oriented history and social science. Our goal here was expressly not an analytical separation of the object language from the lexical semantics explored in Research Area A, which would amount to an implicit continuation of modern/Western dichotomies. Instead, the dialogue between object- and text-based disciplines within this research area was fostered and institutionally mirrored by the distribution of PIs. The overarching aim was to render embodied dependencies 'legible' (again) as multi-dimensional research objects. We therefore explicitly sought to examine dependent bodies not just as discursive constructs, but also as material, resilient and autonomous, not just as objects of imagination and representation, but also as sites of social practices. We understood dependent bodies as 'agents', 'mediators', and 'intermediaries' and analyzed even dependencies between human and non-human actors as 'agencements' and forms of 'interagency'.

3. Research Lenses

3.2. Embodied Dependencies

Julia A.B. Hegewald. "Introduction: Embodiments of Dependencies and Freedoms in Asian Art," in *Embodied Dependencies and Freedoms: Artistic Communities and Patronage in Asia. Dependency and Slavery Studies*, ed. Julia A.B. Hegewald (Berlin: De Gruyter, 2023): 1–32.

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Julia A.B. Hegewald

Chapter 1
Introduction: Embodiments of Dependencies and Freedoms in Asian Art

1 Introduction

An embodiment is a visible and often also tangible form given to an abstract idea, concept, relation or feeling. In the context of embodiments in art and architecture, the drawings, paintings, objects and buildings act as visible expressions of different kinds of dependency.[1] This can be very immediate representations, such as painted or sculpted scenes depicting slavery, subjugation and other asymmetrical forms of dependencies.[2] These can take place between people, between humans and animals, human and divine beings or humans and inanimate objects or materials.[3] However, such very

1 By choosing the term 'embodiment', I clearly wish to go beyond the approach of considering material artefacts merely as 'mediators' in dependency relations, as was suggested in the joint paper by Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler and Stephan Conermann, "On Asymmetrical Dependency," *Concept Paper* 1, Bonn Center for Dependency and Slavery Studies (2021): 13.

2 Asymmetrical relations are characterised by inequality, with one side having more power or resources of any kind than the other. For a more detailed definition, cf. Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler and Stephan Conermann, "On Asymmetrical Dependency," *Concept Paper* 1, Bonn Center for Dependency and Slavery Studies (2021): 2–3, 8.

3 Some investigations in dependency studies only focus on dependent relations between people, or one or several individuals and human groups, juridical persons, organisations and governments or states. These leave out dependency connections between humans and either immaterial objects or non-human actors, such as (super-human) deities. This is, for instance, the case in Christoph Antweiler, "On Dependency, Dependence, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies (2022): 3, 4, 8. Such an approach may be perceived as an essentially Western and secular way of thinking. Contrasting with this, the chapters in this book also examine dependences involving materials, environmental circumstances and divinities. The rationale in omitting these in other studies is, according to Christoph Antweiler, that he considers non-human causal agents or actors 'to be behaving but not acting'. Further, he says, 'I only regard people as actors, if an action – in distinction from a mere *behavior* – contains intention.' (Christoph Antweiler, "On Dependency, Dependence, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies (2022): 4, 8). The publication by Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler and Stephan Conermann, "On Asymmetrical Dependency," *Concept Paper* 1, Bonn Center for Dependency and Slavery Studies (2021): 1–38 discusses the significance of material objects and spirits and gods in situations of dependences but also ultimately excludes them from their dependency considerations. See in particular their pages 1 and 12–14. However, for an architect it does not make any difference whether he has only mud at his disposal to build with because this is the only available construction resource due to an environmental situation, or whether it is a ruler or other human being who with intent consciously forbids him to employ any other material. Equally, most religious devotees are convinced that the divinities they believe in have the

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immediate depictions are reasonably rare in an Asian context. This might have to do with the belief in the South Asian concept of *karma*. According to this, rebirth into a modest and dependent position, such as a caste which is considered of lower ranking, is deemed to reveal the status of spiritual advancement and religious purity of that person. As such, situations or positions of strong dependency are portrayed as retributions for one's own deeds in a previous life and consequently as reflections of one's own responsibility.[4] As such, most depictions in South Asian art focus on exalted, high-ranking and so-called 'purer' members of society, who act as moral models and are considered worth portraying, and even more strongly on gods and stories from the eternal epics and myths associated with them. In order to go beyond studying only very obvious forms of slavery and dependency,[5] less direct representations of dependent situations have also been included in this volume. These are, for example, allegorical images or material artefacts, such as destroyed, annexed or adapted statues or spaces (Plate 1.1), which dominant groups absorbed from dependant people and which indicate asymmetrical power relations. Even less immediate in terms of visual expression are the examination of dependencies in which artists find themselves. Artist communities producing objects and architecture are, for instance, dependent on the environment they live in, whether this be the climate or the availability of resources. They are further contingent on the cultural, social and religious context and the need to gain an income through the artefacts they produce.

Which relations are to be characterised as 'strong' or 'extreme' forms of dependency and which not, it is difficult to define.[6] However, questions of scale are not of utmost concern for this publication. With regards to the forms of dependency analysed here we aim to be inclusive rather than exclusive and show variety and diversity. However, all are life-changing for the people involved, especially for those at the dependent level. Furthermore, the forms of extreme dependence outlined in this collection persist for substantial

capability to think, reach decisions and act consciously, just like a human being or other actor could. Therefore, this seemingly arbitrary differentiation has not been adopted in this volume. In this, I follow the approach taken by Bruno Latour in his actor-network theory, who assigns the status of actors at least to 'things'. See Bruno Latour, *Reassembling the Social: An Introduction to Actor-Network-Theory* (New York: Oxford University Press, 2005).

4 For further details, cf. Karel Werner, *A Popular Dictionary of Hinduism* (Richmond: Curzon Press, 1994): 86, and Klaus K. Klostermaier, *A Concise Encyclopedia of Hinduism* (Oxford: New World, 1999): 95.

5 This is one of the main aims of the Bonn Center for Dependency and Slavery Studies (BCDSS) in the context of which this edited volume has been compiled.

6 According to Bethany Walker, 'Strong dependencies emerge when one actor cannot exit without the other'. Furthermore, she states that the relationship between the two actors or sides has to be 'heavily unequal' (Bethany J. Walker, "Peasant Dependencies in Medieval Islam: Whose Agency in Food Production and Migration?" *Working Paper* 3, Bonn Center for Dependency and Slavery Studies [2022]: 2). This illustrates how difficult it is to apply unambiguous criteria and standards in such situations. On this issue, see also the discussion in Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler and Stephan Conermann, "On Asymmetrical Dependency," *Concept Paper* 1, Bonn Center for Dependency and Slavery Studies (2021): 8.

Plate 1.1: Cave site at Rayadurg, Andhra Pradesh. The previously Jaina sacred area was taken over and adapted by Hindu followers.

amounts of time, inviting a *longue durée* approach, and many are life-long relations (e.g. status, ethnicity). For instance, traditionally, social affiliation to a caste or social group, belonging to an artists' group or guild, as well as affiliation with a religion, all were inherited qualities, closely connected with certain inequalities and dependencies obtained through birth. Taken all together, the examples presented in this volume illustrate the wide distribution and the huge variety of embodied dependencies that we encounter in the study of Asian art.

2 Dependences and Art

Before concentrating on the region of Asia, which forms the focus of this publication, I would like to adopt a broader approach and reflect on dependencies in the visual arts more generally. All around the world, art and architecture have been created and developed at all times out of situations of dependency, or rather out of a dialogue between dependencies and freedoms.[7] The original 'l'art pour l'art', in English 'art for art's sake', is a

7 In actual fact one can go even further and assert that there is a universal inevitability of dependency within human relations more generally. On this issue, see Julia Winnebeck, Ove Sutter, Adrian

modern concept and reflects a largely twentieth-century and Western self-understanding of the artist, not known during earlier periods. Before this time, art was largely religious in nature and existed only because it had a religious function to fulfil and been commissioned by religious authorities or pious lay-people. Even Palaeolithic cave paintings and art objects have cultic meanings, in addition to possibly representing illustrations for the identification of animals and hunting techniques. This continued during the Neolithic age, and can be observed in the Classical era and in Egyptian art. Dependencies on religious authorities are especially apparent in Christian medieval art, where – just like in Asia – people producing art were considered artisans or craftspersons and not artists in our modern understanding. They were judged to be artisans, as they were undertaking contract work, commissioned, directed and paid for by the church or by affluent devotees. Just like in Asia, they were organised in guilds and their personal names have rarely been transmitted, as the individuality of the artist was considered of no significance.[8] In Europe, this situation started to change very slowly during the Renaissance with a transition towards a more civic and feudal society. This gradually led to new subject matters entering into the painters' and sculptors' repertoire, which then included also an interest in humans and a realistic representation of their surroundings, for instance, through the technique of perspective. At this time, it became more common for the names of recognised individuals in the trade to be transmitted, although we know that they worked in groups and that no single artist was responsible for an entire painting. All the same, it can generally be said that at least until the start of the eighteenth century, those creating art were not permitted primarily to follow their own imagination, genius and self-expression, but worked on order. Only during the second half of the eighteenth and during the nineteenth century did the question of the 'freedom' of the artist became a more prominent issue. As a result, the subject matter changed further, as artists started to depict not only religious, mythological and regal topics, but also their ordinary, everyday surroundings. This included representations of more commonplace and mundane subjects, such as street views and cafe scenes, depictions of workers and of industrialisation. Not until the twentieth century did art for the first time exist more clearly for its own sake. Besides the church and wealthy individuals, art started to be bought and collected by ordinary people. This led to a division between the so called 'high arts' and the 'applied arts', of which the latter remained more strongly in functional dependencies. However, did art really free itself completely, by breaking with the church and by idealising the genius of a named artist who produced art objects usually without commission? Even today, artists are dependent on donors, collectors, galleries and the art market more generally. Artists are free to produce whatever they want in whatever size, however, they usually need to

Hermann, Christoph Antweiler and Stephan Conermann, "On Asymmetrical Dependency," *Concept Paper* 1, Bonn Center for Dependency and Slavery Studies (2021): 3.

8 Kanika Gupta debates this issue in a South Asian context in Chapter 12 in this book.

self-finance in advance and to sell at least some of their works, in order to survive. These constraints still influence what is created or continues to be fashioned over longer periods. Besides the art market, modern artists are – at least to some extent – also reliant on trends, fashions and what we might call the zeitgeist. Although some artists might consciously work against such vogues, their works, too, express at least an indirect dependency on movements and fashions by being diametrically opposed to them.

In Asia, the dependence of art producers on religious authorities, rules and conventions has continued for even longer than in the West. With the early twentieth century modern artists also commenced to express themselves more strongly as individuals and to fashion works of art with clearly mundane subjects.[9] However, it is striking how frequently modern and contemporary artists still select religious topics (Plate 1.2) and vehemently stress the ability of their paintings still to function as sacred icons in a ritual context.[10] For this reason, the field of Asian history of art and architecture is especially rich and rewarding in studying dependencies. A general impression might prevail that due to the often still quite strong religious nature of the arts, the continued treatment of traditional artists as artisans in many contexts and the sustained application of religio-philosophical texts for art production, the arts in Asia are more dependant and less free than in the West. However, it is fascinating to observe that despite sustained dependences – just as in the West – Asian artisans, artists and builders have at all times, in the past just as much as today, found liberties in their practice. The fact that in Asian art, conventions and dependencies – at least in certain areas – are even greater than in much of Western art today, makes the tension between the extreme points of dependence and freedom even stronger, but at the same time shows the enormous breadth of intermediary forms and the many choices and nonconformities that artists found in highly dependent environments. Before we penetrate deeper into the area of embodiments of dependencies in Asian art, we have to clarify some terminologies.

9 On this issue, see Partha Mitter, *The Triumph of Modernism: India's Artists and the Avant-Garde 1922–1947* (London: Reaktion Books, 2007). There were even earlier tendencies to include more worldly subjects, such as in the later Pahārī and Rājput paintings from about the mid-eighteenth century onwards. This was due to the movement of painters trained in the Mughal ateliers, who with the gradual decline of the Mughal empire moved from Islamic centres to provincial Hindu courts to take up employment. However, this was only a limited regional and temporal development.

10 Amongst contemporary artists in Nepal, for instance, the majority do still also depict religious subjects, whether this is Batsa Gopal Vaidya, Shashi Shah, Manuj Babu Mishra, Buddhi Thapa, Kiran Manandhar or Shashi Kala Tiwari. It is noticeable how often these artists create variations on the theme of the *maṇḍala*. However, in terms of more figural and less abstract themes there is also continuity in that gods and goddesses are regularly depicted.

Plate 1.2: Contemporary linocut print by Nepali artist Batsa Gopal Vaidya, depicting a modern interpretation of the Hindu god Gaṇeśa.

3 Dependencies, Dependences and Freedoms

Studies focusing on theoretical frameworks, analytical issues and terminologies in slavery and the emerging field of dependency studies, distinguish between 'dependence' and 'dependency'.[11] According to this differentiation, 'dependence' is descriptive of

11 See for instance the recent publication by Christoph Antweiler, "On Dependency, Dependence, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies (2022): 1–16. I agree with Antweiler, who points out that 'the concept of slavery may be problematic in scientific terms to describe many of the forms we study, as it is only one case of asymmetrical dependency,

short-term developments and spatially confined contexts of asymmetrical relations, i.e. specific defined cases on a reasonably small scale. In contrast, 'dependency' (*dependencia*) has to a greater extent to do with longer-term trajectories in larger, often global contexts. It describes a formalised, instituted or systemic practice, often supported through an established system. This means that it is generally more stable, unchanging, long-lasting and permanent. In addition, it usually involves or affects larger numbers of people.[12] Nevertheless, the two concepts are intimately linked and customs which generate or nurture situations of strong asymmetrical dependence can gather and accumulate over time to create larger entities of dependency. In fact, the differentiation is reasonably well-defined in theory. In practice, however, it is often not so straightforward to set the two clearly apart. Whilst most phenomena discussed in the present volume function on a relative micro-level and are less concerned with macro-oriented dependency theory and global phenomena, one might ask whether the age-old caste system[13] and the faith groups of Hinduism, Buddhism and Jainism, with their sacred ritual and theoretical texts which influence the lives of people in the entire vast region of South Asia till today,[14] should not be classified as larger-scale and long-term motors that power social, societal and religious 'dependencies.' Equally, despite some recent changes to weather patterns through global warming, the general difference in climate between the dry Deccan plateau and the wet coastal belt of western India,[15] which depends on the longstanding monsoon rains that impact in fact the whole Asiatic region, would then be a climatic dependency and not simply a dependence.

This analytical differentiation between the two terms, set up by some theoreticians, has not been addressed or implemented in the contributions of the authors who participated in the conference or who contributed to this edited volume. In the different individual chapters, the terms 'dependence' and 'dependency' are used synonymously, as is

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and an extreme one at that.' (Christoph Antweiler, "On Dependency, Dependence, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies [2022]: 10). As this text by Christoph Antweiler came out as one of the central theoretical texts of the Bonn research Cluster just before the manuscript of this volume was submitted to the publisher, the introduction makes regular reference to his concept paper. This is in order to show the many overlaps but also divergences in opinion and approach in the compilation and intention behind the current edited volume and in order to stimulate further debate about these central topics.

12 Cf. Christoph Antweiler, "On Dependency, Dependence, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies (2022): 2, 4.

13 Christoph Antweiler stresses that 'Structures are by definition characterized by a certain measure of durability, which distinguishes them from processes or dynamics.' He also points out that practices can take on more organised outlines when they last for long periods and become very prevalent, such as ritual practices (Christoph Antweiler, "On Dependency, Dependence, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies [2022]: 6). On the same page, he also talks about the 'institutionalization', 'canalization' and 'fossilization' of social relations.

14 On this, refer back to the discussion of how contemporary art practices in Nepal are still connected today to traditional motives and expectations, such as the ritualistic properties of art.

15 The comparison and contrast between these two regions forms the focus of Chapter 3.

usually done in ordinary, non-specialised speech. The thirteen papers in this collection do not focus on abstract theories or terminologies. They introduce specific practical examples, case studies and microhistories, which reflect asymmetrical relations of dependence taken from the wider region of Asia. None of the authors, nor the editor, are specialists in the areas of slavery and dependency studies. Nevertheless, the contributions all outline clear cases of severe forms of asymmetrical dependence from the contributors' own day-to-day research work. All together, these case studies succeed in shedding light on and giving tangible form to a large number of dependency phenomena.

In addition, the papers collected in this volume do not stop at just describing dependences or dependencies. An even more important question for the authors was how artisans, artists, master builders and architects managed to overcome both more temporal and local dependences and longer-term and wider-ranging dependencies. It is fascinating to observe that however robust and durable the constraints were (and are) with which visual artists found themselves confronted, all of them found means to express their creative energy and imagination. In this context, then, the questions posed by Christoph Antweiler are helpful: 'Who is involved in relations of dependence? Who is acting, and who is being acted upon? How much freedom is there to act as desired (agency)?'[16] However, we have to bear in mind that in this publication, we take a wider approach to dependences and also include constraints posed by the availability of building materials and the spiritual reliance on religious cults, their teachers and divine beings. Therefore, the question, 'Who is acting?' might in our context be enlarged to, 'Who or what is acting or influencing?' In our context of material culture, the concept of freedom might be equated with liberty or autonomy of choice, creative inventiveness or agency,[17] levels of free expression and non-conformity, but less with wholescale independence or sovereignty.

4 Artistic Communities and Patronage in Asia

Dependences are often characterised by unequal human social relationships. For this reason, the issue of 'communities' figures strongly in the title as well as in the papers in this publication. The focus is less on named individuals, as the names of artist and builders were rarely known at the time of their creation and have not

16 Christoph Antweiler, "On Dependency, Dependence, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies (2022): 7.

17 The BCDSS understands 'agency' as an 'opportunity to act within relations of asymmetrical dependency' (Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler and Stephan Conermann, "On Asymmetrical Dependency," *Concept Paper* 1, Bonn Center for Dependency and Slavery Studies [2021]: 6). For further details on understanding the concept of 'agency' as a fundamentally social activity, a dynamic relationship of societal interdependency which could be equated with 'interagency' or 'co-activity', see page 11 of the same publication.

preserved.[18] Therefore, our focus is more on supra-personal units, such as artistic groups, communities and societies. Often these belong to a specific societal group or sub-caste.[19]

Generally, artists and artisans in South Asia belong to the Vaiśya caste, which in a system of four castes ranks at second lowest level in the socio-religious societal structure.[20] In India, there is, for instance, a sub-caste of painters (*citrakār*) or stone masons and sculptors (*śilpi*).[21] The rigidity and natal placement of each individual into a certain caste and sub-caste causes social tensions and dependencies. When I conducted research with contemporary Nepali painters in the Kathmandu Valley in the mid- and late-1990s, young artists, who had chosen to be painters as their profession and gone to art college in India or Nepal, still had to marry within the caste of the *citrakār*s, even if they were born into what was perceived as a higher caste. In Japan, too, which has a similar strict social order, actors traditionally belonged to a specific social stratum. C. Andrew Gerstle writes, 'Kabuki actors have traditionally formed a segregated, relatively closed social group, clannish and guild-like.'[22] Whilst these actors were not considered part of a high-ranking class, on stage they were permitted more freedoms in what they wore or how they behaved than those considered high-ranking members of society. As a result, a socially dependent and to a certain extent subjugated group gained certain freedoms during their artistic performances, which were not available to other sections of society at the time.

In addition to societal dependences, addressed above, this publication also analyses other than purely inter-human dependences. Included are examples indicating strong and enduring dependencies on the climate, on natural resources needed for sculpting and buildings, on religious traditions, whether transmitted orally or in writing, and

18 This issue has already been discussed in section 2 of this introduction. See also the contribution by Kanika Gupta in this collection of papers.

19 Indian society has traditionally been grouped into four classes (*catur varṇa*). The *varṇa*s are further subdivided into large numbers of so-called 'birth-groups' or sub-castes (*jātī*s). For further details, cf. Karel Werner, *A Popular Dictionary of Hinduism* (Richmond: Curzon Press, 1994): 50–51, and Klaus K. Klostermaier, *A Concise Encyclopedia of Hinduism* (Oxford: New World, 1999): 48, 174.

20 Additional information can be found in Karel Werner, *A Popular Dictionary of Hinduism* (Richmond: Curzon Press, 1994): 50–51, 168, as well as in Klaus K. Klostermaier, *A Concise Encyclopedia of Hinduism* (Oxford: New World, 1999): 196.

21 For further details on the *citrakār*s, especially in Nepal, cf. Christoph von Fürer-Haimendorf, "Elements of Newar Social Structure," *Journal of the Royal Anthropological Institute of Great Britain and Ireland* 86 (1956): 21–23, Susanne von der Heide, "From 'British Naturalism' to Abstract Modern Painting in Nepal," in *Anthropology of Tibet and the Himalayas*, ed. Charles Ramble and Martin Brauen (Zürich: Ethnographic Museum of the University of Zürich, 1993): 94, 97, and Julia A.B. Hegewald, "'Our Studio is Nature': The Work of the New Art Circle in Nepal," *Journal of the Nepal Research Centre* 10 (1996): 96. On *śilpi*s, see C. Sivaramamurti, *The Painter in Ancient India* (New Delhi: Abhinav Publications, 1978): 3.

22 C. Andrew Gerstle, *Kabuki Heroes on the Osaka Stage 1780–1830* (London: British Museum Press, 2005): 12.

strong and asymmetrical dependencies on superordinate actors, such as rulers and patrons. To introduce readers to a wide variety of different forms of dependencies in Asian art, information on the individual chapters in this publication, has been grouped into four thematic categories. These will now be discussed, together with a short summary of each chapter.

5 Thirteen Case Studies of Dependencies and Freedoms in Asian Art

In slavery and dependency studies, the emphasis so far has been on slavery and slavery-like relations in the context of the trans-Atlantic and the ancient Mediterranean slave trade. In the newly evolving and wider field of dependency studies, other regions and periods will also be explored.[23] This book contributes to readdressing this imbalance by not focussing on mainstream slavery. The chapters included here come from cultural studies and acquaint the reader with the art and architecture from different geographic and temporal backgrounds throughout the wider region of Asia. Regionally, they include case studies from all over India, from Nepal, Tibet, the area of the Silk Routes and from mainland China. In keeping with the Cluster's main emphasis, they focus on the pre-modern age, ranging in date from the early centuries BCE, via medieval to colonial art and architecture. Some even go slightly beyond this by including contemporary artistic expressions mirroring dependency patterns. Whilst mono-theistic religions have figured most strongly in existing studies of dependency,[24] the authors in this volume examine mainly Hindu, Buddhist, Jaina and more local religious expressions especially in South Asia, all of which display a rich pantheon of gods and goddesses. There is also great variety in terms of the arts under discussion. Whilst some look at cave excavations or structural architecture, others focus on sculpture or painting, on porcelain and coins, but also on religious ceremonies and dance performances. Most importantly for the focus of this volume though, they introduce different types of dependence, in which artisans, artists, architects and master builders have found and often still find themselves today. To conclude their investigations, whatever constraints we are dealing with, all papers also highlight the freedoms which the artists found and continue to uncover within the limitations set by their

23 This has been discussed in Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler and Stephan Conermann, "On Asymmetrical Dependency," *Concept Paper* 1, Bonn Center for Dependency and Slavery Studies (2021): 3.

24 On this, see Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler and Stephan Conermann, "On Asymmetrical Dependency," *Concept Paper* 1, Bonn Center for Dependency and Slavery Studies [2021]: 3).

belief, social group, by their environmental surroundings, accessible materials, textual and oral prescriptions and the conventions of their profession.

5.1 Climatic and Resource Dependences

First and foremost, all art objects and buildings are produced within a specific setting. In many ways, this is shaped by the local climate and by the availability of resources for building and art production. This again depends on soil conditions, geomorphology and geography. Buildings have to withstand the climate and provide shelter for humans, animals or sacred ceremonies and gods. Edifices have to be shaped differently if they have been raised on steep slopes, constructed in dense forests, flood plains or in deserts. With regards to resources, for instance, in desert regions wood is rare and precious. If on the other hand it has been employed in edifices and objects it usually preserves well and endures for long periods, due to a generally very low humidity. In arid regions, simple mud or clay-rich soils are frequently used for building and the modelling of statues, as rain and dampness, which would dissolve the mud, pose little risk to the durability of constructions and earthen objects.[25] In areas where firm stone is available, this is usually preferred for sculpting statues and assembling architectural structures, as it is resistant both to rain and fire and is an expensive and highly-regarded building resource. In comparatively wet regions, botanical construction materials such as wood, thatch, reeds or bamboo, often dominate as readily available, sustainable and low-cost alternatives.[26] Frequently, natural fibres have been combined with stone basements for damp proofing. In addition, they have also been combined with mud in some form of timber framing.[27] Mud can also be fired and used as burnt tiles, especially in the upper levels of edifices, such as the roofs. This illustrates the close connection between climate and building resources and the limitations and dependencies posed by the weather and by locally available construction sources. In larger cities and at well-connected places, the reliance on only regional products can at times be broadened through imported supplies. However, the dominance and dependence on the climate remains usually very strong.

The more extreme the climatic conditions and the more remote an area is, the more did local artists and builders have to rely on regionally available products. This is exemplified by the wall paintings, clay statues and rock caves that were created along the northern Silk Route, discussed in Chapter 2 by Birgit Angelika Schmidt. The

25 This can, for instance be seen in regions of northern India, such as Ladakh, on the Tibetan high plateau but equally in the north of Africa.

26 See, for instance, the art of building on the west coast of India, in Bangladesh, the Andaman Islands, Myanmar or in littoral South East Asia more generally.

27 In South Asia, timber lacing is particularly widespread in the regions of Himachal Pradesh and Kashmir, but also in Nepal, Sikkim and Bhutan.

Buddhist monastic caves were excavated from steeply sloping rocky cliffs, which offered shelter against the summer heat and the cold during the winter months. The region under discussion lies in the extremely arid Taklamakan Desert in Central Asia and is bordered by high mountain ranges. Owing to the presence of loess soils, clay is the main building material. Due to the aridity of the climate, it does not need to be fired but can be employed in the form of rammed earth or sun-dried bricks.[28] According to Schmidt, however, the climate was more temperate in the past and allowed – at least to a certain degree – the cultivation of trees, grasses and other vegetation. Wood and plant fibres were employed as roof coverings, decorations and in order to stabilise buildings and statues. The shape of the caves illustrates a severe dependency on the climate, which demanded enclosed building forms as shelters against heat and cold alike. The different shapes, however, also show a playful creative handling of these severe climatic constraints. In addition, pigments for murals and colouring clay statues, too, were derived from regional minerals and plant products. As such, all building and artistic materials were available in the vicinity of the caves. Due to the remote location of the site, the torturous journey through deserts and mountains and the inhospitable climate, it appears that materials did not reach the area from outside, illustrating a severe dependency on local resources for artistic productions. However, phrased more positively, it exemplifies a perfect adaptation of the people to the regional, geological and topographical conditions. Despite the sparseness of their surroundings, the artisans found there all necessary materials to create a rich and enduring heritage. In this, they succeeded in finding wide artistic freedoms and reached perfection in the use of these limited resources.

Whilst in the first case study a severe dependency on an extremely arid setting was the prevailing situation, the following chapter by Julia A.B. Hegewald illustrates the dependencies and freedoms established in a predominantly humid building environment. The main focus of examination in Chapter 3 is the temple architecture of the Jaina religious group[29] along the west coast of the modern state of Karnataka in South India. The local weather conditions are characterised by heavy monsoon rains and a generally high level of humidity. This climate has led to the growth of dense forests and the ample availability of wood for building. Usually, timber lacing, combining wooden structural elements with mud infill, have been employed. Illustrating the dependence on this climate

28 Very similar building techniques can also be found on the dry Tibetan high plateau as well as in the art of building in northern Africa. Furthermore, as Schmidt shows in this publication, in addition to mud naturally occurring gypsum could be also harvested locally on the northern Silk Route. This was utilised in the surface finishings of statues in particular.

29 Jainism is as old as Buddhism and was formed in the same region of Eastern India. Further details on the Jaina religion can be found in Chapter 3 in this publication and in Julia A.B. Hegewald, *Jaina Temple Architecture in India: The Development of a Distinct Language in Space and Ritual*, ed. Stiftung Ernst Waldschmidt, Monographien zur indischen Archäologie, Kunst und Philologie 19 (Berlin: G+H-Verlag, 2009).

of strong precipitations, steeply slanting and widely projecting, at times also multiple, pyramidal roofs were employed (Plate 1.3). These protect the earthen walls against the rainfall. The precipitous roofs are usually covered with fired terracotta tiles. Even when more intense quarrying and improved access routes made hard stone for building more accessible and popular in the region, the same form of protective roofs were fashioned out of the new material. This happened largely from about the fifteenth century onwards. As stone is much heavier, the amount of loadbearing pillars supporting the roofs from below had substantially to be increased. This amplified and reinforced a local aesthetic already present in the largely wooden constructions. Furthermore, it illustrates a certain freedom from purely local material dependencies but at the same time a stylistic dependence on previous building traditions. In order to emphasise the unusual nature of building activities typical of the littorals, these are also contrasted with architecture fashioned on the bordering Deccan high plateau. This shows vast differences in terms of geographical location, naturally available resources and building styles within the state of Karnataka. Both regions illustrate a strong dependence on and a clear adaptation to the local climate and the naturally available resources. Whereas the introduction of new building materials, such as stone – and in the twentieth century also concrete as a more 'global' resource – provided some leverage with regards to materials, the dependence on the local climate, especially when this is extreme (dry or wet), cannot easily be circumvented. This illuminates an extreme dependency of traditional building patterns on climatic conditions.

Plate 1.3: Mudabidri, coastal Karnataka. Reflecting a strong dependency on the climate of strong monsoon rains, the temples have multiple slanting and projecting roofs.

Third in this section on weather dependencies and resource restrictions comes the chapter by Daniel Suebsman. This demonstrates the interdependence on a largely imported and not a mainly locally available good. In the case of Chapter 4, this material is silver. Another peculiarity in this contribution is that people did not depend on this product itself for the creation of art objects, but that Chinese porcelain, precious silks and other artistic material artefacts were exchanged against silver. During the Ming dynasty (1368–1644), silver became the most important means of payment in China, when local deposits did not suffice to satisfy its needs. As a result, China became heavily dependent on silver imports from abroad. European silver appears to have reached China as early as the fifteenth century, and Japanese silver from the sixteenth century. At this time silver was mined in large quantities in South America as well. The chapter focusses on Chinese export porcelain during the Ming Dynasty, and its dependence on foreign, predominantly Spanish colonial, silver. Especially during the seventeenth century, this entered China in the form of ingots or silver coins, which were used as payment for export ceramics, largely blue and white wares. Interesting with regards to the more general topic of slavery and extreme forms of dependency, Suebsman describes that from the late Ming dynasty, between 1522 and 1619, a currency and tax reform made silver the official main currency. As a result, tax obligations had to be paid in silver instead of goods or forced labour. He stresses that, '[a]fter more than 2,000 years, the traditional form of land tax payment and labour service was abolished.' This further increased the need for and deepened the dependency on foreign silver imports. Furthermore, it also inflated the price of silver in China and made exports of silks and porcelain reasonably cheap for foreign traders.

5.2 Religious and Social Dependencies

As the section above has shown, human life is strongly determined by the climate in which people live and in terms of building shelters and producing objects, may these be artistic or practical, by the materials available to them. Besides this, the human environment is also intensely governed by cultural, societal and religious determinants. As we have seen, for instance, in connection with the South Asian caste system, these are often tightly interconnected and can at times not be disentangled. Such religious and social dependences are often visualised in ritual activities, which stress asymmetrical power relations between humans as well as between humans and gods.

Whilst believers of any religion find themselves in some kind of dependency on their chosen deity, Chapter 5 by Tiziana Lorenzetti deals with a special situation. Her study focuses on Śaiva devotionalism in the modern states of Tamil Nadu, Karnataka and Andhra Pradesh, which can involve extremely severe dependencies. In this context, the worshippers consider themselves to be 'slaves of god' and are willing to mutilate their own bodies, either to restore what is believed to be the injured body of the god Śiva, or to produce a worthy offering to be made to him. Lorenzetti shows that

some Śaiva devotees were even willing to sacrifice their own lives, by cutting off their own heads, in order to honour Śiva and to prove their piety and love towards him.[30] This is considered a kind of 'violent devotion.' Lorenzetti reminds us that self-sacrifice and self-oblation have often been closely linked to military activities and that such deeds are interpreted as forms of bravery, vigour and heroism. It is also an act of total submission to a divinity. In a form of total dependency in spirit, soldiers give their life for their ruler or even vow to take their own life should he die. This, too, often involves self-decapitations. Due to the close connection in Indian thought between kings and gods, the same ritual was also conducted in front of religious statues. Depictions of such self-beheadings have been preserved in temples and on hero memorial stones, typical of South India. The prevailing belief was that somebody brave enough to sever his own head and to offer it to the deity would have it reinstated by the divinity and also be rewarded with supernatural powers and invulnerability. This made the practice so attractive to warriors. Detailed reports, also from European travellers, of such ritual self-beheadings seem to indicate that these self-sacrificial ceremonies were not to be understood simply as metaphorical interpretations, but as actual occurrences involving razor-sharp, half-moon-shaped blades. Initially, such acts were used to intimidate opponents, by accentuating the deep dedication, enslavement and subordination of one's own life to a chosen god or religious path as well as the strength – and in extension freedoms and influence – gained from it. Subsequently, they served to completely subordinate frightened rivals in an act of victory.

The following chapter by Tiziana Leucci also focusses on South India, but, by contrast, mainly on the region of Tamil Nadu. Whilst in the previous contribution we encountered mostly heroic and militant male believers, Chapter 6 introduces the tradition of the *devadāsī*s and the *rājadāsī*s. Until the 1940s, these were female performing artists and courtesans, who were bestowed on Hindu temples and royal courts before reaching adolescence.[31] The women were considered 'servants' or 'slaves' of a deity or a sovereign (god-servants, king-servants) and found themselves in a position of severe submission and bondage. However, their level of education and sophistication differentiated them from ordinary sex workers and conferred a superior societal status onto them. As Leucci shows, the act of serving a highly respected person – monarch or divinity – by surrendering one's life and body to them was not considered a derogatory or humiliating

30 The god is not described as acting and telling the believers directly what to do. However, the expectation of the divinity and the community, and the promised gain in terms of religious merit, are perceived as common knowledge or a worldview. In abstract terms this issue has been discussed in the joint chapter by Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler and Stephan Conermann, "On Asymmetrical Dependency," *Concept Paper* 1, Bonn Center for Dependency and Slavery Studies (2021): 8–10. As such one can argue that the deities have control and influence over the devotee sacrificing himself. For this point see also page 12 of that paper. This appears to go beyond the concept of 'mediation', which is discussed on page 13.

31 This further emphasises the aforementioned intimate connection between kings and gods, which is prevalent in Hindu culture.

action, but a voluntary act and a privilege. The voluntary 'servants' received the honourable title of 'slave' as a sign of respect, as a blessing and a gift. Furthermore, they obtained certain rights and forms of renumerations, were often quite wealthy and influential and able to make generous donations to temple institutions. This illustrates a strongly hierarchical and a symbolic relation of respect and surrender, which demonstrates a connection of severe dependency as well as one of simultaneous social and religious freedoms.[32]

The third paper in this section also deals with material from South India, in this case, the coastal region of northern Kerala, known as Malabar. Chapter 7 by Jahfar Shareef Pokkanali examines extreme forms of dependency in a Hindu ritual dance form known as *teyyāṭṭam* (dance of god). During the ritual performances, the lower-caste male performer embodies the spirit of the god, goddess or divinised hero or heroine, and temporarily becomes the venerated being. This form of ceremony is related to spirit possessions practiced in Tamil Nadu.[33] In contrast to so-called high, classical or Sanskritik (*brāhmanical*) Hinduism, the divine ritual tradition (*teyyam*) of northern Kerala has largely been characterised as folkish, indigenous and vernacular, although it is patronised by all caste groups. It is against the background of this dichotomy of a perceived 'high' and 'low' culture or caste, and Sanskritik versus popular religion, that Pokkanali focuses on embodied human and nonhuman dependencies. In *teyyam* performances, the conflict between these two social groups or religious strata becomes ritualised and as a result, the asymmetrical dependency is legitimised. In order to redress a crisis between two social sections, a lower-caste hero contests the principles of caste differentiation. Through this, the weaker and marginalised group is temporarily exalted in the ritual drama.[34] This acts as a catharsis, as the subjugated culture is given the opportunity to express itself in a ritualised framework.[35] Following this, the

32 Contrary to married Hindu women, the temple dancers were, for instance, permitted to interact with male dancers and musicians and to choose freely one or more lovers without attracting shame. Leucci shows that later Christian missionaries only saw the dependency aspect and denied the prestige and status the women held within their own society and social-religious system.

33 Both include the veneration of deified ancestors, martyrs and heroes and the offering of alcohol and blood sacrifices, which generally, outside a religious ceremonial context, are considered to be polluting substances.

34 The enactment of a situation in a performance which is not perceived as normal life is a case also discussed by Christoph Antweiler (Christoph Antweiler, "On Dependency, Dependence, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies [2022]: 10). In addition, on the subject of competing, multi-faceted worldviews, see also the discussion in Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler and Stephan Conermann, "On Asymmetrical Dependency," *Concept Paper* 1, Bonn Center for Dependency and Slavery Studies (2021): 9.

35 Outlining similar occurrences in more theoretical terms, Christoph Antweiler writes: 'For societies in which asymmetrical dependency is a widespread (or even normalized) form of relationship, a dissenting heterodox position is one that questions this normality, while an orthodox position affirms this form of relationship.' (Christoph Antweiler, "On Dependency, Dependence, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies [2022]: 10).

overbearing Sanskritik order of the higher castes is reinstated and reinforced, and the social structure and its unity are strengthened. As such, the *teyyam* performances embody and visualise severe dependencies but also temporarily overcome these in a ritual context.

Chapter 8 by Gudrun Bühnemann analyses dependencies between religious groups in the Himalayas. In her paper she disproves the prevailing misperception that Buddhist art generally is meditational, peaceful and concerned with enlightenment only. The statues of Tantric divinities from Nepal which she analyses clearly subjugate Hindu deities and show them in a heavily dependent position. Bühnemann identifies three types of images which demonstrate extreme forms of dependency in a context of religious conflict. In the first pattern, which is the most widespread, one or several major deities of the Hindu pantheon are shown crushed underneath the feet of a powerful and much larger standing Tantric Buddhist figure in a warlike stance.[36] This is a very explicitly triumphant posture, indicating superiority and legitimising the power of the figure in militant stance. In her chapter, Bühnemann characterises this as 'part of the iconography of power'. The defeated gods lose their status, become dependent and the slaves of the dominant Buddhist figure.[37] In the second pattern, found in the Tantric art of Nepal, a Buddhist character rides on a Hindu divinity. In this instance, dependency and subservience are shown by the triumphant Buddhist character being carried on the back of the conquered Hindu divinity, indicating hierarchy. In the last design, a Buddhist individual, usually the Bodhisattva Avalokiteśvara, is depicted emanating seven to fifteen Hindu gods and goddesses from his own body. Having seemingly 'created' the Hindu gods, the Buddhist figure assigns them their duties, expressing their unequal position and heavy dependence on the central Buddhist representation. The latter theme became especially widespread in Nepal during the eighteenth century. As such, these icons, which in the past were often read as allegorical images,[38] do in fact illuminate religious rivalries illustrated through the depiction of strong forms of asymmetrical dependency.

5.3 Dependences on Oral and Written Traditions

In the previous section, we discussed religious and social constrains. Frequently, these have been recorded and fixed in sacred texts, which delineate the essential ideas and

36 These forms are already known from later Indian Buddhist art.

37 At times, the Buddhist character is also shown with his female consort.

38 The figures under the feet of dominant Buddhist figures were in the past frequently interpreted as representations of evil forces or negative emotions, such as anger, greed or arrogance, which practitioners have to overcome in their quest for liberation. Whilst this explanation might still be correct in certain contexts, the background of individual statues needs to be evaluated more closely in the future to provide a more nuanced understanding. Bühnemann points out that representations showing sectarian rivalries were especially meaningful to recent converts to Buddhism who knew the Hindu pantheon well.

convictions but also the regulations for behaviour and religious or artistic practices. It is typical of Asian traditions that artistic customs for the production of religious paintings and sculpture, religious dances and ceremonies, and the construction of sacred edifices, have been codified in the form of manuals. They are particularly widespread in South Asia, where they were first composed in Sanskrit verse and later translated into vernacular languages. From the early centuries of the Common Era, these sacred canonical texts multiplied throughout India. These writings that embody the rules of a subject are in general known as *śāstra*s. Those dealing with building, sites for building and with the art of sculpting more specifically, are known as *vāstuśāstra*s or *śilpaśāstra*s.[39] However, as some of the chapters in this section will show, the knowledge and rules applying to some disciplines were not always primarily handed down in writing, and artists always found ways to circumvent restrictive regulations.

Adam Hardy, in Chapter 9, asks to what extent the architects of temple buildings in India were controlled, confined or restricted by such canonical texts. The general prevailing impression is that prescriptive texts could hamper or inhibit creative thought processes and artistic development. Hardy shows that the builders strongly depended on these texts and that the *śāstra*s provide plain typologies and clear rules for a creative framework. However, he stresses that they offer freedoms, too. In his contribution, he argues that '[i]f temples can be considered an art form, then a particular form of temple is analogous to, say, a sonnet in poetry, where creating something new within the given pattern is the whole point, and to stray too far from it is no longer to write a sonnet.' He also shows that existing temple types were blended to create new design possibilities, thus retaining the old but evolving it through creative processes. Hardy outlines a development where at the start of textual traditions, in the seventh to ninth centuries, there were more temples than texts. This indicates that the tradition must have started with practice and then been written down, not *pre*scribing, but initially documenting and *de*scribing an evolving tradition. This then became codified by being fixed in writing to a certain extent. Whilst these manuals provided a framework, they still allowed for innovations and were expanded and added to over time. Some texts even 'think ahead', as Hardy puts it, and present us with forms and designs which have yet to be transformed into stone in the future. In this sense, the religious written compositions on architecture allow freedom for expression; some might even be more open, progressive and in this sense more modern than practice has yet allowed for.[40]

The following paper, Chapter 10 by Sandra Jasmin Schlage, continues this debate by evaluating the importance of written and unwritten sources and conventions for

39 In Sanskrit, '*vāstu*' is 'the ground' or 'a site' but also a building and '*śilpa*' is an artistic work and any manual art or craft. It also means 'form' or 'shape' more generally.

40 This shows a fascinating tension or creative dialogue between construction conventions and what is being preserved as tradition on the one hand, and texts on building practice on the other. Either writings and practice can at times be more restrictive or limited by conventions than the other.

the depiction of dance scenes in relief carvings and paintings. Although most of her examples come from a Hindu context and have been taken from Tamil Nadu, the chapter also discusses evidence from other regions and religious groups. These range from the early centuries CE to the present day. Schlage argues that artists appear to have been more dependent on orally transmitted visual markers, such as the position of the legs, and other understood stylistic conventions of representing dance movements and postures, than on strictly formulated written texts, such as the *śāstra*s. A close examination of dance panels shows that often the notion of dance was created by combining a limited number of postures of arms, hands and legs, in the form of regulated principles, which were also not necessarily derived from actual practice. Whilst such conventions were formed and formalised during the earlier southern dynasties, they had reached a level of standardisation during the Cōḻa Period (*c*. the ninth to thirteenth centuries). Schlage states

> However, within a few centuries what started as a creative innovation seems to have developed into a set of unwritten rules [. . .] The combination of stylistic perfection and an almost static appearance of the dancers creates the impression that artists were almost slaves to these norms.

Whilst some creative solutions were found for more unusual forms, such as stick dances, most practices which had developed over time were applied strictly. This approach appears to continue on many levels into the present, as artists seek to place their art in a line of highly valued religious imagery. It is difficult to determine how much this is a voluntary observance of and loyalty towards a valued tradition, and how much a slavish adherence to fixed rules. This shows that dance depictions exhibit a fascinating mixture of stylistic dependencies and freedoms, which have not been derived from written texts, but are instead based on accepted norms and conventions.

After the temple-building tradition, rooted to a large extent in written sources, and the sculptural dance relief custom, based more on unwritten standards, we encounter another situation in Chapter 11 by Amy Heller. This paper looks at restoration practices throughout the Himalayas. In this area, restorers have neither official texts nor necessarily accepted existing traditions to base their work on. Even so, they encounter strong tangible and intangible restrictions in their work. In actual fact we reencounter the *śāstra*s, which were translated into Tibetan and provide iconographic, inconometric and colour conventions for the delineation of divinities as well as local religious authorities dictating designs. On the other hand there are contemporary international standards created by Western conservation specialists, which include, for instance, the practice of not filling in the lost sections of a painting in order to preserve its authenticity, under the heading of 'minimal interventionism.' However, in a ritual context it is essential for a venerated representation to be intact. Therefore, Buddhist communities throughout the Himalayas have tended to retouch or repaint in order to recover lost sections of murals, based on spiritual aspirations. Furthermore, the use of predominantly regional, natural and traditional materials over modern synthetic products developed in the West appears to be a constraint accepted by

local conservators. Whilst the *śāstra*s do not provide information on how to repair damaged paintings and Western conventions are at least partially rejected, religious ideas and a wish to adhere to an existing local material tradition have created contemporary unwritten rules that direct and to a certain extent restrict restoration practices throughout the Himalayan region. How this works in practice is shown in the chapter through three case studies of conservation projects connected with living Buddhist sanctuaries in Tibet, Mustang (Nepal) and Ladakh (North India).

5.4 Dependence on Rulers, Patrons and Markets

As mentioned at the start of this chapter, artists all around the world and at all times have, beyond other constraints, been dependent on the patronage and support of benefactors who act as employers. These may be powerful rulers, private individuals, groups of people (e.g. the Buddhist *saṅgha*) or institutions. In modern times, their number can also include ordinary individuals who collect art, or the art market as a whole on which artists depend. Art has been used as a political and power influencer to manipulate the people and other political players, for instance, in the form of idealised portraits, the depiction of historical victorious battle scenes, or in our days in political advertising, election posters and video clips. Artists depended and still depend on the pay they receive for their commissions. This inevitably places them in an unequal and hierarchical relation to their donors or sponsors, who in the past and still today exercise control over them. These sponsors or customers also regulate and manipulate what is being produced, at least to a certain extent. These relations may be referred to as asymmetries of power, including control, dominance and coercion. New rulers have also annexed and sometimes even converted important religious art objects or sacred spaces,[41] to signal their might, to terminate a previous cult or take control over the sacredness of objects and sites (Plate 1.4). As such, the topic of patron-client relations is particularly fruitful when researching extreme asymmetrical dependencies in art. This topic forms the focus of the following set of chapters in this edited volume.[42] To a certain extent, patron-client

41 This is part of the concept of the 'continuity of religious sites', developed by Mircea Eliade in his publication, *The Sacred and the Profane: The Nature of Religion – The Significance of Religious Myth, Symbolism, and Ritual Within Life and Culture* (San Diego/New York/London: Harcourt Brace Jovanovich, 1987 [1957]). On this issue, see also Julia A.B. Hegewald, "Towards a Theory of Re-Use: Ruin, Retro and Fake Versus Improvement, Innovation and Integration," in *Re-Use: The Art and Politics of Integration and Anxiety*, ed. Julia A.B. Hegewald and Subrata K. Mitra (New Delhi: Sage Publishers, 2012): 34.

42 Christoph Antweiler points out that these are social micro-relations which essentially are 'similar to macro-patterns of dependence and inter-dependence' (Christoph Antweiler, "On Dependency, Dependence, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies [2022]: 5). He characterises patron-client systems as life-long and, as such, as falling into the group of extreme forms of dependencies. This is in contrast to shorter-term and simpler dependences (11–12). See my discussion of this differentiation under point 3 of the present chapter.

interactions can also be classified as simple work-based or labour relation. These will be discussed later in this chapter.[43] However, as artistic work always involves creativity and the retainment of some original innovative choices, patron-artist interactions are treated separately.

Plate 1.4: Quwwatu'l Islām Mosque, Delhi. The site and building materials, first employed by Hindus and Jainas, were re-used by Muslims in the late twelfth century.

Kanika Gupta in Chapter 12 describes the situation of Indian sculptors as one of strong dependency, in which even their artistic skill and their mastery of the techniques was often denied and ascribed to patrons, religious leaders or the gods themselves, who are not only portrayed as the donors but indirectly as the creators of the art.[44] Gupta argues that this is the reason why, at least in early Indian art, the names of artists are not known and have not been transmitted. It is indeed curious that we often know who

43 The combination of 'asymmetries of *power*' and '*work-based* relations (labor)' indicate that there often are '*multi-modal* relations', as pointed out by Christoph Antweiler, "On Dependency, Dependence, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies (2022): 9.

44 This is consistent with Christoph Antweiler's observation that we generally know less about those who are subordinated than those who rule (Christoph Antweiler, "On Dependency, Dependence, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies [2022]: 10). On the other hand, C. Sivaramamurti stresses that there are cases in which kings were artists themselves (C. Sivaramamurti, *The Painter in Ancient India* [New Delhi: Abhinav Publications, 1978]: 6). However, this is not the situation described here by Gupta.

commissioned the art under question, but not who fashioned it. However, one should add that this is also due to the fact that Asian artists were at least in part considered to be artisans, i.e. individuals who create objects and edifices for particular, in most cases strictly delineated, ritual purposes. Therefore, their works were not considered as embodying the free choices and self-expressions of an individual artist. This reflects a situation which also prevailed in Europe until at least the start of the eighteenth century. Gupta outlines a stringent religious control system and a 'strictly codified grammar of sculpture' as the main means for constraint. It is not clear if she considers this to have worked through written rules or dominant conventions. Despite this in many ways difficult and adverse situation, Gupta shows how the artists succeeded against all odds, by employing their intellect, creative genius and smallest permitted personal liberties, to create highly individual, imaginative and original works of art. To substantiate her argument, she analyses relief panels from the early Buddhist *stūpa* site of Bharhut (largely second century BCE) and from the first cave temples at Ellora (largely sixth century CE), both in Central India. At Bharhut, she shows that artists found freedoms in their individual interpretation and personal approach to depict a prescribed story. Furthermore, Gupta interprets the fact that the artists gave their full dedication to carving exceptional images of highest quality (as can e.g. be seen in the early caves at Ellora), as an expression of regaining control, pride and freedom in a situation of many dependencies and a lack of recognition of the masterworks they created.

With the following contribution by Jennifer Howes, the focus moves from early Indian art to the late eighteenth century. Howes enquires into a situation where the rulers and patrons of art production suddenly changed. Her focus lies on a group of unmarried female high-status courtiers, more precisely, female performance artists (Musarrati) from the inner court of Tipu Sultan of Mysore in South India. With the death of Tipu and the takeover of Srirangapatna by the British in May 1799, seventy-five female dancers lost their former master. They became completely dependent on and controlled by the British. They were placed under East India Company house arrest and remained in British detention until their deaths. This incarcerated them in a situation where their complex public performance services and high standing in an intricate royal culture were not understood and appreciated any longer.[45] It is fascinating that the British actually argued that they had freed these women from

45 Bethany Walker identifies such a situation in which one actor in an unequal power relation cannot exit as typical of an asymmetrical dependency (Bethany J. Walker, "Peasant Dependencies in Medieval Islam: Whose Agency in Food Production and Migration?" *Working Paper* 3, Bonn Center for Dependency and Slavery Studies [2022]: 2). Christoph Antweiler classifies such a condition, in which all previous relations are broken up or 'unmade', as he puts it, as one of extreme control and asymmetrical dependency. The suppressed group is deprived of the ability to disobey, move away spatially or withdraw from the situation of suppression and imprisonment (Christoph Antweiler, "On Dependency, Dependence, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies [2022]: 9).

slavery.[46] This shows that situations of slavery and dependence can be subject to the perspective taken by the interpreter. The question of what is considered to be severe dependency or freedom is – at least in certain circumstances – debatable.[47] It had been the principal role of these women artists to act as entertainers, as singers, dancers, actresses and storytellers. Although they were exiled from their home in Srirangapatna to Vellore Fort in 1802, where they were kept with other political prisoners of the British Empire, two painted albums of Company painters from Vellore show that they carried on their performance traditions in the early nineteenth century. They continued to act in front of the Mysorean citizens who had followed them to Vellore in their thousands.[48] This very perceptive and attentive audience who recognised their high status, gave them a purpose, clear function and a commitment to hold onto. Through their perseverance to perform, they provided their own changed lives with meaning. Furthermore, through their appearances, the exiled entourage undermined the British and despite permanent control, managed through their storytelling and composing of plays and songs, to communicate with and to provoke dissent and opposition in the Mysorean community outside their prison. As a result, they resisted their new imperial masters, subverted their own dependency and regained some freedom to remain who and what they wanted to be.

With Chapter 14, jointly written by Pratyush Shankar and Snigdha Srivastava, we stay in the colonial period but move to the north-west of India, to the modern state of Gujarat. The two architect authors outline how the British only managed to control such large areas of India through a combination of direct and indirect rule. Important players in this were the Princely States, who were greatly dependent on the colonial power in terms of finances, security and in policy matters,[49] but who retained a certain amount of autonomy in day-to-day administrative matters. Although they liaised and collaborated in certain areas, this extreme form of dependency on a foreign

46 The British also considered that the new accommodation, designed by John Goldingham at Vellor for the locked-up performer women from Mysore, was superior and an improvement on their previous lodgings. As a result, the British completely misconceived the painful loss of the palace apartments and city the Musarrati called their home and which had provided the regal and ritual context that gave them status and influence.

47 This issue has also been discussed by Christoph Antweiler. He stresses that one should be careful with 'generalizing assumptions about the basic values as well as the motives and emotions of interacting humans'. (Christoph Antweiler, "On Dependency, Dependence, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies [2022]: 7). However, it is not clear whether the British really misunderstood the situation or whether this is an early instance of applying – what we call today – 'alternative facts' or 'false facts'. Kellyane Conway, Counselor to the U.S. President, used the expression of 'alternative facts' during an interview in January 2017. In this, she tried to indorse false statements about the number of people who had attended the inauguration ceremony of Donald Trump.

48 According to Howes, there were about 6,000 inhabitants of Mysore who followed Tipu Sultan's performance artists.

49 For instance, states under indirect rule were not allowed to set up an army of their own but had to supply military support to the British. In a situation of conflict with one of their neighbours, however, the British would support the dependent Indian state.

power generated an atmosphere of distrust and at times outright defiance in the form of disobedience and non-cooperation. In fact, the authors show that through their own urban planning initiatives (e.g. public gardens, water bodies), newly commissioned civic buildings (e.g. museums, libraries, hospitals), but also through their progressive social, welfare and educational reforms, the native state of Baroda (now Vadodara), succeeded in establishing a 'counter colonial narrative.' Although the architects and planners who were employed by the semi-independent state to redesign the fabric of the cities were largely Europeans, they were hired independently and were not allied with the British. The close interaction of these professionals with local cultural traditions and the historic fabric of the city, generated a form of indigenous modernity. Mainly conducted between 1880 and 1910, these design interventions completely changed and transformed the character of the city of Baroda. Due to their dependence on imperial rule, certain British influences can also be identified in these new conceptions. Nevertheless, they illustrate that even within a situation of extreme financial and political dependency, Maharaja Sayajirao Gaekwad III managed through a strong personal engagement and the visionary architects, designers and social reformers he employed, to establish public spaces and institutions which embody transformative choices and freedoms in times of extreme dependency.

6 Alternative Forms of Artistic Dependency

In addition to the four main themes of artistic dependency, introduced by the authors and outlined in Section 5, there are other forms of dependency which further interconnect many of the papers in this volume. These are areas which form the focus of other research areas of the Bonn Cluster of Excellence.[50] In order to round off the debate and suggest fresh avenues to be explored in greater depth by historians of art and architecture in the new field of dependency studies in the future, further areas of dependences, having an influence on art production in Asia, will briefly be refer to in what follows.

6.1 Conventions and Norms

The question of how free people are of the conventions and norms of their time, culture or religious denomination, or how much they are consciously or unconsciously coerced by them, is a recurrent one in the chapters in this collection. All the papers introduced under point 5.3 discuss norms and practices, focusing on oral or written

50 This publication is a result of research area B, 'Embodied Dependencies'. Research area A is entitled 'Semantics – Lexical Fields – Narratives', research area C, 'Institutions, Norms and Practices', research area D, 'Labor and Spatiality', and research area E, 'Gender and Intersectionality'.

traditions. Especially those papers that address sacred canonical texts, which clearly prescribe guidelines for religious ceremonies, the rules of dance and its depiction, and the proportions for the creation of art objects and sacred structures, often refer to areas that have not been so well defined in written form, but are more part of an unwritten tradition.[51] In our contemporary understanding of the freedom of art, we associate such conventions more with crafts and the applied arts. However, as pointed out above, we have to bear in mind that this is a very recent understanding of art and that even contemporary artists are affected by trends, whether they follow or go against them. In both cases, producers of art and architecture are not entirely free of these constrains. Whilst some rules are fixed in writing, others are handed down from father to son, mother to daughter, or from master to pupil, something that is true in Asia in particular. In addition to this, artists are not free from fashions and the general zeitgeist, illustrating the many normative conventions on which people producing art and architecture depend.

6.2 Labour Dependences

Dependencies are created out of relationships. Dependence relations become especially visible and often show particularly highly developed systems of reliance in the area of employment. To a large extent, economic networks only function because there is a need or dependency on one side and a product, merchandise or service available only on the other. Of course, there are also more equal relations, where both sides offer valued products wanted by the other.[52] However, it is more common to find asymmetrical dependencies where one party is at least more strongly dependent on the other. In addition to these economic exchange dependencies there are also more well-defined work-based relations.[53] Workers are in need of wages for their own as well as the survival of their families, placing them often in a severely dependent, unequal situation vis-à-vis their employers. The superordinate actors profit from the labour services of the subordinate partners, who for this reason are integrated, albeit at a low rank, into the societal

51 The latter is the main topic of the chapter by Sandra Jasmin Schlage.

52 Such situations have generally been described as 'a one-way dependency, where A is dependent on B (mono-dependency) or a two-way dependency where A is dependent on B, and B is dependent on A (mutual dependence, interdependence).' (Christoph Antweiler, "On Dependency, Dependence, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies [2022]: 10, 11). Although the form, value or quality of the dependence may be different between the two parties, mutual dependence is not of greatest interest when studying strongly asymmetrical dependencies.

53 See the useful categories of different dependencies defined by Christoph Antweiler, "On Dependency, Dependence, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies (2022): 9.

network of the more powerful group.[54] As such, dependency studies find a rich field of enquiry in the area of labour dependencies. The most extreme scenario in such work dependencies is usually identified as slavery,[55] this is not a term commonly employed or widely discussed in the context of traditional Asia, at least where artisans and builders are concerned. As the names and further details of artists, master builders and architects have rarely been transmitted in an Asian context, we lack the necessary detail to better understand and to classify their relations in the past. More rewarding here would be a study of asymmetrical trade relations of art objects either within Asia or between East and West. However, there are some hints to labour relations in some of the contributions in this volume.

Chapter 4 by Daniel Suebsman on the dependence of China on imported silver during the Ming dynasty, for instance, makes direct reference to work dependencies in the porcelain industry. He outlines that at the start of the Ming dynasty, a structure of corvée labour was instigated to staff the imperial porcelain kilns in Jingdezhen. The artisans fell into two different hereditary groups. First, permanent artisans, who constantly resided on site and second, seasonal artisans from outside the region, who worked there for three months every four years. The permanent artisans had to work in the official manufactory until the court's annual order had been met. Subsequently, they were permitted to work for private kilns for the remainder of the year. In addition to these trained artisans, there were large numbers of unskilled corvée workmen who did basic labour such as obtaining and administering raw materials. The dependent corvée labourers were supplied to the state by village organisations who in this way fulfilled their obligation for public service to the community. The emphasis on silver as the only means of payment during the later Ming dynasty, mentioned above, upset this ancient system where payments could be made through human labour. This had a marked effect on porcelain production. From 1563, itinerant artisans were not allowed to offer their payments in labour any longer. From this time onwards, the workforce comprised almost only full-time, paid artisans whilst seasonal workmen vanished. Although this improved the quality of the labour provided, the manufactories could not cope with the constantly increasing orders of the imperial court. This led to partnerships with so-called 'people's kilns' who took on more and more of the orders.

Another aspect of labour dependencies can be encountered in the contribution by Tiziana Leucci. She shows that *devadāsī*s or temple servants were subjugated only in some respects, but at the same time highly educated, more autonomous and enjoying a number of freedoms that ordinary married women could not partake in. Contrary to the views expressed by European travellers and missionaries, Leucci considers ordinary married women in the dominant patriarchal system of South Asian society to

54 See also Bethany Walker, "Peasant Dependencies in Medieval Islam: Whose Agency in Food Production and Migration?" *Working Paper* 3, Bonn Center for Dependency and Slavery Studies (2022): 2.
55 Christoph Antweiler, "On Dependency, Dependence, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies (2022): 14.

be in a position of extreme labour dependency. According to her mind, as children they are slaves to their fathers, then to their husbands and when widowed to their sons, perverting the ordinary view, which is more likely to classify 'temple servants' as slaves and ordinary women as free subjects.

6.3 Gender Dependencies

Gender also plays a significant role in dependency studies, a fact illustrated by the final paper in the collection, which I discussed in the context of labour dependencies (6.2) and the case of the temple dancers as 'slaves of god', but also the life-long dependency of ordinary women on men in South Asia. Gender dependences, too, are closely interconnected with unequal relations of power. Gender inequalities figure strongly in the production of art in Asia. Certain types of arts are socially only permitted to be created by the members of one particular fixed gender. The arts of weaving and of drawing *kolam* designs[56] in front of private houses is in India reserved for women only (Plate 1.5). In Nepal, only men are permitted to turn a potter's wheel (Plate 1.6).[57] In the Japanese Kabuki theatre tradition, female as well as male roles had to be acted by men from 1629 onwards.[58] As the chapter on depictions of dance scenes on Indian temple buildings by Sandra Jasmin Schlage appears to indicate, the art of dancing, which today in India is more dominated by women, may in the past have been performed by men and women alike. On the Amarāvathī *stūpa* in Andhra Pradesh, for instance, which dates from about the second to third centuries CE, there are depictions of both male and female dancers. Comparative examples from other sites indicate that this is not unusual. Other scenes denote a change in gender, from previously male performers to female dancers, as can be seen on the basement of the tenth-century Mūlanātha Svāmī Temple in Bahur, in Tamil Nadu. The art of sculpting, too, as Kanika Gupta shows, was in the past accomplished by women. At least in a traditional context, this is not common any longer today. Intriguingly, as Gupta shows, it was more commonly the daughters-in-law who were introduced into the artistic tradition of a family from outside, rather than the family's own daughters, who were married off and moved to their husband's family's home.

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56 A *kolam* is a geometrical, often floral design pattern, laid out by the women of a household in white or coloured rice flour in front of private houses and temples for protection and auspiciousness. Whilst in the south of India, they are known as *kolam*, in the north-west they are referred to as *rangolī*.

57 In addition to gender associations, the women and men in the different trades also need to come from a certain caste. The potters in the Kathmandu Valley, for instance, belong to the sub-caste of the Prajāpatī (Sanskrit; in Newari: Kumā). For further information on this issue, see Niels Gutschow, *Stadtraum und Ritual der newarischen Städte im Kathmandu-Tal: Eine architekturanthropologische Untersuchung* (Stuttgart/Berlin/Cologne/Mainz: Kohlhammer 1982): 47–50.

58 C. Andrew Gerstle, *Kabuki Heroes on the Osaka Stage 1780–1830* (London: British Museum Press, 2005): 12.

Plate 1.5: Odalavadi Village, Tamil Nadu. Laying out *kolam* designs in front of private houses for protection is reserved for women only.

Plate 1.6: Bhaktapur, Kathmandu Valley. Only men are permitted to turn a potter's wheel in Nepal.

7 Conclusion

The chapters in this volume focus on embodied dependencies, i.e. the visual expression of forms of severe asymmetrical dependency in objects of material culture and the built environment throughout the wider region of Asia. Most of the contributions cover different areas of India, but Nepal, Tibet, the area of the Silk Routes and mainland China are also represented. The compilation of specific regional studies combined in this book concentrates on material from outside the usual focal area of slavery and dependency studies, which are Europe and the transatlantic slave trade. The long-held Western and monotheistic bias is further corrected by examining situations connected with Asian religious groups only. Figuring most strongly are Hinduism, Buddhism, Jainism and various local cults in South Asia, many of which are polytheistic or at least present a complex pantheon of a multitude of revered beings and divinities. This publication is not a theoretical study, but one that introduces thirteen tangible case studies which give concrete and very specific insights into past and present-day strong unequal dependencies in connection with a number of art forms. Amongst these are painting, sculpture, architecture, city planning, gardens, porcelain art, dance, theatre, story-telling and ritual performance culture. The articles collected here concentrate on dependencies on the local climate, the availability of resources, on religion, society, oral and written cultural traditions, as well as on politics and patrons. In addition to the four

main groups of dependences,[59] the papers also make reference to dependences on conventions and norms, labour, as well as to gender dependencies. This shows that dependences are all-pervading at a number of different, at times simultaneous or coexisting, levels. Whilst some dependencies are omnipresent, such as the dependence on the local climate in the science of building or the question of the availability of resources, which heavily influences all art productions, others are more specific to a particular temporal situation.

It is fascinating that almost all of the contributions make us question long-held perceptions of what dependencies are. Some of the papers show that even written manuals are not as prescriptive and dominant in art production as one might have thought, although they provide clear directions and norms. On the other hand, situations where no codified guidelines exist are perceived by the artists themselves as strongly regulated by rules that are generally accepted, but not necessarily written or formulated. An interesting case are the British, who argued that they liberated women from a tyrant, although in the women's own view their alleged 'liberation' threw them into an intolerable dependency.[60] Whilst European missionaries classified temple dancers as slaves, one can argue – from a contemporary Western standpoint – that they were free, in contrast to ordinary married women who for their whole life depend on the men in their household.[61] Even if some might not fully agree with all of the interpretations, these changed perspectives still lead us to the insight that dependency classifications can at times be personal readings, reflecting individual or external viewpoints. As has been described in the case of the British above, early presentations of what have latterly been called alternative or false facts and other political manipulations might have played a role in some of the debates.[62] The discussions in the contributions definitely show that even circumstances which might be categorised as situations of extreme asymmetrical dependency by some, might not be considered as such by all the actors involved.

Whichever view we take in specific instances, the different case studies demonstrate the enormous breadth and diversity of dependency phenomena embodied in Asian art and architecture. Viewed critically, it is shocking how dependent artists and architects have generally been and continue to be. When we try to think of situations of dependency more generally, usually the image of the slave first comes to mind and not that of the artist. However, all the chapters illustrate also that despite situations or settings of highly restricted autonomy, due to strong and enduring unequal relations, artists and architects have at all times found at least some space for freedoms and self-expression.[63]

59 These are climatic and resource dependences (5.1), religious and social dependencies (5.2), dependences on oral and written traditions (5.3) and dependences on rulers, patrons and markets (5.4).

60 This refers to the material in Chapter 13 by Jennifer Howes.

61 This is with reference to Chapter 6 by Tiziana Leucci.

62 On the issue of 'alternative' or 'false facts', see note 47 in this chapter.

63 Whilst this collection of thirteen papers introduces an already large variety of regions, religious and artistic traditions and illustrates the highly complex visual nature of dependency phenomena,

This shows that the traditional concepts of 'slavery' and 'dependency' on one and that of 'freedom' on the other hand, cannot be classified as such clearly delineated polar opposites. At least in the area of the history of art and architecture in Asia, this situation needs to be rethought, as it clearly is much more complex, nuanced and multifaceted.

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this is very much not exhaustive. It is hoped that other studies will follow, penetrating further into this fascinating area of visual studies and extending the remit of subject areas, regions and time frames even further. It is to be hoped especially that dependencies in modern and contemporary arts will be the focus of future studies, where a general perception prevails that the arts have freed themselves from functions and dependencies. However, as already indicated in this Introduction and in Chapter 10 by Sandra Jasmin Schlage, this appears not to have completely been the case.

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3. Research Lenses

3.2. Embodied Dependencies

Julia A.B. Hegewald. "Temple Architecture in Coastal Karnataka: An Interplay of Climatic Dependencies and Artistic Freedoms," in *Embodied Dependencies and Freedoms: Artistic Communities and Patronage in Asia. Dependency and Slavery Studies*, ed. Julia A.B. Hegewald (Berlin: De Gruyter, 2023): 69–96.

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Julia A.B. Hegewald

Chapter 3
Temple Architecture in Coastal Karnataka: An Interplay of Climatic Dependencies and Artistic Freedoms

1 Introduction

The region of Karnataka represents one of the cultural highlights of South Asia. This is from a point of view of artistic, architectural, cultural and religious diversity. In these, the region shows an unbroken continuity to the present day. Furthermore, the area is characterised by an enormous climatic variability. The Deccan high plateau is characterised by a hot and dry climate with very little rainfall, and the availability of hard stone for building projects. Towards the west, the uplands slope down steeply to a narrow fertile coastal belt that is drenched by regular rains. As a consequence, buildings constructed along the west coast are intensely exposed to the monsoon, which absorbs moisture from the ocean as it approaches the shoreline. Due to this extreme climatic situation, buildings had to be adapted to withstand prolonged and often heavy downpours. The ready availability of water resulted in the formation of inland waterways, the cultivation of large forested areas and the easy accessibility of wood as building material throughout the coastal region.

This paper argues that architecture is generally strongly dependent on and has been adapted to the regional climatic situation. The geography, but in many ways also the local weather, determine the availability of naturally available construction materials. This dependency[1] on climate and building resources will be contrasted with the freedoms and choices which were nevertheless open to architects, master builders and artisans during the design process, even in past centuries when infrastructure was less developed. Questions of dependence and freedom will be analysed by examining Jaina temple-building traditions in Karnataka. For this purpose, two closely related but widely differing areas will be contrasted: the dry Deccan upland and the more humid, low-lying south-western Indian coastal belt.

1 This chapter, like the other contributions in this volume, does not consciously differentiate between the two terms 'dependence' and 'dependency' and uses them largely as synonyms. Theoretical analyses in dependency studies identify 'dependence' as a more limited condition of shorter duration, while 'dependency' is concerned with a longer-term, more large-scale and to a greater extent lasting phenomenon. On this issue, see, for instance, the discussion in the Introduction of the present volume (Chapter 1, section 3) and Christoph Antweiler, "On Dependency, Dependence, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies (2022): 1–16.

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2 Jainism in the Deccan

The following section will give a brief introduction to the history and special features of Jainism in the Deccan in order to provide some basic background information. The origin of the religion lies in the east Indian region of Bihar in the fifth to sixths centuries BCE. According to legend, a severe draught and resulting famine affected the east of India during the third century BCE, causing large numbers of the local Jaina community including some of its foremost religious leaders to migrate from the area.[2] While one group moved further west, the second, allegedly led by the famous teacher or *ācārya* Bhadrabāhu, went south into the Deccan.[3] It was they who formed the Digambara ('space' or 'sky-clad', meaning 'naked') form of Jainism, as opposed to the Śvetāmbaras ('white-' or 'cotton-clad'), who generally are more prominent in the north and west of the country.[4] Digambara chronicles narrate that Bhadrabāhu died a religious death by voluntary starvation (*sallekhanā*) in the Deccani pilgrimage centre of Shravanabelgola (Śravaṇa Beḷgoḷa) in about 298 BCE.[5] According to legend, Bhadrabāhu was accompanied by Candragupta Maurya, the grandfather of the emperor Aśoka.[6] A deep belief in this narrative has become engrained in the religious memory of the region, fed by numerous references in inscriptions and literary works,[7] as well as connections with specific locales and edifices said to have been visited by these

2 A number of scholars place this migration in the third century BCE, as Robert J. del Bontà does in, "The Temples and Monuments of Shravana Belgola," in *Homage to Shravanabelgola*, ed. Saryu Doshi (Bombay: Marg Publications, 1981): 78. Others date it earlier, towards the end of the fourth century BCE. See Radha Champakalakshmi, "Monuments and Sculptures 300 B. C. to A. D. 300: South India," in *Jaina Art and Architecture*, vol. 1, ed. A. Ghosh (New Delhi: Bharatiya Jnanpith, 1974): 92–106 and Kuthur Ramakrishnan Srinivasan, "Monuments and Sculpture A. D. 600 To 1000: The Deccan," in *Jaina Art and Architecture*, vol. 1, ed. A. Ghosh (New Delhi: Bharatiya Jnanpith, 1974): 185.

3 Various Digambara and Śvetāmbara accounts have been transmitted about this migration and the resulting schism of the Jaina community into Digambaras and Śvetāmbaras. Consult, for instance, Padmanabh S. Jaini, *The Jaina Path of Purification* (New Delhi: Motilal Banarsidass Publishers, 1990 [1979]): 5.

4 For additional information on the two main sects of Jainism see Julia A.B. Hegewald, *Jaina Temple Architecture in India: The Development of a Distinct Language in Space and Ritual*, ed. Stiftung Ernst Waldschmidt, Monographien zur indischen Archäologie, Kunst und Philologie 19 (Berlin: G+H-Verlag, 2009): 17–19.

5 For further details see Robert J. del Bontà, "The Temples and Monuments of Shravana Belgola," in *Homage to Shravanabelgola*, ed. Saryu Doshi (Bombay: Marg Publications, 1981): 82; Saryu Doshi, "The Art Treasures of Shravana Belgola," in *Homage to Shravanabelgola*, ed. Saryu Doshi (Bombay: Marg Publications, 1981): 101; and S.P. Chavan, *Jainism in Southern Karnataka (up to AD 1565)* (New Delhi: D.K. Printworld, 2005): 28, 33.

6 Candragupta is said to have converted to Jainism and also to have ended his life through *sallekhanā* at the same site of Shravanabelgola. The story of the joint migration of Candragupta and Bhadrabāhu to the south has been depicted in detail on two carved steatite screens installed in the Candragupta Basti at Shravanabelgola, dating from the twelfth century, which bear forty-five narrative panels each.

7 On this, see L.K. Srinivasan, "Shravana Belogola: In Legend and History," in *Homage to Shravanabelgola*, ed. Saryu Doshi (Bombay: Marg Publications, 1981): 45.

two historic personalities. It is, however, actually more likely that wandering Jaina monks transmitted the religion over centuries from Bihar through Orissa into Tamil Nadu. It seems likely that Jainism reached Tamil Nadu in the early centuries BCE, probably before the end of the fourth century BCE. From there, it appears to have arrived in Karnataka in the early centuries of the Common Era, probably around the second century CE.[8]

In the early centuries CE, Jainism was gradually losing influence in areas of northern India other than Rajasthan and Gujarat. Yet it continued to flourish in the southern states, especially in Karnataka, under the patronage of local rulers.[9] From the mid-fourth century CE, Jainism experienced great support under the Western Gaṅgās,[10] the contemporary Kadambas[11] and under the Western Cāḷukyas.[12] The Gaṅgās of Talakāḍ(u) and the Kadambas of Banavāsi supported and developed the religion further from the fourth to the sixth centuries CE.[13] Inscriptional evidence shows that Shravanabelgola developed into a prominent place of pilgrimage, in fact into one of the most celebrated religious sites in the south, from the beginning of the fifth century CE onwards.[14] Epigraphic and literary evidence as well as surviving statues and buildings indicate that the Cāḷukya and Rāṣṭrakūṭa monarchs were also positively disposed towards Jainism and its culture.[15] Whilst traces of Jaina temples and their related inscriptions date back to the early Cāḷukyas in the seventh century CE, the earliest statues and fully preserved temples date from the eighth to tenth centuries.[16] The carving of the colossal statue of Gommaṭeśvara

8 Cf. Srinivas Ritti, "Jain Inscriptions," in *Homage to Shravanabelgola*, ed. Saryu Doshi (Bombay: Marg Publications, 1981): 141; I.K. Sarma, *Temples of the Gaṅgas of Karṇāṭaka* (New Delhi: Archaeological Survey of India, 1992): 31; and Asim Kumar Chatterjee, *A Comprehensive History of Jainism*, vol. 1, *From the Earliest Beginnings to AD 1000* (New Delhi: Munshiram Manoharlal Publishers, 2000): 104–5.

9 On this subject refer, for instance, to Asim Kumar Chatterjee, *A Comprehensive History of Jainism*, vol. 1, *From the Earliest Beginnings to AD 1000* (New Delhi: Munshiram Manoharlal Publishers, 2000): 156.

10 I.K. Sarma, *Temples of the Gaṅgas of Karṇāṭaka* (New Delhi: Archaeological Survey of India, 1992): 31; Asim Kumar Chatterjee, *A Comprehensive History of Jainism*, vol. 1, *From the Earliest Beginnings to AD 1000* (New Delhi: Munshiram Manoharlal Publishers, 2000): 117.

11 Asim Kumar Chatterjee, *A Comprehensive History of Jainism*, vol. 1, *From the Earliest Beginnings to AD 1000* (New Delhi: Munshiram Manoharlal Publishers, 2000): 123.

12 Asim Kumar Chatterjee, *A Comprehensive History of Jainism*, vol. 1, *From the Earliest Beginnings to AD 1000* (New Delhi: Munshiram Manoharlal Publishers, 2000): 127, 156.

13 Paduru Gururaja Bhatt, *Studies in Tuḷuva History and Culture (From the Pre-Historic Times upto the Modern)* (Manipal: Manipal Power Press, 1975): 426–27.

14 See I.K. Sarma, *Temples of the Gaṅgas of Karṇāṭaka* (New Delhi: Archaeological Survey of India, 1992): 44. This is attested mainly by footprints carved into the rock of the twin hills at the site.

15 On this, see Srinivas Ritti, "Jain Inscriptions," in *Homage to Shravanabelgola*, ed. Saryu Doshi (Bombay: Marg Publications, 1981): 143; I.K. Sarma, *Temples of the Gaṅgas of Karṇāṭaka* (New Delhi: Archaeological Survey of India, 1992): 32; Asim Kumar Chatterjee, *A Comprehensive History of Jainism*, vol. 1, *From the Earliest Beginnings to AD 1000* (New Delhi: Munshiram Manoharlal Publishers, 2000): 177.

16 The earliest preserved Jaina temples are to be found at Aihole, Hallur and Pattadakal, dating from about the seventh to the tenth centuries CE. During the medieval period, South India was controlled by a number of overlapping and consecutive rulers and small chieftains. This fact and the frequent

at Shravanabelgola, which was commissioned by Cāmuṇḍarāya (940–989 CE), the famous minister and general of both Marasimha II (r. 961–974) and Rācamalla IV (r. 974–984), probably in 981 or 983 CE,[17] indicates the peak of Jaina influence in Karnataka in the tenth century. The statue depicts the naked ascetic, who is the son of the first Jina, Ṛṣabhanātha, in an upright pose with elongated arms hanging down on both sides of his body (*khaḍgāsana* pose), reaching almost to his knees.[18] Large numbers of temples and Jaina settlements were created in Karnataka at this time.[19]

Things changed from about 1,000 CE onwards, when the fortunes of the Jainas started to wane in southern India as well. From the middle of the twelfth century, Jainism begun to be threatened by Hindu groups, such as Vaiṣṇavas and Śrīvaiṣṇavas (*bhakta*s), by Śaivas and Vīraśaivas, and in the northern Deccan region by Muslim migration into the wider area.[20] In these unstable times, many Jaina sacred edifices were destroyed, or absorbed and transformed by newly developed and incoming religions and their converts. During this process, Jaina statues were frequently decapitated or otherwise mutilated, while temple buildings were destroyed or re-used by other faith groups.[21] Desecrated

lack of inscriptions and precise dates for the founding of shrines make it difficult to establish firm links of temples with ruling dynasties. There were a number of Cāḷukya rulers, such as the Cāḷukyas of Badami (ca. 500–757) and the Cāḷukyas of Kalyāṇa (ca. 973–1198). The period in between was largely dominated by the Rāṣṭrakūṭas (ca. 757–973). The dates for the respective dynasties given here have been taken from K.M. Suresh, *Temples of Karnataka (Ground Plans and Elevations)* (Delhi: Bharatiya Kala Prakashan, 2003): 6, 10, 17.

17 See Kuthur Ramakrishnan Srinivasan, "Monuments and Sculpture A. D. 600 To 1000: South India," in *Jaina Art and Architecture*, vol. 2, ed. A. Ghosh (New Delhi: Bharatiya Jnanpith, 1975): 224; L.K. Srinivasan, "Shravana Belogola: In Legend and History," in *Homage to Shravanabelgola*, ed. Saryu Doshi (Bombay: Marg Publications, 1981): 47; Robert J. del Bontà, "The Temples and Monuments of Shravana Belgola," in *Homage to Shravanabelgola*, ed. Saryu Doshi (Bombay: Marg Publications, 1981): 63 and I.K. Sarma, *Temples of the Gaṅgas of Karṇāṭaka* (New Delhi: Archaeological Survey of India, 1992): 150.

18 Adinatha's son is usually called Bāhubali. However, in Karantaka he is better known as Gommaṭa or Gommaṭeśvara. See L.K. Srinivasan, "Shravana Belogola: In Legend and History," in *Homage to Shravanabelgola*, ed. Saryu Doshi (Bombay: Marg Publications, 1981): 48; and Lakshmi Chand Jain, "The Legend of Bāhubali: The Quintessence of Quest and Conquest," in *Homage to Shravanabelgola*, ed. Saryu Doshi (Bombay: Marg Publications, 1981): 37–44.

19 On this issue, see Paduru Gururaja Bhatt, *Studies in Tuḷuva History and Culture (From the Pre-Historic Times upto the Modern)* (Manipal: Manipal Power Press, 1975): 427.

20 For further details, refer to Paduru Gururaja Bhatt, *Studies in Tuḷuva History and Culture (From the Pre-Historic Times upto the Modern)* (Manipal: Manipal Power Press, 1975): 427; L.K. Srinivasan, "Shravana Belogola: In Legend and History," in *Homage to Shravanabelgola*, ed. Saryu Doshi (Bombay: Marg Publications, 1981): 50.

21 See the chapter on the theory of re-use by Julia A.B. Hegewald, "Towards a Theory of Re-Use: Ruin, Retro and Fake Versus Improvement, Innovation and Integration," in *Re-Use: The Art and Politics of Integration and Anxiety*, ed. Julia A.B. Hegewald and Subrata K. Mitra (New Delhi: Sage Publishers, 2012): 30–54, as well as the entire volume edited by Julia A.B. Hegewald and Subrata Kumar Mitra, eds., *Re-Use: The Art and Politics of Integration and Anxiety* (New Delhi: Sage Publishers, 2012), which discusses practical examples from the fields of the humanities and social sciences. For individual case studies of the re-use of sacred Jaina sites in the Deccan, consult also Julia A.B. Hegewald, "Jaina

figures can be seen at the Pañcakūṭa Basti at Kambadhalli, for example.[22] Jaina temples in Karnataka are locally referred to as *basti* (also spelled *bastī*) or *basadi*.[23] In the south, the Jainas only retained a strong backing in the modern state of Karnataka, where they continued to wield power at least in several small areas.[24] Amongst these were the cluster of sites and edifices in and around Shravanabelgola on the Deccan plateau, as well as Mudabidri (Mūdabidri) and its neighbouring sacred centres in the remote coastal strip, beyond the Western Ghats. In these regions, Jainism continued to thrive and is still flourishing to the present day.[25]

3 Geography and Climate

Next, I will discuss the local geography, climate and resource availability in the regions under discussion. As we saw above, Karnataka falls into at least two distinct geographic and climatic regions. The modern state capital of Bangalore lies on the southern plateau, which is a relatively dry highland. Where irrigation is available, one finds cultivations of *ragi*,[26] paddy, coconut trees and areca palms. Otherwise the region is a high desert with large stretches of relatively barren terrain (Plate 3.1 above).[27]

To reach the coastal region of Karnataka, one has to descend the side of a steep mountain ridge, the Sahyadri hills.[28] At the bottom lies the Kanara region, a long and

Temples in the Deccan: Characteristics, Chronology and Continuity," *Journal of Deccan Studies* 5, no. 1 (2007): 1–24.

22 The temple at Kambadhalli is one of the landmarks of South Indian temple architecture, dating from 900 to 1000. For further details see, for instance, I.K. Sarma, *Temples of the Gaṅgas of Karṇāṭaka* (New Delhi: Archaeological Survey of India, 1992): 161 and Julia A.B. Hegewald, *Jaina Tradition of the Deccan: Shravanabelagola, Mudabidri, Karkala* (Mumbai: Jaico Publishing House, 2021): 76–81. On the occasion of the last Mahāmastakābhiṣeka in 2018, some of the scattered and partially destroyed stone statues were placed again in wall niches and in some instances, the mutilated faces, limbs and genitals of stone statues were restored in plaster.

23 The words '*basadi*' or '*basti*' are derived from the Sanskrit term '*vasati*', meaning 'residence of god'. S.P. Chavan, *Jainism in Southern Karnataka (up to AD 1565)* (New Delhi: D.K. Printworld, 2005): 191.

24 On this issue, see Asim Kumar Chatterjee. *A Comprehensive History of Jainism*, vol. 2, *AD 1000–1600* (New Delhi: Munshiram Manoharlal Publishers, 2000): 66, 147.

25 This has also been discussed by Paduru Gururaja Bhatt, *Studies in Tuḷuva History and Culture (From the Pre-Historic Times upto the Modern)* (Manipal: Manipal Power Press, 1975): 427.

26 *Ragi* is a locally cultivated form of millet which does not require large quantities of water.

27 See H.V. Shreenivasa Murthy and R. Ramakrishnan. *A History of Karnataka (From the Earliest Times to the Present Day)* (New Delhi: S. Chand & Company Ltd., 1977): 7; Saryu Doshi, "The Pilgrim's Path at Shravana Belgola," in *Homage to Shravanabelgola*, ed. Saryu Doshi (Bombay: Marg Publications, 1981): 20.

28 Further information on this is available in Paduru Gururaja Bhatt, *Studies in Tuḷuva History and Culture (From the pre-historic times upon the modern)* (Manipal: Manipal Power Press, 1975): vi. The mountain range is registered on the list of UNESCO World Heritage Sites as an area harbouring an unusually high biodiversity.

Plate 3.1: Terrains typical of the desert-like dry Deccan plateau (above) and the fertile and well-watered coastal belt.

narrow lowland, which stretches about 300 kilometres north to south, bordered by hilly slopes to the east and the Arabian Sea to the west. This slender strip of relatively level land is irrigated by a number of streams and is consequently very fruitful and productive. It also abounds in mineral resources, which generate further prosperity.[29] The many trade ports along the coast and its rivers with boatyards and fishing industries have led to the growth of numerous commercial and trade hubs as well as liberally funded pilgrimage centres.[30] The Sahyadri mountains, which range from 2,000 to more than 8,000 feet in height, present a barrier for the heavy monsoon clouds. This causes generous and regular rains to be discharged over the coastal belt, which has led to the growth of dense evergreen forests, consisting primarily of teak and sandalwood trees (Plate 3.1 below). In addition, there are bamboo groves and the cultivation of coffee, cashew nuts, areca nuts, tea, cardamom, coconut and bananas, often grown in large plantations.[31]

4 Jaina Religious Architecture

Jaina temple complexes are found throughout Karnataka, on the Deccan highland and in the low-lying coastal stretch. However, as these are located in climatically divergent zones where different building materials are naturally available, the architecture of the two zones looks strikingly different. Both traditions show a strong dependency on and adaptation to the local weather conditions, and reflect the use of regionally available construction resources. These issues will be examined in more detail in what follows.

4.1 Temples on the Dry Uplands

On the Deccan plateau, temples are largely made of cut stone. This can be a soft and usually yellowish sandstone (Plate 3.2), or a greenish or grey, hard granite. Other sacred structures have been built of steatite, commonly referred to as soapstone or potstone, a form of chloritic or talc schist, which is readily available throughout the region.

29 These minerals include iron, copper and mica, and valuable stones such as garnets and limestone, which can be used for building and creating cement. On the mineral resources of the region see Himashu Prabha Ray, "India's Forgotten Coastal Monuments: The Case for Kanara," in *The Twenty-first Vasant J. Sheth Memorial Lecture* (Mumbai: The Vasant J. Sheth Memorial Foundation, 2019): 14.

30 See also H.V Shreenivasa Murthy and R. Ramakrishnan, *A History of Karnataka (From the Earliest Times to the Present Day)* (New Delhi: S. Chand & Company Ltd., 1977): 4–5.

31 H.V. Shreenivasa Murthy and R. Ramakrishnan, *A History of Karnataka (From the Earliest Times to the Present Day)* (New Delhi: S. Chand & Company Ltd., 1977): 6.

Plate 3.2: The Camundaraya Basti on Candragiri at Shravanabelgola displays the typical features of a *drāviḍa* temple structure.

The temples in this area exhibit the typical features of the south Indian style of architecture (*drāviḍa*). As part of this idiom, structures have relatively plain exterior walls. Some facades have been adorned with pilasters and niches, which can either remain empty or frame decorative or figurative elements.[32] The temple walls are crowned by a prominent roof moulding (*kapōta*)[33] which is topped by a number of ornate elements. These include miniature pavilions and horseshoe-shaped arches (*gavākṣa*s, *kūdu*s), creating an elaborate parapet. The same pattern is repeated in the roof tower. In this place, the elaborate composite cornices have been arranged in

32 The niches of the twelfth- to thirteenth-century Nagara Jināḷaya Basti in Shravanabelgola (1195 CE), for instance, contain simple decorative elements, such as rondels or rosettes. Further information on the temple can be found in Julia A.B. Hegewald, *Jaina Tradition of the Deccan: Shravanabelagola, Mudabidri, Karkala* (Mumbai: Jaico Publishing House, 2021): 49–50. The Śāntīśvara Basti in Jinanathapura (Jinanāthapura), built at roughly the same time, is unusual in housing a large number of figural representations in its exterior niches. For a detailed discussion of the iconographical scheme of the temple, see the chapter by Robert J. del Bontà, "The Shantinatha Basadi at Jinanathapura," in *The Jaina Heritage: Distinction, Decline and Resilience*, ed. Julia A.B. Hegewald (New Delhi: Saṁskṛti, 2011). Most Jaina temples throughout the region, including those dating from the Hoysaḷa period, are reasonably plain. This shows the continued influence of the earlier, rather unadorned Gaṅgā style also in later buildings.

33 On this, see also I.K. Sarma, *Temples of the Gaṅgas of Karṇāṭaka* (New Delhi: Archaeological Survey of India, 1992): 147.

diminishing tiers to form layered, pyramidal roof shapes (Plate 3.2). These signpost the most sacred element of the temple building below: the shrine (*garbha-gṛha*), which houses a single – or in a Jaina context frequently multiple – object(s) of veneration.[34]

Throughout the region of upland Karnataka there are particularly many Jaina temples with more than one shrine. In some, there are two sanctums (*dvikūṭācala*) positioned side-by-side or facing one another. In others, three *garbha-gṛha*s, usually of roughly equal size, have been combined (*trikūṭācala*). These shrines can also be arranged laterally, as is the case in the early Trikūṭa Basti, also known as the Candragupta Basti (ca. 850 CE) on Candragiri at Shravanabelgola.[35] Alternatively, they can be positioned in the form of a three-petalled clover leaf, surrounding a joint central hall. The latter is especially widespread, and can be seen in the twelfth-century Hoysaḷa Odegal Basti on Viṇdhyagiri, also at Shravanabelgola (Plate 3.3).[36] Lesser-known is the even larger temple of this type at Chikka Hanasoge (Chikka Haṇasoge). In the latter example, in addition to the joint central hallway, a further chamber was added on each of the three sides to enlarge the star-like arrangement.[37] Five-shrined layouts (*pañcakūṭacala*) were also created by adding another two shrines, usually facing one another, situated at the front of triple-shrined temples. Especially well-known is the highly complex combination of the five sanctums of the Pañcakūṭa Basti at Kamabadhalli (Kambadhallī), dating from the late nineth century.[38]

Generally-speaking, most Jaina temples throughout Karnataka consist of a shrine (*garbha-gṛha*), followed by a shallow vestibule (*antarāla*) leading to one or more halls (*maṇḍapa*) that can be either open and/or closed. Entrance to the sacred building is usually through an open, pillared porch (*mukhamaṇḍapa*, *agramaṇḍapa*).[39] Whilst a pyramidal, *drāviḍa* roof is most common of south Indian temple architecture, there

34 For further details on the common display and veneration of multiple items of worship see Julia A.B. Hegewald, "Jaina Temple Architecture: A Progression from Images to Shrines and Temple Cities," in *South Asian Archaeology 1999. Proceedings of the Fifteenth International Conference of the European Association of South Asian Archaeologists*, ed. Ellen M. Raven (Groningen: Egbert Forsten, 2008).

35 Whilst in the north of India, the name of this hill would be spelled 'Candragirī', with a long 'ī', in Karnataka, where this term has been absorbed into the local Kannada language, it is spelled with a short 'i' as 'Candragiri'. The Candragupta Basti has been discussed in Julia A.B. Hegewald, *Jaina Tradition of the Deccan: Shravanabelagola, Mudabidri, Karkala* (Mumbai: Jaico Publishing House, 2021): 68–70.

36 This temple is addressed at greater detail in Julia A.B. Hegewald, *Jaina Tradition of the Deccan: Shravanabelagola, Mudabidri, Karkala* (Mumbai: Jaico Publishing House, 2021): 32.

37 For additional information and a drawing of the temple see Julia A.B. Hegewald, *Jaina Temple Architecture in India: The Development of a Distinct Language in Space and Ritual*, ed. Stiftung Ernst Waldschmidt, Monographien zur indischen Archäologie, Kunst und Philologie 19 (Berlin: G+H-Verlag, 2009): 524.

38 This Gaṅgā temple also comprises architectural additions dating from the tenth and eleventh centuries.

39 On this, consult also I.K. Sarma, *Temples of the Gaṅgas of Karṇāṭaka* (New Delhi: Archaeological Survey of India, 1992): 36; and S.P. Chavan, *Jainism in Southern Karnataka (up to AD 1565)* (New Delhi: D.K. Printworld, 2005): 40–41.

Plate 3.3: The Odegal Basti on Viṇdhyagiri at Shravanabelgola is a triple-shrined structure with flat roofs.

are also cases where either no roof structure ever existed or where this has not been preserved, and where both the shrine and the proceeding halls are covered by a flat roof (Plate 3.3). Examples are the two *basti*s on Viṇdhyagiri and at Chikka Hanasoge, discussed above. Due to the general aridity of the area, flat roofs are no problem.

It is very common of Gaṅgā, Hoysaḷa and Cāḷukya temples to have elaborately decorated ceilings (*vitāna*). These can be corbelled, and may then also be referred to as lantern ceilings, with a prominent lotus pendant projecting from the middle. A good example can be seen in the Akkaṇṇa Basti (1181) at Shravanabelgola.[40] Particularly striking are the square, flat arrangements, usually consisting of nine smaller compartments that combine to form one large square. We might look to the elaborate ceiling in the Śāntinātha Basti at Kambadhalli, which shows seated Śāntinātha surrounded by the eight guardians of the directions (*aṣṭadikapāla*s).

To summarise on the temple-building traditions on the arid Deccan upland: good quality stone is readily available for construction projects. A mostly desert-like environment allows sacred structures either to have flat or pyramidal stone roofs, following the *drāviḍa* style of temple architecture, not requiring a sloping roof to allow excessive rain water to run off.

40 See Julia A.B. Hegewald, *Jaina Tradition of the Deccan: Shravanabelagola, Mudabidri, Karkala* (Mumbai: Jaico Publishing House, 2021): 50, for further information on this temple.

4.2 Temple Architecture in the Wet Lowlands

Let us now turn to the territory and architecture of the wet lowlands of Karnataka, bordering the shoreline on the west, which forms the primary focus of this chapter. This area is commonly known as Canara or Kanara. Officially, the state divides into two districts. The southern part, which is of main concern to us, is known as South Kanara, Dakṣiṇa Kannaḍa (Jille), Tuḷunāḍu or Tuḷudēśa.[41] It has its own local languages, Tuḷu and Konkani, and a unique culture.[42]

Evidence of Jaina activities in the region go back to the fourth century CE.[43] It seems that Jaina temple building must have started from at least the seventh century CE[44] with a very prolific phase up to the eleventh or twelfth centuries. However, in their present form, most of the *basti*s of the Kanara coastal district largely date from the fourteenth and later centuries. The sacred edifices of the Jainas form the principal objects of architectural interest in the region.

Although the shrines on the west coast do not usually follow the general south Indian *drāviḍa* temple style, which includes a pyramidal stone roof, they are also found in South India. Due to the ready availability of wood in the area and the need to protect buildings against heavy monsoon rains, shrines throughout the littoral region are characterised by having wide, projecting, sloping roofs (Plate 3.4). Because these often consist of multiple, superimposed elements, the edifices are visually related to the pagoda temples of neighbouring Kerala, but also appear similar to those in Nepal and the Far East.[45] The similarities with the shrines in Kerala and Nepal are, in fact, due to a comparable climate of pronounced and recurrent rains. Kerala borders the coastal region in the south and shares the same weather conditions. The modern state of Nepal is located on the Himalayan slopes where the heavy monsoon clouds discharge much of their water to lose weight in order to pass over the steep

41 Cf. Paduru Gururaja Bhatt, *Studies in Tuḷuva History and Culture (From the Pre-Historic Times upto the Modern)* (Manipal: Manipal Power Press, 1975): 431; and Himashu Prabha Ray, "India's Forgotten Coastal Monuments: The Case for Kanara," in *The Twenty-first Vasant J. Sheth Memorial Lecture* (Mumbai: The Vasant J. Sheth Memorial Foundation, 2019): 13.

42 Further information on this region, its art and architecture can be found in Julia A.B. Hegewald, "Pagodas, Pillars and Popular Cults: The Jaina *Basti*s of Coastal Karnataka," *Veranda: Journal of Sushant School of Art and Architecture* 1, no. 1 (2019): 14–37.

43 On this, see P.R. Srinivasan, "Monuments and Sculpture A. D. 1300 To 1800: The Deccan and South India," in *Jaina Art and Architecture*, vol. 2, ed. A. Ghosh (New Delhi: Bharatiya Jnanpith, 1975): 370.

44 Cf. Paduru Gururaja Bhatt, *Studies in Tuḷuva History and Culture (From the Pre-Historic Times upto the modern)* (Manipal: Manipal Power Press, 1975): 407.

45 In addition to similar roof types, temples and other edifices in Kerala also often employ mud as building material. See the publications by Deepa G. Nair, "An Investigation on the Potential of Mud as Sustainable Building Material in the Context of Kerala," *International Journal of Energy Economics and Policy* 13, no. 1–2 (2017): 107–22, and Shailaja Nair and P.B. Sajan, "Contemporary Explorations in Mud Construction: Kerala," *Context: Built, Living and Natural, Journal of the Development and Research Organization for Nature, Arts and Heritage* 11 (2015): 111–16.

Himalayan ranges. Similar architecture can also be found on the slopes of the Indian Himalayas, for example, in Himachal Pradesh, Uttarakand, or in the neighbouring States of Sikkim and Bhutan.[46] Structurally, the Himalayan and the south Indian coastal traditions basically represent a simple Gupta-style temple, consisting of piled-up cubic building blocks to achieve height (a sign of the importance of the gods), to which roofs have been fixed on all four sides for protection. Contrasting with this format, the so-called 'true' pagoda temples of China, Korea and Japan follow an entirely different logic, as they have been derived from the Buddhist *stūpa*. In these latter structures, the form is not predetermined by climatic conditions but is due to a ritual concept: that of the building and the worshippers (in their ritual movement) encircling a central pole and sacred relic.[47]

Plate 3.4: View of the Kere Basti near Karkal, which has multiple sloping roofs protecting the wood and mud-built construction against the rains.

46 On these regions, see Miki Desai, *Wooden Architecture of Kerala* (Ahmedabad: Mapin Publishing, 2018): 21–31, and Julia A.B. Hegewald, "Dependency on Building Resources and Expertise in the Himalayas," *Dependent. The Magazine of the Bonn Center for Dependency and Slavery Studies*, 2021–1: 12–13.
47 The characteristic features of the Far Eastern pagoda and its development from the Buddhist memorial mount of the *stūpa* to pagoda temple structures has been discussed in detail by Dietrich Seckel, "Stūpa Elements Surviving in East Asian Pagodas," in *The Stūpa: Its Religious, Historical and Architectural Significance*, ed. Anna Libera Dallapiccola (Wiesbaden: Franz Steiner, 1980): 249–59, and Johannes W. Glauche, *Der Stupa: Kultbau des Buddhismus* (Cologne: DuMont Buchverlag, 1995): 97–99.

The steep, slanting temple roofs of the Konkan coast have traditionally been covered with terracotta tiles (Plate 3.5). The clay for firing is available locally.[48] Projecting wooden struts or brackets, often carved in the shape of divine or heavenly figures, frequently support the wide roof overhangs. Below them are wooden pillars that form open but covered ambulatory paths (*pradakṣiṇā patha*) which at least partially surround most temple structures. The outer walls of the temple edifices are plain, traditionally made from a combination of wood and mud, both of which are readily available local natural products.[49] Even when in recent times temples were substantially renovated, modernised and given a stone cladding of thin tiles,[50] the elaborately carved traditional wooden pillars and ceiling panels have in many instances been retained. One can see this very well in the entrance porch of the extensive Pārśvanātha Basti in Venur.[51]

However, over time and probably as a reaction to the stone temple building traditions of the dryer Deccan upland and the monumental constructions found in central and northern India, stone was introduced for structural temple building in the coastal area as well. This was probably largely due to the creation of firmer roads that allowed the transport of heavy blocks of stone over longer distances. However, laterite also appears to have been quarried locally in larger quantities than before.[52] Nevertheless, stone remained a rarer, more expensive and therefore highly treasured building material, used essentially for sacred structures only. It seems that initially, stone had been employed for the basement storeys to prevent damp from rising up into the mud walls, and to give greater durability to load-bearing pillars. Stone pillars integrated

48 I am grateful to Kevin Fernandes for pointing out that tiles were only introduced to the region by the Basel Mission in the 1800s. It appears that previously, thatch and other locally available natural fibres were used to cover the roofs. This is attested to by Srinivasan, who mentions thatch as traditional material for roof constructions in the region. See P.R. Srinivasan, "Monuments and Sculpture A. D. 1300 To 1800: The Deccan and South India," in *Jaina Art and Architecture*, vol. 2, ed. A. Ghosh (New Delhi: Bharatiya Jnanpith, 1975): 367.

49 On the walls in the region see Paduru Gururaja Bhatt, *Studies in Tuḷuva History and Culture (From the Pre-Historic Times upto the Modern)* (Manipal: Manipal Power Press, 1975): 442. The quality of mud varies according to its ingredients. Typically, it is composed of silt, clay and local soil, mixed with water. Due to their exceptional thermal regulating properties, mud walls create a comfortable microclimate indoors, cool in the summer and warm during the winter months. See also Shailaja Nair and P.B. Sajan, "Contemporary Explorations in Mud Construction: Kerala," *Context: Built, Living and Natural, Journal of the Development and Research Organization for Nature, Arts and Heritage* 11 (2015): 111; and Deepa G. Nair, "An Investigation on the Potential of Mud as Sustainable Building Material in the Context of Kerala," *International Journal of Energy Economics and Policy* 13, no. 1–2 (2017): 109, 119.

50 This was at times done during restoration campaigns in the twentieth century, in order to make basic mud constructions appear more precious and clean and to look like stone-built temples.

51 There are multiple local spellings for this place: Enur(u), Eluru, Yenūr or Yēṇūru.

52 On this issue, see also Kuthur Ramakrishnan Srinivasan, "Monuments and Sculpture A. D. 600 To 1000: The Deccan," in *Jaina Art and Architecture*, vol. 2, ed. A. Ghosh (New Delhi: Bharatiya Jnanpith, 1974): 367; and H. Cousens, *The Chālukyan Architecture of the Kanarese Districts*, Archaeological Survey of India 42, New Imperial Series (New Delhi: Archaeological Survey of India, 1996 [1926]): 134–35.

Plate 3.5: View into the roof of the Pārśvanātha Basti at Venur, revealing its wood and tile construction.

into constructions largely made of wood and earth can be seen in the Kere Basti (1545) on the south side of Karkal (Kārkala).[53] Subsequently the wide, projecting roofs, which are indispensable due to the wet climate, were also translated into stone.[54] Light terracotta tiles were replaced with stone slabs, usually laterite or granite. Such stone slab roofs can be seen in the Śāntinātha Basti at Venur. Through the translation from wood (for the substructure) and fired clay tiles (for the covering) into stone, the roofs substantially gained in weight. As a result, the stone coverings had to be supported by huge numbers of pillars from below. Representative examples, exposing numerous supporting pillars, are the famous Caturmukha Basti at Karkal (1586), which allegedly has 108 pillars – a sacred numeral – (Plate 3.6), and the Candranātha or Hosa Basti (1429) in Mudabidri (Plate 3.8 below).[55] Revealingly, the latter temple is popularly known as the 'Thousand-pillared Temple'. In order to provide enhanced stability, a double row of pillars was employed in the rear portion of this temple to support the heavy multi-storeyed sanctum towering above.

The direct conversion of wooden construction techniques into stone becomes particularly apparent from inside the temples, when one gazes up into the roofs.[56] The stone interior of the halls, their pillars and struts, have been richly carved (Plate 3.7). Many of the structures in the coastal region also have elaborately carved ceilings.[57] These are usually corbelled or lantern ceilings. Whilst the lower edge gradually changes into a round, domed shape, a lotus pendant projects into the space of the domical ceiling at the top end. Others are flat arrangements, usually consisting, again, of nine squares, such as

53 Kere Basti literally means 'tank temple'. The *basti* is located inside a large, irregularly-shaped reservoir known as Ānekere Lake, and reached via a bridge from the south. See Julia A.B. Hegewald, *Jaina Tradition of the Deccan: Shravanabelagola, Mudabidri, Karkala* (Mumbai: Jaico Publishing House, 2021): 110. Other *kere bastis* in the region have no bridges and can only be visited by boat. See, for instance, the example at Varanga. For further information on this site, see Julia A.B. Hegewald, *Jaina Temple Architecture in India: The Development of a Distinct Language in Space and Ritual*, ed. Stiftung Ernst Waldschmidt, Monographien zur indischen Archäologie, Kunst und Philologie 19 (Berlin: G+H-Verlag, 2009): 526–27.

54 This was not the first time in the history of Indian architecture that earlier wooden constructions were subsequently rendered in stone. A very visible instance are the early rock-cut monasteries in Maharashtra. Similar to the examples discussed in this chapter from Karnataka, this was also done in Kerala and with regards to other temple and building forms throughout India. See the interesting discussion of this issue in Miki Desai, *Wooden Architecture of Kerala* (Ahmedabad: Mapin Publishing, 2018): 34–37.

55 For further information on the two temples, see Julia A.B. Hegewald, *Jaina Tradition of the Deccan: Shravanabelagola, Mudabidri, Karkala* (Mumbai: Jaico Publishing House, 2021): 84–90, 114, 117. For the number of pillars at Karkal, refer to Sheker Naik, "Heritage and Tourism: A Case of Jain Temples and Monuments in Undivided Dakshina Kannada District, Karnataka, India," *JOHAR – Journal of Hospitality Application and Research* 5, no. 2 (2010): 152.

56 On this issue, see Miki Desai, "The Stone-Built Jaina Temples of Mudabidri: A Comparative View with the Jaina Temples of Gujarat and the Wooden Temple Architecture of Kerala," in *The Jaina Heritage: Distinction, Decline and Resilience*, ed. Julia A.B. Hegewald (New Delhi: Saṁskṛiti, 2011): 202–8.

57 See also I.K. Sarma, *Temples of the Gaṅgas of Karṇāṭaka* (New Delhi: Archaeological Survey of India, 1992): 155, 235.

Plate 3.6: The heavy stone roof of the Caturmukha Basti at Karkal is supported by a large number of stone pillars from below.

the one we already encountered in the architecture of the Deccan plateau. Iconographically, the square ceiling panels consist of a grid, showing usually either eight of the nine planets (*navagṛha*) or the eight guardians of the world regions (*aṣṭadikapāla*s) arranged around a central Jina panel.[58] For elaborate ceiling arrangements, see, for instance, the temples at Hiriyangadi (Hiriyaṅgaḍi) near Karkal, the Candranātha Basti at Mudabidri and the Śāntinātha Basti at Venur. Illustrating the importance of the ritual of circumambulation (*pradakṣiṇā*) in the architecture of the region, internal ambulatories (*pradakṣiṇā patha*) regularly surround the shrines. Providing a long line of access to the sanctum, a number of roofed halls have usually been raised at the front of the shrine.

Many of the Jaina temple edifices along the west coast of Karnataka are multistoreyed and accommodate superimposed sanctums on two or three levels. For structural reasons, many of the upper floors have been constructed of wood, usually raised above a lower storey made of stone or a combination of stone pillars and inserted mud walls. This is illustrated by the double-storeyed Guru Basti in Mudabidri, which

58 Cf. I.K. Sarma, *Temples of the Gaṅgas of Karṇāṭaka* (New Delhi: Archaeological Survey of India, 1992): 235. The nine-grid arrangement is a sacred composition that also forms part of the *maṇḍala* ground plans of temples.

Plate 3.7: In the later temples of the coastal region, wooden construction techniques were translated into stone, as here at Karkal.

goes back to the eight century (Plate 3.8 above).[59] In the triple-storeyed Candranātha Basti in the same place, the lowest storey is all stone, the first floor is a mixture of stone and wood, whilst the uppermost level of the shrine is entirely made of wood. In contrast to the lower stone roof, the two upper ones are covered with copper sheeting (Plate 3.8 below).[60] This is more expensive as a material, but even lighter than tiles and therefore especially suitable for multiple superimposed roofs. However, there are examples where even the upper floor levels have been built of stone. This is the case in the Śāntinātha Basti at Hiriyangadi near Karkal and the Baḍaga Basti at Mudabidri (Plate 3.9), both dating from about the fifteenth to sixteenth centuries.[61] In most cases,

59 In the Guru Basti, a statue of Pārśvanātha has been enshrined on the ground level, with a Nandīśvara Dvīpa representation housed on the first floor above.

60 See Paduru Gururaja Bhatt, *Studies in Tuḷuva History and Culture (From the Pre-Historic Times upto the Modern)* (Manipal: Manipal Power Press, 1975): 443. In the Candranātha Basti, above an image of Candranātha on the ground floor are sculptures of Supārśvanātha, Pārśvanātha and Mahāvīra on the first-floor level, topped by a shrine housing the twenty-four Jinas (*caubīsī*) made of crystal. on the second floor.

61 In the latter temple, the shrine on the ground floor houses Candraprabhu, while above is installed a statue of Abhinandanātha and a *caturviṁśati* tablet that displays the twenty-four Jinas. Additional information on the two temple sites has been included in Julia A.B. Hegewald, *Jaina Tradition of the Deccan: Shravanabelagola, Mudabidri, Karkala* (Mumbai: Jaico Publishing House, 2021): 103–6, 117–19.

Plate 3.8: At Mudabidri, the two-storeyed Guru Basti and the triple-storeyed Candranātha Basti show combinations of stone and wooden floor levels.

Plate 3.9: The Baḍaga Basti at Mudabidri is almost entirely made of stone, including its raised storey.

access to these raised storeys is provided by wooden ladders from inside the temple edifices. Good examples of such access stairs can be seen in the Pārśvanātha Basti at Venur and the Śāntinātha Basti at Guruvayanakere. The latter is a relatively unusual temple, in which also non-Jainas are permitted access to the upper level of the sacred structure. In this temple, a statue of Pārśvanātha and a Nandīśvara Dvīpa representation are accommodated in the shrine and the hall on this raised floor level. In addition to the relatively simple wooden stairs, this temple has an additional external staircase to ease the upwards and downwards flow of larger groups of visitors on festival days.

There are other local peculiarities typical of the coastal area, which are, however, not related to the climate but to a quite open cultural and religious environment in which Jaina, Hindu and other religious groups engage in reasonable amounts of sharing.[62] These include altars for offerings and pillars associated with temple complexes. Often there are large numbers of platforms, altars (*balipīṭha*, *balikallu*) and columns, which have been positioned axially at the entrance to the temples.[63] All *basti*s which

62 See also the chapter by Jahfar Shareed Pokkanali in this volume (Chapter 7), who similarly describes the sharing of ritual concepts along the west coast of India; in his case in neighbouring Kerala.
63 On *balipīṭha*s, see Julia A.B. Hegewald, *Jaina Temple Architecture in India: The Development of a Distinct Language in Space and Ritual*, ed. Stiftung Ernst Waldschmidt, Monographien zur indischen Archäologie, Kunst und Philologie 19 (Berlin: G+H-Verlag, 2009): 197.

host a car (*ratha*) festival have a flag post erected at their front. This is the case in the Candranātha, the Ammāvara and the Baḍaga Bastis at Mudabidri. Other pillars display flags (*dhvajastambha*s), lights (*dīpastambha*s) or statues of the Jinas (*mānastambha*s).[64] The pillars have always been displayed in one straight line, positioned at the front of the temple buildings. They can either be placed inside the walled complex, as in the Candranātha Basti at Mudabidri, or outside the walls, as can be seen at the Baḍaga Basti at Mudabidri. A third option is to find the pillars in both locations, as is the case in the Śrī Padmāvatī Ammanavaru Basti at Hiriyangadi.

Unique in a Jaina context are *mānastambha*s and Brahmastambhas. *Mānastambha*s have a fourfold and at times a single representation housed inside a pavilion or exposed to the air. Statues may be seated or standing. While *mānastambha*s are associated with Digambara Jainism throughout India and can in rarer instances also be found in a Śvetāmbara context,[65] Brahmastambhas are especially typical of southern and in particular of south-western Karnataka. The latter type of pillar displays a sculptural representation of Brahmadeva, a *yakṣa* and *kṣetrapāla*.[66] Statues of Brahmadeva placed on pillars usually present him in a seated posture with two arms. He bears a club or sword in his right and a seed-filled lemon in his left hand. In reliefs that are frequently carved into the bottom of the pillars, Brahmadeva can also be shown riding a horse. Similar to the Jinas raised on *mānastambha*s, the sculptures of Brahma can also either be open to the air or placed within pavilions.[67]

In addition, a small shrine, dedicated to the *kṣetrapāla*, the guardian of the temple complex, would be placed to the rear left of the temple when viewed from the

64 A variety of different kinds of pillars is discussed in Julia A.B. Hegewald, *Jaina Temple Architecture in India: The Development of a Distinct Language in Space and Ritual*, ed. Stiftung Ernst Waldschmidt, Monographien zur indischen Archäologie, Kunst und Philologie 19 (Berlin: G+H-Verlag, 2009): 183–97; in Julia A.B. Hegewald, "Sacred Symbols, Enlightened Beings and Temple Guardians: The Display of Holy Elements on Pillars in Jaina Temple Complexes in Karnataka," in *The Jaina Heritage: Distinction, Decline and Resilience*, ed. Julia A.B. Hegewald (Delhi: Samskriti Publishers, 2011): 134–60; and in Julia A.B. Hegewald, "Pagodas, Pillars and Popular Cults: The Jaina *Bastis* of Coastal Karnataka," *Veranda: Journal of Sushant School of Art and Architecture* 1, no. 1 (2019): 14–37.

65 There are examples of *mānastambha*s in the complex of the Śvetāmbara Dādā Bāṛī Jaina Temple in southern Delhi, and in the Śvetāmbara temple complex located in the fort of Mandu (Māndū), Madhya Pradesh. For further information see also Julia A.B. Hegewald, "Sacred Symbols, Enlightened Beings and Temple Guardians: The Display of Holy Elements on Pillars in Jaina Temple Complexes in Karnataka," in *The Jaina Heritage: Distinction, Decline and Resilience*, ed. Julia A.B. Hegewald (Delhi: Samskriti Publishers, 2011): 138.

66 A *yakṣa* is an attendant and a guardian deity associated with a Jina, while a *kṣetrapāla* is a guardian of the sacred temple compound.

67 For additional information on the iconography of Brahmadeva, see Julia A.B. Hegewald, "Sacred Symbols, Enlightened Beings and Temple Guardians: The Display of Holy Elements on Pillars in Jaina Temple Complexes in Karnataka," in *The Jaina Heritage: Distinction, Decline and Resilience*, ed. Julia A.B. Hegewald (Delhi: Samskriti Publishers, 2011): 146–49.

front. If the main temple opens towards the east, then this is the south-west corner.[68] Although Brahmadeva is also a *kṣetrapāla*, the small shrines discussed here are somewhat different. They are generally lower, simply placed either on a low platform or a short pillar, raising the object of veneration not higher than the eye-level of a standing person. Iconographically, too, the statues of 'general' *kṣetrapāla*s found towards the rear of sacred complexes differ from those placed at the very top of pillars which are specifically named Brahmadeva. In the 'generic' representations, he is either human, depicted as a standing man who holds a trident (*triśūla*), with his second arm on his hip;[69] or they show the *kṣetrapāla* in the form of a snake. Sometimes, the figural representation has simply been replaced by a trident as symbolic marker of the divinity.[70] The serpent representations are more generally referred to as snake stones (*nāgakal*, *nāgaśila*). Frequently, large numbers of such carved stone tablets have been grouped together. Some serpent representations are more elaborate, showing a snake with five or seven heads, forming protective hoods, or a being which is half-snake and half-man. The latter is usually referred to as a snake king (*nāgarāja*). In fact, often both forms are displayed side by side on one platform or inside one and the same shrine. Combinations of both forms can be encountered in the Kallu Basti in Mudabidri and the Pārśvanātha Basti at Venur. Other snake stones have been placed beneath venerated trees,[71] such as a fig, shal or parijata tree, commonly planted inside Jaina temple compounds. Alternatively, they may be lined up along the outer rear wall of a shrine or the length of the precinct wall behind the temple. Devotees venerate these additional sacred images when circumambulating the main temple.

Most temples are enclosed by high compound walls (*prākāra*) and entered through substantial and elaborate gateway structures, then usually referred to as *mahādvāra*, meaning 'large gate'.[72] Whilst on the Deccan plateau, these gateways usually display the *drāviḍa* style by having a barrel-roofed *gopura* gate, the roofs of gateways in the coastal belt have the sloping tiled roofs characteristic of the region. The Kanara gateways are usually quite deep. Many have covered spaces at the front and/or back, towards the

68 Bhatt points out that in Hindu temples, the shrine of the guardian of the sacred precinct (*kṣetrapāla pīṭha*) is always located in the north-east of the outer ambulation path. See Paduru Gururaja Bhatt, *Studies in Tuḷuva History and Culture (From the Pre-Historic Times upto the Modern)* (Manipal: Manipal Power Press, 1975): 420.

69 See also Julia A.B. Hegewald, "Sacred Symbols, Enlightened Beings and Temple Guardians: The Display of Holy Elements on Pillars in Jaina Temple Complexes in Karnataka," in *The Jaina Heritage: Distinction, Decline and Resilience*, ed. Julia A.B. Hegewald (Delhi: Samskriti Publishers, 2011): 148, 157–58.

70 The same applies to representations of Śiva, whose presence may be indicated by his trident (*triśūla*) only.

71 See also Paduru Gururaja Bhatt, *Studies in Tuḷuva History and Culture (From the Pre-Historic Times upto the Modern)* (Manipal: Manipal Power Press, 1975): 405.

72 On this, refer to Paduru Gururaja Bhatt, *Studies in Tuḷuva History and Culture (From the Pre-Historic Times upto the Modern)* (Manipal: Manipal Power Press, 1975): 424.

temple courtyards.[73] Some even contain side or elevated subsidiary shrines, such as can be seen at Venur in the Gommaṭeśvara enclosure and in the gateway of the Candranātha Basti at Bhatkal.

So far, we noticed a dependence on stone as the predominant building material in the arid Deccan region, and a traditional reliance on wood and mud as principal resources for constructing temples in the littorals. Due to more intense quarrying and better road networks that allow the transport of stone over longer distances, builders in the Kanara Region also constructed edifices out of stone, which, at least in large quantities, is not a readily available local resource. It appears that at least from the early fifteenth century onwards, stone was used more widely for building in coastal Karnataka as well.[74] During the twentieth century, another building material, concrete, was introduced to the wider region and is now used everywhere in the Indian subcontinent. Concrete is an easily available, global, and reasonably cheap construction material; it can be purchased in powdered form and mixed on site with sand and water, making it an extremely popular material to employ. As in other regions of the subcontinent, Jaina temples in Tuḷunāḍu have regularly been repaired, renovated, transformed, extended or even entirely been replaced. In these substantially renovated or newly constructed edifices, concrete – a man-made building material widely used throughout the world – has been employed. Through the development of reinforced concrete and steel beams the distance between the pillars changed again. Wood has quite a wide span, which had to be reduced when beams were made out of stone. With the introduction of steel beams and concrete, the distance between pillars can be even greater than in largely wooden constructions. Concrete structures can be clad in stone panels, which is cheaper than creating solid stone edifices and also creates lighter constructions. It should be noticed that in contrast to mud, fired earth (tiles) and wood, which are renewable materials, cement, concrete and steel are highly energy intensive in their production.[75] However, despite this further expansion of the range of available materials, the scope of which has now been extended beyond only locally available products, the overall design of the temples

73 A gateway opening towards the space at the front of a temple can be seen at the Deramma Śeṭṭi Basti at Mudabidri and one providing a covered but open space towards the courtyard in the Śāntināṭha Basti in Hiriyangadi.

74 For instance, the Candranātha Basti at Mudabidri, of which substantial sections were constructed in 1429, has significant sections made of stone. The Caturmukha Basti at Karkal, dating from 1586, on the other hand, is entirely built of stone. However, as wooden temples require regular repairs and temples were often altered or completely replaced during later centuries, it is difficult to date this change from wood to stone more precisely. In addition, stone never completely replaced mud, wood and terracotta tiles and even today, new temples are being built entirely of these traditional materials. It is not only a question of the available of resources but also of available funds.

75 On this issue, see G.S. Sruthi, "Mud Architecture," *International Journal of Innovative Research in Science, Engineering and Technology* 2 (2013): 47; Shailaja Nair and P.B. Sajan, "Contemporary Explorations in Mud Construction: Kerala," *Context: Built, Living and Natural, Journal of the Development and Research Organization for Nature, Arts and Heritage* 11 (2015): 112.

in most instances has remained relatively unaltered over the centuries. One example is the Neminātha Basti at Hiriyangadi, which has been extensively modernised. Another fascinating case is the Candranātha Basti at Dharmasthala. A photograph by Kurt Titze, published in 1998, shows the temple largely as a structure made of wood and earth with tiled roofs.[76] However, in 2001, the local Jaina community had the temple completely deconstructed, and the main statue was temporary housed in a shrine close by. At least by 2019, a concrete structure with stone cladding had entirely replaced the original temple (Plate 3.10). This illustrates another shift in material and an additional extension of the freedoms available to temple builders today, moving further away from a local resource dependency.

Plate 3.10: The Candranātha Basti at Dharmasthala, which was replaced by the Jaina community in recent years, illustrates modern constructions in concrete.

5 Conclusion

This paper has explored the interaction between climate and resource dependencies in the region of coastal Karnataka, and the freedoms which master architects and artisans, working for the local Jaina community, still found within these strongly predetermined

76 See Plate 318 in the publication by Kurt Titze, *Jainism: A Pictorial Guide to the Religion of Non-Violence* (New Delhi: Motilal Banarsidass Publishers, 1998): 223.

circumstances. In order to illustrate the special case of coastal Karnataka, I contrasted the architecture characteristic for the region with the climate, the availability of building materials and with the architecture on the dry Deccan plateau, which is physically closely related but very different.

The in large parts almost desert-like high, flat terrain of central and southern Karnataka has a hot and very arid climate with hardly any rainfall, while hard and durable stone is easily obtainable for building projects. Towards the west, the raised lands of the Deccan uplands drop away abruptly to a narrow, fertile coastal area, saturated by regular and persistent rains. Based on the presence of substantial wooded expanses along the coastline, timber was traditionally the building material chosen for the construction of domestic as well as religious structures in this region. In order to protect the wood against damp, wide, projecting, sloping tiled roofs were placed atop substructures made largely of a combination of wood and mud.

The architecture of both regions has been adapted to the local climatic situation and the availability of materials for construction. Along the Konkan coast, buildings had to adjust in order to withstand prolonged and often heavy rains, which is quite unusual for the wider area of the subcontinent. A similar situation, however, is found on the slopes of the Himalayan ranges, for example, in the Indian state of Himachal Pradesh, or in Nepal and Bhutan, just across the border from India. Whilst some temples in Himachal Pradesh have stone towers (*śikhara*) characteristic of the northern Indian temple idiom (*nāgara*), the beehive-shaped stone towers are not well suited to a wet climate, and most were later given protective wooden or metal roofs against the rains. Most typical of Nepal are pagoda temples. In many ways, these are similar to those in coastal Karnataka. However, whilst the latter typically possess walls made of mud and wood, those in Nepal employ a combination of fired brick and wood.

It is fascinating to observe that with time, probably as a reaction to stone-built temple traditions on the dry uplands of central Karnataka and in other areas of the country, stone also gained more popularity in the south-west. This might have been due to new quarrying technologies, an enhanced infrastructure and better road networks. Due to these, and possibly other issues, stone in larger quantities was introduced to the coastal belt as well. Although it still remained a scarcer, highly treasured and more costly building material reserved largely for sacred architecture, stone offered local builders more freedom in exploring design variations. Although there were attempts to translate architectural elements from wood into stone, this was not always possible as wood and stone have very different properties and substantially vary in weight. As such, stone edifices echo wooden constructions but require larger numbers of pillars to support increasingly heavy stone roofs. Even later, during the nineteenth and twentieth centuries, the large-scale introduction of concrete changed the options available to the master builders once again. In combination with iron girders and stone cladding to dress concrete subconstructions, the weight of roofs and buildings could again be reduced. While wood and earth are locally available, traditional resources and stone can be brought in from a reasonable distance, concrete is a new modern,

international building material. Simple lime, clay or mud plaster was employed in India already during ancient times. It was used more prominently and gained increased popularity from the sixteenth to eighteenth centuries onwards. Reinforced concrete of the kind we utilise today, however, was introduced to India by British military engineers at the start of the twentieth century.[77] It is a global resource, consisting of a mixture of naturally occurring materials, which today is being produced in local factories in coastal Karnataka. In this sense, the setting up of regional production sites made concrete, too, a local building resource. Although mud is strong, has wonderful climatic properties, low construction costs, is available throughout the region on site, needs no advanced technologies for building, is environmentally-friendly and sustainable, concrete is often preferred today, as it seen as more durable, damp resistant and allows buildings to be raised even more quickly, especially when using prefabricated blocks.

Whilst temple builders, as long as they had the necessary funds, could take liberties with regards to materials, the local climate is non-negotiable. As such, stone temples, too, had to be provided with sloping roofs, which when covered with large stone slates substantially gained in weight. As a consequence, the heavy stone roofs had to be supported on exceedingly large numbers of supporting pillars. Due to this fact, the design of the temples had to be altered and to be adapted by increasing the number of load-bearing supports. This led to the creation of a distinct regional aesthetic with strongly sloping, often multiple roofs, supported by substantial numbers of pillars. This approach has also been reflected in more recent temple reconstructions made from concrete, even if concrete and steel beams have other properties, so that a pronounced local aesthetic still predominates. As such, climatic and resource dependencies create some limitations and drawbacks for designers of architecture, however, in the long run they also contribute to the development of a specific and identifiable local style, which is not simply superficial, detached and purely aesthetic but grounded in religious functionality and meaning, and deeply connected with the local area, its climate and resources.

77 For the use of concrete in India, see Stuart Tappin, "The Early Use of Reinforced Concrete in India," in *Proceedings of the First International Congress on Construction History, Madrid, 20th-24th January 2003*, ed. S. Huerta (Madrid: I. Juan de Herrera, SEdHC, ETSAM, A.E. Bevenuto, COAM, F. Dragos, 2003): 1938; and for plaster, refer to https://gharpedia.com/blog/basic-guide-types-of-plaster-that-can-be-use-for-your-dream-home/ [accessed 07.09.2021].

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3. Research Lenses

3.2. Embodied Dependencies

Julia A.B. Hegewald. "Extreme Dependency as a Creative Catalyst in Early Indo- Islamic Architecture of the Slave Dynasty," in *'Das alles hier' Festschrift für Konrad Klaus zum 65. Geburtstag*, ed. Ulrike Niklas, Heinz Werner Wessler, Peter Wyzlic and Stefan Zimmer (Heidelberg: Xasia eBooks, 2021): 151–174.

Julia A. B. Hegewald

Extreme Dependency as a Creative Catalyst in Early Indo-Islamic Architecture of the Slave Dynasty

Introduction

The most severe form of extreme dependency is enslavement. This ideologically charged term still influences our notion of what we understand by the dualistic concepts of 'slavery' and 'freedom'.[1] However, there are many more nuanced forms of dependence and there is not only the black and white dichotomy of these two notions. Especially in the areas of art and architecture, cultures have again and again found means to express artistic freedoms even in situations of severest dependency. In a way it is one of the most creative stimuli for an artist to be confronted with restrictions.

This paper examines the architecture of the Quwwatu'l Islām Masjid, the first congregational mosque (*jāmi masjid*) built under settled Islamic rule in India. It argues that although the local builders – ordered by the new Muslim overlords to construct a mosque – were undoubtedly in a situation of extreme dependency as they were forced to dismantle their own temples to use the debris to raise the *jāmi masjid* in Delhi (Dillī), they were, however, not only in a position of enslavement but used the little leverage they had, to shape the development of the architecture they produced. By actively integrating their own motives and building conventions, the local craftsmen implemented a good amount of artistic freedom. However, even when more passively, materials which bore the imprint of their own tradition, were used, at a stage during which they were

[1] See the page 'Research Objectives' on the webpage of the Bonn Centre for Dependency and Slavery Studies (<https://www.dependency.uni-bonn.de/en/our-research/research-objective/research-objective>) (last accessed on: 21.07.2020).

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severely suppressed, even this succeeded in influencing the style and development of the new and dominant Islamic culture in the north of India. As a consequence, a hybrid and in many ways integrative early Indo-Islamic architectural style was shaped, bringing together the cultures, traditions and artistic conventions of the suppressed and the suppressors.

The Historic Background

After the Prophet Muḥammad's death in Medina in 632 CE, Islam spread rapidly beyond the Arabian Peninsula throughout the adjoining lands. In 712 CE, Islamic armies reached the area bordering the Indus river in today's Pakistan. The Arab conquest of Sindh led to the creation of a number of trading settlements at the mouth of the river Indus. Small mosques were raised inside these villages and towns for the local Muslim population during the eighth century (Asher 1992: 2; Blair and Bloom 1995: 149; Mitter 2001: 85). However, the territory did not come under Muslim occupation.

Numerous incursions into the area of northern India followed under Maḥmūd of Ghazni during the eleventh century (Nath 1978: 1; Tillotson 1990: 1; Asher 1992: 2). These were largely raids in which wealthy pilgrimage centres and temples were targeted and treasures luted.[2] The Hindu Rājput families in the north of India tried to defend their territories but in 1192 CE, the central Asian Islamic ruler Muḥammad of Ghur defeated the Rājput clans at the second battle of Tarain.[3] The victorious Muḥammad Ghurī, too, did not intend to settle in South Asia. However, for the first time, he left behind a representative, his principal general, the military commander Qutb-ud-dīn Aibak.[4] He was born in Turkestan and sold into slavery as a child, first in Persia and then in what is today Afghanistan. Until the assassination of his master in 1206 (Sharma 2005: 8; Volwahsen no date: 5), this former Turkic Mamluk (Mamlūk) slave ruled the area in Muḥammad Ghurī's name. However, after his death, Qutb-ud-dīn Aibak proclaimed himself an independent ruler, a *sultān* of India. This gave rise to the foundation of the first

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[2] During these raids, the famous Hindu pilgrimage centres of Kanauj, Mathura (Mathurā) and Somnath (Somnāth) were targeted (Nath 1978: 2; Watson 1989: 89; Tillotson 1990: 1; Dehejia 1997: 251; Sharma 2005: 8).

[3] Muḥammad of Ghur ascended the throne in 1173 (Sharma 2005: 8). He is known by a number of names and titles, such as Muḥammad-bin-Sam and king Mu'izz ad-Din Muḥammad Ghori. Ghur can also be spelled Ghor(e) or Ghaur. It is a town between Ghazni and Herat in Afghanistan. Tarain is modern Taraori, close to Karnal in Haryana, also known as Tarori or Tarawari.

[4] As for all Muslim names, there are various alternative forms and spellings, such as: Qutb al-Dīn Aibak (Hillenbrand 1988: 107).

independent Islamic state in India, the Delhi Sultanate, ruled by the Mamluk dynasty.[5] This consisted of five short-lived dynasties, which were largely Afghan or Turkic by origin and lasted all together from 1206 till 1526. Collectively, these are known as the Delhi sultanate(s).[6] As the founder and most of its rulers were Mamluks and as such slaves, the dynasty is alternatively known as the Slave dynasty (Tillotson 1990: 2; Sharma 2005: 8, 22; Volwahsen no date: 6).

The New City Foundation at Delhi

In 1193, shortly after Muḥammad Ghurī's victory over the Cāhamānas and their allies near Tarain, his deputy, Qutb-ud-dīn Aibak, conquered the former twelfth-century Rājput Fort of Rāi Pithorā with its inner slightly earlier Tomar citadel of Lāl Koṭ (Davies 1989: 119; Tillotson 1990: 28; Sharma 2005: 8). This had been the seat of power of the defeated Chauhān Rājput king Pṛthvīrāja III at Delhi.[7] Today, this area is known as Mehrauli to the south of New Delhi. Already at the time, it had a good infrastructure and resident local population and was transformed into the first Islamic city of the newly acquired Indian dominion. The continuity of sites is a well-known phenomenon in the study of religions and architecture, which indicates the importance given to certain places based on their previous significance (Eliade 1987: 20–24; Hegewald 2012: 34–35; Dehejia 1997: 252) and the wish of successive rulers to be associated with these. In this sense, Delhi continued to act as the seat of power for several dynasties. Already during the first Sultanate, Delhi was transformed into an eminent seat of Muslim religion and culture. Even after the establishment of the Mughal dynasty, Delhi continued to act as one of their capital cities (Blair and Bloom 1995: 149).

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[5] 'Mamluk' (*mamlūk*) is a term used for somebody sold into slavery, usually to become a soldier, who has converted to Islam. This trend appears to have started in the ninth century. The Mamluks increasingly, gained in power, developing into an influential military class which played prominent roles in a number of Islamic regions, such as Egypt, the Levant, Iran, Iraq and India. Hillenbrand and Patel draw our attention to the fact that 'Sultanate architecture' or the 'Sultanate period' are not uniform entities as the name might suggest (Hillenbrand 1988: 105; Patel 2006: 9).

[6] These were the Mamluk dynasty of the Delhi Sultanate (1206–1290), the Khiljī dynasty (1290–1320), the Ṭughlāq dynasty (1320–1414), the Sayyid dynasty (1414–1451) and the Lodī dynasty (1451–1526).

[7] This site had been the capital of a number of Hindu ruling Rājput families, such as the Tomars and the Chauhāns. Altogether, there were seven cities at Delhi, founded by successive ruling dynasties (Tillotson 1990: 27–28), before the British made it their later imperial capital.

Reasons for the Construction of the Imperial Mosque

At the centre of the annexed Hindu fort, Qutb-ud-dīn Aibak had a large number – based on an inscription found on the eastern gate of the mosque, there were twenty-seven – Hindu and Jaina temples raised to the ground by elephants to create space for the erection of the first major mosque in India (Nath 1978: 9; Hillenbrand 1988: 109; Tillotson 1990: 29; Nath 1994: 53, 61; Sharma 2005: 21). The dismantled construction material was used as building stones to raise the earliest congregational mosque built by a separate Muslim power on Indian ground. The mosque is called the Quwwatu'l Islām Masjid. Colloquially, it is known as the Qutb Complex or the Qutb Mīnār Complex as the religious compound also contains a prominent minaret, to be discussed later. The creation of a congregational or Friday mosque, a *jāmi masjid*, was amongst the primary interests of the new rulers. This acted as a proclamation of the victory of Islam and through this legitimised the rule of the *sultān* (Asher 1992: 2), whose conquest was portrayed as an act of religious expansionism and not as one of personal enrichment. Furthermore, it aimed to rival constructions of Muslim rulers in other regions (Mitter 2001: 87). It also provided the Islamic armies with an adequate place of worship. Today, the mosque and its associated sacred buildings are all that survives of this first Islamic city at Delhi (Tillotson 1990: 28).

The Architectural Development of the Site

Building on the mosque started in 1193 under Qutb-ud-dīn Aibak. However, successive *sultāns* added to the original core building over the following centuries and substantially enlarged the initial design.

The Form and Material of the First Mosque

Contrasting with the indigenous Hindu, Jaina and Buddhist architectural traditions in India, in which individual worship is normally at the forefront, the Friday mosque in Delhi was primarily designed for congregational worship. Following the traditional style of mosque building, originally derived from the house of the Prophet in Medina, in which the first converts assembled for prayer (Hillenbrand 1994: 39; Dehejia 1997: 252; Davies 1989: 28), the Delhi mosque has a large paved courtyard (*ṣaḥn*) at its centre (Plate 1, inner mosque (1) in white). This was meant to accommodate all male members of the resident Muslim community for Friday prayer. The spacious central courtyard is surrounded by an open cloister on the south, the east and the north. It is entered through gateways placed in the middle of the three

arcades.[8] On the west, the direction of Mecca (*qiblā*), is the prayer hall (*līwān*, *musallā*),[9] which is deeper than the arcading on the other three sides. The original hall measures about 44 metres (147 feet) in length and 12 metres (40 feet) in depth (Sharma 2005: 21). Slightly later, as will be discussed below, a high screen of five pointed arches facing the court, was added at the front of the *līwān*. These architectural elements were raised between 1193 and 1198 (Tillotson 1990: 29).

This core mosque building (excluding the screen) was virtually wholly made out of the spoils of the dismantled former Hindu and Jaina temples. To destroy the sacred structures of the defeated population and to raise their own sanctuary at the same site – documenting the continuity of sacred sites – was a powerful religious but also a poignant political statement of the new Islamic power in India. Hillenbrand identifies this first early phase of interaction between the new overlords and the extremely dependent defeated locals in this only just subjugated province as one of "naked assertion of power" (1988: 109, 112). During this, a psychological propaganda dimension played an essential role (Hillenbrand 1988: 105). The violent act of destruction of the most sacred sites of the indigenous residents aimed to proclaim the triumph of Islam and the authority of the new rulers. This idea is also expressed in the name given to this first major mosque raised on Indian soil. "Quwwatu'l Islām" means "The Might of Islam" (Hillenbrand 1988: 109; Tillotson 1990: 29; Asher 1992: 2).

In more detail, the arcade enclosing the courtyard was constructed out of overtly re-used Hindu and Jaina temple pillars.[10] This is clearly visible in the typical decorations, including bells on chains and the water pot (pūrṇa kalaśa) imagery, adorning the shafts of the pillars (Plate 2). As the pillars were too short for the envisaged elevation of the cloister and the prayer hall, one was set on top of another, to create double the height. Above, pillaged trabeate domes were employed as roof coverings (Plate 3). Furthermore, looted bracket stones and lintels were employed. One problem, the Muslims overseeing the construction of the mosque encountered, was that they preferred embellishments consisting of vegetal ornamentation, such as the arabesque, geometric designs and calligraphy instead of representations of human and animal shapes. Although there is no outright ban on the representation of living forms in Islam, the Ḥadīths recommend caution with regards to depicting these, as no human should arrogate the creator role of God.[11] However, many of the building blocks, re-used from Hindu and Jaina temple edifices, were profusely decorated with figural representations

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[8] In India, the main entrance of mosques is usually positioned in the east, opposite the sanctum, facing west (Sharma 2005: 16).

[9] An alternative spelling is *muṣallā*. See, for instance, Hillenbrand (1988: 109).

[10] For an introduction to the theory of re-use, see Hegewald (2012: 30–54).

[11] This has only been stated in the *Ḥadīths*, the sayings, and not in the *Qur'ān* itself. See, for instance, Dehejia (1997: 250). But this ban has not always been followed with the same force.

of donors, devotees, enlightened teachers (Jinas, Tīrthaṅkaras) and various semi divine and divine beings. Where these were not too obviously visible, in places higher up on the pillars, figural sculptures were frequently left untouched (Plate 4). However, in more prominent places, lower down on the shafts, the statues were usually carefully chiselled away, leaving faint hints in empty niches and carved full-body mandorlas (Plate 5). As the ancient columns were re-employed without substantially changing their design, Hindu and Jaina decorative motives and even some figural images, entered the scheme of this early Islamic edifice.

Additions to the Original Mosque

A second means by which Hindu and Jaina ornamental conventions were re-employed in the early Islamic vocabulary of architecture in India is exposed by the screen of the mosque, facing west (Plate 6). The screen is an important element in Islamic architecture as it indicates the direction towards Mecca to those praying in the mosque's courtyard.[12] Behind it lies the sanctum, which is used for prayer on ordinary day. However, on Fridays, when the entire male population of an area is present, worshippers also use the open court for their prayer rituals. In the Quwwatu'l Islām Mosque, the screen, pierced by four lower and one central tall pointed arch, was set up at the front of the earlier hypostyle prayer hall, a few years after building on the mosque commenced (Plate 7). The reason behind it appears to have been that the flat hall, constructed entirely out of re-used temple pillars and ceilings, was perceived as too local, Hindu and Jaina (Hillenbrand 1988: 109; Asher 1992: 4). In order to increase the Islamic appearance of the building, a tall screen with typical Islamic design features, such as pointed arches and calligraphic writing, resembling Iranian models, was attached to the front of the flat roofed hall of prayer in between 1197 and 1199 (Hillenbrand 1988: 108; Davies 1989: 35; Dehejia 1997: 253).

Although there are a few hints indicating the presence of pointed arches in local architecture before the arrival of Islam in India,[13] these are unusual exceptions. The pointed arch is not a typical Indian shape but is visually strongly associated with the architecture of Islam. It is Seljuk (Saljūq), originating in eleventh-century Iran (Tillotson; Mitter 2001: 87). The pointed arch was an unfamiliar and foreign shape to local Indians, for whom it symbolised Islam. Pointed arches in Islamic architecture are true arches. Its curved shape results from a construction

[12] Those praying in the hall of the mosque usually have a central and sometimes additional shallow flanking niches (*miḥrābs*) integrated into the back of the prayer hall, to indicate the *qiblā* direction.

[13] A rare example is the true arch found in the Gupta brick temple at Bhitargaon, Uttar Pradesh (Dehejia 1997: 253).

method consisting of a fan of radiating voussoirs, wedge-shaped blocks, held together by the downward thrust of a central key stone at the very tip of the arch (Sharma 2005: 17). Contrasting with this construction technique, in Hindu and Jaina architecture, openings, such as windows or gates, had so far traditionally been enclosed with a trabeate system of post and beams, which is a horizontal post-and-lintel system (Fergusson 1967: 203-204; Nath 1978: 5; Hillenbrand 1988: 113; Asher 1992: 4). Supported on upright posts, vertical courses, each one slightly overlapping the one below, known as corbelling method, where used to enclose openings (Tillotson 1990: 30).[14] The arched shape of the Quwwatu'l Islām Masjid represent a combination of both approaches in so far that the outer appearance is that of pointed arches, signalling Islam, but the actual system of engineering is trabeate and as such home-grown Indian. The Muslims supervising the construction of the mosque obviously had an idea of how the arches should look but they had no trained engineers with the knowledge of how to form true arches.[15] Therefore, the local artisans who were told what visual shape to create employed the building techniques they knew, pilling up overhanging courses and cutting off the projecting ends (cantilevers) to create an even pointed arch in shape (Plate 8).[16] Thus, the engineering of these arches, their construction technique, is Indian and as such indigenous, but the resulting visual shape is Islamic, perceived at that time still as foreign.[17] This shows that it is easier to transport a form in one's mind than to transfer an engineering technique. However, it demonstrates also how important the appearance of a building is and what significant roles architecture plays in transmitting religious but also political messages. The style of architecture, here that of Seljuk Iran, signals a cultural alignment and expresses foreignness and difference and in extension the might of Islam and the suppression of local culture.

A similar process took place in the ornate carvings adorning the front of the screen of pointed arches. The decorations on the piers were carved anew out of red and buff-coloured sandstone by indigenous craftsmen on the site. The ornamentation consists of vertical bands of *Qur'ānic* inscriptions intertwined with vegetal

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[14] In Hindu and Jaina edifices, this technique continues to be employed also after the arrival of Islam as priests defend the standpoint that there should not be any tensions inside a building for it to function ritually. Interestingly, the later Moghul architecture of Fatehpur Sikri (Faṭhpur Sīkrī) re-uses the trabeate construction technique as a tribute to the indigenous architecture of Gujarat.

[15] According to Nath, the first Muslims to occupy Delhi were soldiers, only accompanied by clerics and administrators (1978: 10; 1994: 61).

[16] Today, the very top part of these arches has some voussoirs (Tillotson 1990: 30) but this appears to be the result of some later restauration works.

[17] Nath and Tadgell argue that the shape is more ogee than pointed and related to the shape of a horse-shoe arch (*gavākṣa*), more familiar to the Hindu and Jaina artisans working on the site (Nath 1978: 10-11; Tadgell 1990: 156–157).

design patterns (Plate 9).[18] In these elements, which were newly carved for their Islamic masters, no human or animal forms were employed. However, it seems that the stone masons had a lot of freedom in designing the plant ornamentation as they employed arabesque-like foliage almost identical to that adorning earlier Hindu and Jaina temples in the region. As such, local indigenous foliage adornments were interwoven with calligraphic writings of *Qurʾānic* verses in what look like Kufic and Nashki writing (Nath 1978: 10; Dehejia 1997: 255).[19]

However, it is fascinating, that the carved calligraphy is entirely illegible. It appears that the local stone carvers did not read Arabic script and copied something they did not understand. Remarkably, this does not appear to have been considered problematic, as no attempt was undertaken to correct it. In this context, one has to stress how typical it is of Islamic architecture more generally, to be adorned with large-scale calligraphic writings. Similarly, to the visual appearance of the pointed arches which are trabeate in construction, also in the ornamentation, it seems to have been more important to look like Arabic lettering and to symbolise Islam, than to be actually readable. Therefore, the primary audience of these inscriptions appears to have been the local Hindu and Jaina population and not the Muslim believers, at least not those capable of reading. Therefore, in the last two examples, local Indian techniques and patterns did not enter the Islamic way of building through the direct re-use of pre-existing materials as was shown in the first step, but through the production of new components, both structural and ornamental, carved by Hindu and Jaina craftsmen in local indigenous ways.[20]

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[18] It is typical of Islamic architecture in general that the surfaces of objects and edifices have entirely been filled with ornamentation and that no patch is left unadorned. This has been described as *horror vacui* (Asher 1992: 4), a fear of empty space.

[19] Asher points out how much flatter in appearance Iranian decorative ornamentations adorning Ghurid Iranian mosques are (1992: 4). This shows the strong Indian element in these newly carved elements.

[20] Qutb-ud-dīn Aibak also commenced with the construction of a tall minaret, known as the Qutb Mīnār, just outside the central courtyard in 1199 or 1200 (Davies 1989: 119; Sharma 2005: 8). Although it, too, is adorned with Indic design patterns, it has been modelled on precedents from Iran in the region of Ghur (Nath 1994: 52) or from Afghanistan (Mitter 2001: 88). Minarets are usually employed for the call to prayer (*azān*), uttered by the (*muʾazzin*, *muʾadh·dhin*), the announcer. However, as it is so typical of Islam, it also carries a certain symbolic value (Dehejia 1887: 252). The latter point is particularly important with regards to the Qutb Mīnār, as it is so tall (about 73 metres) that a *muʾazzin* calling from its tip could not be heard (Nath 1994: 54). This fact turns it primarily into a ceremonial tower, symbolising victory and proclaiming the might of Islam (Hillenbrand 1988: 109; Davies 1989: 35; Watson 1989: 95; Tadgell 1990: 156; Mitter 2001: 88; Volwahsen no date: 13). Qutb-ud-dīn, whose own name means "Axis of the Faith" gave it this name to honour himself and also to stress its symbolic importance as an axis of Islam (Tillotson

Although the resident population was defeated, severely suppressed and their sacred places of worship had been destroyed, their culture nevertheless – at least indirectly – penetrated and influenced the art and architecture of the new dominating elite. This happened through the integration of fragments which bore the ornamental features of Hindu and Jaina religious buildings and even some figural representations, as well as through the engagement of local craftsmen, who continued to employ their familiar building techniques and decorative patterns. In this way, at least some elements of the culture and the artistic and architectural tradition of the subjugated survived. The extent and impact of this will only become fully apparent when we examine the extension of this earlier core building element.

Extensions of the Mosque

Qutb-ud-dīn Aibak died unexpectedly in 1210 CE.[21] He was briefly replaced by Arām Shāh, who only ruled for eight months (Sharma 2005: 8), and then by Shams-ud-dīn Iltutmish, a renowned general and a former slave of Aibak in 1211. He ruled until 1236.[22] While Qutb-ud-dīn Aibak had expanded his territory in northern India, Iltutmish is thought to have consolidated the empire. The Muslim community at Delhi had grown. In order to accommodate it but also intending to visually express his own might and to rival the earlier constructions, Iltutmish expanded the Quwwatu'l Islām Mosque. He elongated the screen and prayer hall at both ends beyond the former cloister and erected a new outer colonnade. As the arcade of Qutb-ud-dīn Aibak's earlier mosque was not pulled down, this resulted in the first mosque building being contained inside a larger second courtyard, with both parts sharing an extended *qiblā* wall and sanctum (Plate 1, first extension (2) in light grey).[23] The third Islamic ruler to enlarge the Quwwatu'l Islām Mosque was Alai-ud-dīn Khiljī,[24] who ruled Delhi from 1296 till 1316 CE and expanded the Delhi Sultanate towards the south. Like Iltutmish before, he further enlarged the screen and started

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1990: 31) and of victory. The *mīnār* was completed by Shams-ud-dīn Iltutmish in 1220 CE (Sharma 2005: 8).

[21] Allegedly, he died at Lahore while playing *chaugan*, an Indian version of polo (Sharma 2005: 8; Volwahsen no date: 5).

[22] Iltutmish was Aibak's son-in-law (Hillenbrand 1988: 107; Watson 1989: 95; Asher 1992: 4; Sharma 2005: 8; Volwahsen no date: 5).

[23] This second larger courtyard then enclosed the Qutb Mīnār which formerly was standing beside the original first mosque.

[24] Again, we find a variety of diverse spellings for this name: Alai-ud-dīn Khalji, ʿAla' al-Din Khalji, ʿAlāʾ ud-Dīn Khiljī.

raising a third arcade, enclosing the aforementioned two courtyards (Plate 1, second extension (3) in dark grey).[25]

As all the material from the demolished Hindu and Jaina temples had been used for the construction of the first mosque by Qutb-ud-dīn Aibak, new columns and building parts had to be produced for Iltutmish's and Alai-ud-dīn Khiljī's extensions (Plate 10). It is fascinating to observe, that the design of the newly carved columns closely resembles that of the former looted Hindu and Jaina temple spoils. The newly created columns are plainer, as they lack the characteristic Indic decorations but they clearly match those of the inner cloister in principal. Even the impression of two pillars having been pilled-up has been recreated in the design of the freshly carved examples. This is significant, as at this stage, completely new columns were created, the patrons could have opted for a more Islamic model, for instance, a central Asian or Iranian style. However, additional pillars were made on the basis of older, re-used types. This shows that at this stage, stylistic continuity and the unity of design of the whole mosque complex appear to have been considered more important (Tillotson 1990: 33) than political associations or regional fraternities.

Concluding and Further Thoughts

Whereas small local mosques were raised in Sindh and on the south-western coast of India at least from the eighth century onwards, a distinctive Indian Islamic architectural tradition only began to develop from the late twelfth century onwards, when Qutb-ud-dīn Aibak settled in Delhi. The Quwwatu'l Islām Mosque is the first major Islamic monument, built under an Islamic sultanate in India. In a way, it could have been a one-to-one copy of a Turkic, Iranian or Afghan mosque, recreating the style of architecture, typical of the new rulers' homelands. Instead, it exhibits various forms of indigenous Indian re-use. The largely unaltered building material from dismantled Hindu and Jaina temples was directly recycled in the core building structure. In the earliest additions made to the original edifice, decorative and structural conventions, both local indigenous (Hindu and Jaina) and foreign imported (Islamic) were combined. It is therefore a fascinating building to study with regards to re-use and to the creation of artistic and architectural forms fashioned under extreme forms of dependency.

The Quwwatu'l Islām Masjid is not unique in this respect, but it is the earliest example. Only slightly later and following in many respects the same scheme is

[25] Alai-ud-dīn Khiljī also commenced erecting a second even taller minaret which had double the diameter and was planned to reach double the height of the Qutb Mīnār (Tillotson 1990: 32). However, it was never completed and only a stump remains today.

the Arhāī-din-kā Jhonprā Masjid (Two-and-a-half days Mosque) in Ajmer (Ajmīr), started only a few years later, probably in 1199.[26] Ajmer, too, was a city of strategic importance. In this early mosque, spolia from a Jaina college or temple, erected in 1153,[27] were re-used in the cloister and the sanctuary – made of triple columns with corbelled domes above. In this mosque, too, a more Islamic-looking screen was added later by Iltutmish, probably between 1299 and 1230.[28] As Aibak captured Ajmer in 1196 (Sharma 2005: 8), he might well have been the patron of this mosque as well (Hillenbrand 1988: 107). As such, also in the early mosque at Ajmer, local building materials and indigenous construction techniques were fruitfully joined with an imported plan and an – at this stage still – new and foreign religious function.

After the defeat at Tarain, in what Hillenbrand calls "the crucial first generation of Muslim dominance in northern India" (1988: 105), the inhabitants of the conquered territory of the first Islamic state in India found themselves in a position of extreme dependency and were unable to prevent the desecration and complete destruction of their treasured sacred sites and temple buildings. They were forced to use the spoils of their own revered sanctuaries, regarded as the home of their gods, to raise a structure expressing the victory of Islam over their own people, culture and religion. Nevertheless, the new Muslim ruler and his followers depended on the locals for the assembly of the first congregational mosque out of re-used debris and for the carving of new additions. Through this, inadvertently, Hindu and Jaina conventions, such as decorative motives and building techniques entered not just this building, but as can be seen in the extensions of the mosque under the Khiljīs, the vocabulary of Islamic architecture more generally and more lastingly. Although there are Muslim dynasties in the subcontinent who defined themselves more clearly by the culture of their home countries in Turkey, Iran, Central Asia or Afghanistan, such as the Deccan sultanates, Islamic architecture in India

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[26] While Hillenbrand, founding his argumentation on an inscription on the *miḥrāb of* the mosque, places the start date of the mosque at 1199 with a completon in 1200, Nath argues for an earlier start in about 1194 and a completion in about 1229 (Nath 1994: 62).

[27] See, for instance, the discussion in Hillenbrand (1988: 108, 109). Other authors state that it was created out of demolished Hindu temples (Nath 1994: 62; Sharma 2005: 22). However, references to a Jaina college prevail.

[28] For further details, see Hillenbrand (1988: 107). Although very few edifices survive from this early period of Islamic construction on the subcontinent (Hillenbrand 1988: 105), Fergusson refers also to early mosques at Kanauj, Dhar (Dhār), Mandu (Māndū), Jaunpur and Ahmedabad (Ahmadābād, Amdāvād) which were raised out of originally Hindu and Jaina temple parts, however, without providing further details (1967: 201). Hillenbrand refers also to the Sitā-ki Rasoī (Sitā's Kitchen Mosque) at Kanauj, the Shāhī Masjid in Khatu (Khatū) and the Chaurasī Khamba Mosque in Kaman (Kamān) as further early examples of Sultanate architecture in India (1988: 105).

strongly involves the incorporation of indigenous themes and local technology. Whereas certain elements did not acquire widespread usage or were even rejected outright, such as figural sculpture, by the Islamic architecture of the subcontinent, others were adopted and given new-life and meaning in the architecture of Islam in India.[29]

One example is the Indic religious symbolic as well as ornate motive of the pot of plenty (*pūrṇa kalaśa*). In Hindu and Jaina temples, this can be found at the base of pillars and temple entrances as well as in the crowning element at the tip of temple towers. Through the integration of spoils into early mosque architecture, this element became part of Islamic decorations, too, where again, it can be found on the base and top of columns and at the tip of domes (Sharma 2005: 18).[30]

While the impact of local Hindu and Jaina cultural conventions and motives is especially pronounced at the start of this artistic interaction, during the Delhi Sultanate, the early architecture of the Slave Dynasty functioned in many respects as a creative foundation for later Mughal developments and refinements.[31] This can be seen in the palace architecture of Delhi and Agra – for instance in the *bāṅgālā* roof forms – but also in the design of the Tāj Mahal, with its pot, lotus and floral design patterns.

However, this is also particularly evident in the mosque architecture of Bengal (Nath 1994: 73; Davies 1989: 43) and Gujarat (Davies 1989: 46). Although Indian builders in due course acquired the expertise to construct true arches, vaults and domes, Islamic constructions in Gujarat essentially carried on with employing trabeate post and lintel constructions.[32]

Through these interactions, and despite the fact that the Muslims were the dominant force and Hindu and Jaina inhabitants initially in an extreme position of dependency, a complex and in many ways multifaceted dialogue commenced between initially external Muslims from Turkey, Iran, Central Asia and Afghanistan and local Hindus and Jainas from India. Despite an initial and ongoing dependency over several centuries, a reciprocal give-and-take, a two-way cross-fertilisation of motives and building techniques still took place and led to discernible changes in both cultures. As such, initial dependency, suppression and destruction eventually, through prolonged cohabitation, exchange and dialogue, have in the long run led to the formation of a distinct Indo-Islamic style of architecture and the integration of originally Islamic forms of building in the

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[29] See the discussion of 'new-life re-use' in Hegewald (2012: 31–33).

[30] Another image one could explore in this context would be that of the lotus. See the discussions in Sharma (2005: 18) and Davies (1989: 31).

[31] For a more detailed discussion of this connection, see Hillenbrand (1998: 105) and Asher (1992: 2).

[32] This has been mentioned by Lambah (2006: 13) with reference to the work by Alka Patel.

indigenous architecture of the subcontinent as well as Indian elements in Islamic styles. This interaction and exchange have contributed to the development of free, more united and level religious and cultural traditions in modern India even if these are at times threatened by recent political developments.

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Plates

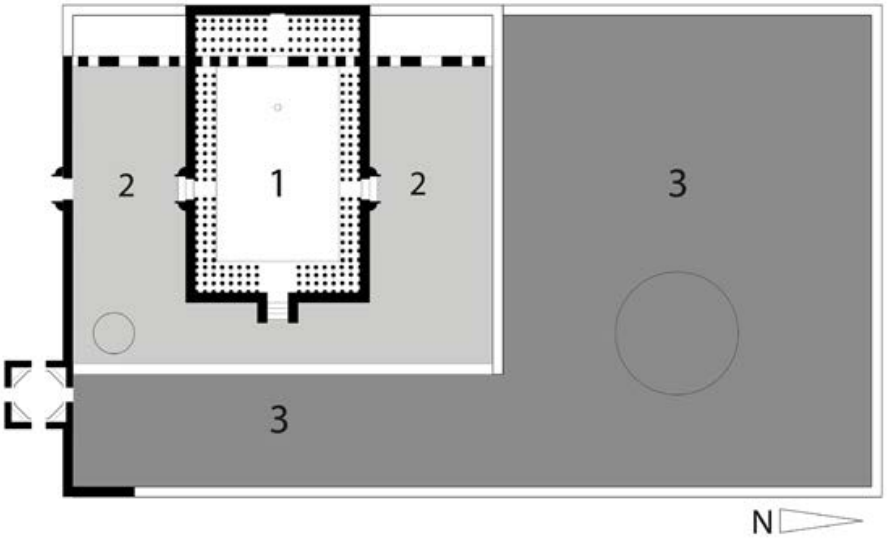

Plate 1: Plan of the first inner mosque by Qutb-ud-dīn Aibak (1, white), the first extension by Shams-ud-dīn Iltutmish (2, light grey) and the second extension by Alai-ud-dīn Khiljī (3, dark grey).

Plate 2: Two pilled-up re-used Hindu and Jaina pillars have been used to form the prayer hall and the arcading of the Quwwatu'l Islām Mosque in Delhi.

Plate 3: Trabeate domes from dismantled local temples were re-used as roof coverings for the prayer hall of this early mosque.

Plate 4: Hindu and Jaina figural imagery has been preserved on the pillar spoils in less obvious locations.

Plate 5: In very visible places, figural sculptures derived from the local temples were removed from the pillars when they were integrated into the arcading of the early mosque.

Plate 6: Today, the later added screen of five pointed arches adds a more strongly Islamic touch and dominates the open courtyard of the Quwwatu'l Islām Masjid.

Plate 7: View onto the back of the earlier columned prayer hall with flat ceilings raised out of temple debris and the later much taller screen of arches.

Plate 8: Although the arches look arcuate, they have been created by superimposing horizontal stone courses and cutting off the cantilever ends.

Plate 9: On the newly carved screen, arabesque designs derived from local temple architecture have been interwoven with calligraphic Qurʾānic inscriptions.

Plate 10: The pillars of the first mosque extension by Shams-ud-dīn Iltutmish clearly imitate the design of the earlier re-used Hindu and Jaina temple columns.

3. Research Lenses

3.2. Embodied Dependencies

Sinah Theres Kloß. "Embodying Dependency: Caribbean *Godna* (Tattoos) as Female Subordination and Resistance," *The Journal of Latin American and Caribbean Anthropology* 27, no. 4 (2022): 601–612.

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RESEARCH ARTICLE

Embodying dependency: Caribbean *godna* (tattoos) as female subordination and resistance

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Abstract
A tattoo has not one but multiple meanings, depending on the person and interpretations within a sociocultural context. To demonstrate, this article focuses on tattoo marks labeled *godna* in Suriname and Guyana and on their related tattooing practices. *Godnas* can be found among senior Hindu women, and can be interpreted as marks of subordination and resistance. They inscribe and actively (re)create asymmetrical power relations and embody different dimensions of dependency. Relating to the notion of service, they reinstate women's subalternized positionalities in socioreligious relationships and recreate experiences thereof, especially regarding husbands and in-laws, gurus, and deities. However, they may also become a means of subverting patriarchal hierarchy and challenging colonial and orthodox religious structures.

KEYWORDS
tattoo, godna, subordination, resistance, Suriname, Guyana

Resumen
Un tatuaje no tiene uno, sino múltiples significados, dependiendo de la persona y de las interpretaciones dentro de cierto contexto sociocultural. Para demostrarlo, este artículo se centra en *godna* o las prácticas relacionadas con el tatuaje en Surinam y Guyana. La práctica del godna se encuentra entre los hindúes mayores y puede interpretarse como expresiones de subordinación y resistencia. Estas marcas en la piel inscriben y (re)crean activamente relaciones de poder asimétricas y encarnan diferentes dimensiones de dependencia. En relación con la noción de servicio, reintegran las posicionalidades subalternizadas de las mujeres en las relaciones socio-religiosas y recrean sus experiencias, en particular en relación con sus esposos y suegros, gurús y deidades. Sin embargo, también pueden convertirse en un medio para subvertir la jerarquía patriarcal y desafiar las estructuras religiosas coloniales y ortodoxas.

PALABRAS CLAVE
tatuaje, godna, subordinación, resistencia, Guyana, Surinam

TATTOOED DEPENDENCY

Aunty Bhee[1] was sitting next to me on the bench outside her home in Canje, Guyana, and slowly shook her head when I asked her about her *godna*, the faded tattoo on her forearm. In prior conversations, several Guyanese informants had explained to me that *godnas* are tattooed marks of subordination, reinscribing the inferior status of a Hindu wife in relation to her husband. On a

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previous occasion, Aunty Bhee had also discussed her *godna* in this particular way with me, but on this afternoon in September 2017, she dismissed my interest in her tattoo, rolled up her sleeves, lifted her skirt, and pointed to numerous scars on her arms and legs, explaining: "This [*godna*] is only one of the marks he gave me," indicating her husband's abusive, violent behavior.

When asked about their *godnas*, the majority of my senior, female, Hindu informants in Guyana and Suriname indeed recounted their lives as severely and negatively influenced by oppressive patriarchs, husbands, and parents-in-law. They especially emphasized experiences of gender-related violence, their husbands' alcoholism, and other physical and spiritual suffering. At the beginning of my ethnographic fieldwork—conducted in the Surinamese-Guyanese border region and in the Surinamese diaspora in the Netherlands between 2017 and 2019—*godnas* seemed to represent a prime example of tattoos as marks of possession and subordination, as they usually contained the initials of the tattooed woman's husband. However, as I analyze in detail in this article, *godnas* as marks of subordination are but one way women understand and interpret their own *godnas*. Indeed, *godnas* entail a multiplicity of understandings and provide various ways of reading them. To overcome potential bias resulting from popular associations of tattoos with possession and ownership—especially if they contain another person's initials—critical reflection on the prominent interpretation of *godnas* as marks of subordination is necessary. These associations are not only the result of popular discourse but have also been a focus of tattoo research over much of the twentieth century (Gustafson 1997; Jones 2000).

Over the past twenty years, research on tattoos has increased, with growing numbers of studies appearing in publications, especially in history, art history, sociology, and archaeology.[2] Although not part of mainstream discussion in social and cultural anthropology, tattoos have continually been a topic of interest—for example, in studies focused on Oceania (Gell [1993] 2004; Kuwahara 2005; Thomas, Cole, and Douglas 2005). This focus is linked to colonial encounters in the Pacific and the allegedly related revival of "Western" tattooing in the nineteenth and twentieth centuries, which played a pivotal role in scholarly discussions up to the early 2000s (Kloß 2020, 2021). Comparatively little research has been conducted on tattoos and tattooing in Latin American and Caribbean anthropology. Here, the most prominent themes related to tattoos concern mummies from ancient cultures (Allison et al. 1981; Arriaza 1995; Maita Agurto and Minaya Cabello 2014; Rocha Valverde 2018; Ruiz Estrada 2012), and tattoos were documented in descriptive anthropological accounts of Indigenous communities in Latin America (Baldus 1962; Krause 1911, 1952; Santiana and Carluci 1962); these early accounts do not go beyond mere categorizations that label and classify specific groups of people and reconstruct stereotypes of an Indigenous other.

The association of tattooing with Indigenous communities and ancient cultures bares the risk of reducing tattooing, body painting, and body modification to an exoticized and racialized other. Historically, and not specific to Latin American and Caribbean contexts, tattoos, their practices, and narratives have significantly contributed to the construction of otherness and the notion of the "uncultured" (Caplan 2000; Kloß 2020; Thomas 2005). Enid Schildkrout affirms that as "images of people from Europe's colonies made their way into popular culture, representations of tattooing among the European underclass became conflated with the exotic bodies of Africans, Asians, and Native Americans" (2004, 327). Anthropological tattoo research has to overcome the dichotomization of Indigenous versus non-Indigenous tattooing and should not reproduce the notion of a painted/tattooed Indigenous other.

Indeed, tattoos could and can be noticed among a wide range of social actors in Latin America and the Caribbean, as also this article illustrates. The few available studies provide some insight into the variety of tattoos and their related practices in Latin America and the Caribbean. For example, the role of tattoos in identity formation processes has been a recurring theme, referring especially to their visual and symbolic characteristics and the related construction of social groups, boundaries, and feelings of belonging (Da Serra Netto 2011; Hourquebie 2008; Krischke Leitão 2004; Míguez 2002; Osório 2006; Peck 2014; Pérez 2006; Pérez Fonseca 2009). Other studies consider tattoos as a means of expression and communication (Garrido 2010), reflect on them in polytheistic and monotheistic contexts (Ramos 2002), consider them as a means of sacralization (Morello 2021), or approach them from a psychological perspective (Oliveira and Giffoni 2007).

Tattoos and tattooing practices offer manifold perspectives and innovative approaches to topics, such as body politics and biopower, identity and belonging, social groups and boundaries, religion and ritual, memory and commemoration, (im)materiality and the senses, violence and punishment, and pain and healing. In this article, I analyze social and cultural anthropology's potential contribution to theorizing and researching tattoos by emphasizing their relationality and capacity to embody power relations, socioreligious hierarchy, and asymmetrical dependencies. As unequal power relations and social hierarchies have influenced and continue to influence tattooing (Kuwahara 2005; Peck 2014), tattoos may be understood to embody, affect, and, hence, actively recreate socioreligious dependencies among a variety of social actors. These may include humans, deities, ancestors, spirits, and others. I hypothesize that in hegemonic contexts, tattoos may become a means of social control and of resistance to dominant social actors.

Tattoos and tattooing have to be approached as objects and practices that go beyond the visual and symbolic, and as performatively (re)creating and embodying (asymmetrical) power relations. They do not only inscribe relations and levels of dependency on bodies and persons but may actively (re)produce them through their permanence and the sensory experiences they generate. To demonstrate, I focus on tattoo marks labeled *godna* in Suriname and Guyana. These tattoos illustrate women's relational and dynamic positionalities in social hierarchies and further enable us to think beyond tattoos' categorization as marks either of subordination or emancipation. To this end, I analyze contemporary discourses on *godna* and narratives told when enquiring about

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FIGURE 1 Daro's faded godna, consisting of Ramnam, a large Aum sign, as well as her own and her husband's initials, in Canje, Guyana. Photo Credit: Author, September 2017.

meanings of specific kinds of tattoos. I conclude that *godnas* embody and actively recreate the various asymmetrical dependencies that Surinamese and Guyanese Hindu women experience in the context of patriarchy and Hindu orthodoxy but that they also provide them with agency.

RITUAL TATTOOS IN CARIBBEAN HINDU COMMUNITIES

Godna, a word for tattoos and tattooing practices in Hindi and Sarnami (Surinamese Hindi; Bosch 2002, 159), can be found among senior Hindus, especially Indian women born before or during the 1960s. People who define themselves as *Indian* in Guyana and Suriname consider themselves as descendants of South Asian indentured laborers, who were shipped to the Caribbean to work on plantations during British and Dutch colonial rule between 1838 and the 1920s (Kloß 2016; Tinker 1993; van der Veer and Vertovec 1991; Younger 2009).[3] In Guyana, the term *East Indian* is sometimes used, while in Suriname the term *Hindoestani* (or *Hindustani*) is common. The majority of these indentured laborers were Hindus, who actively sought to maintain their religious traditions in the Caribbean. As Hinduism was a minority religion in the predominantly Christian societies, however, Hindu traditions and practices have been influenced by the exchange with several other religions—particularly Christianity and Islam—as well as inferiorization, proselytization, and stigmatization processes (Kloß 2017; van der Veer and Vertovec 1991; Williams 1991). Over the course of the twentieth century, Caribbean Hinduism has developed into various traditions and subgroups, such as the Sanatan, Madras, Arya, and ISKCON traditions (Younger 2009). Hence, Guyanese and Surinamese Hindus cannot be considered as a homogeneous group. The informants I refer to in this article predominantly identified as Sanatan Hindus, thus as part of mainstream Sanatan Dharm traditions.[4]

Although there exist multiple meanings and readings of *godnas*, contemporary interpretations and public discourse in Guyana and Suriname show little variation, linking *godnas* to the status of wifehood, of becoming and being a wife. For example, in the exhibition *Fu Moi Moi—The Decorated Body Then and Now*, curated by Aruna Mungra at the Stichting Surinaams Museum, Suriname, 2017, *godnas* were represented on an exhibition signboard.[5] They were thus included in Suriname's national repertoire of body modification and beautification, explained as follows on the signboard: "The *godna* is a tattoo used by Hindu women. It was placed after the wedding. The woman was obliged to do so; otherwise she was unclean to the in-laws . . . [who] refused to drink water she served. This custom no longer exists in Suriname" (author's translation from Dutch). This description also emphasized the link between *godnas* and marriage, the notion of service, and the context of ritual purification, to which I return below.

Similarly, whenever I asked Surinamese and Guyanese informants about the meaning of *godnas*, the majority suggested that in the past women needed this kind of tattoo to be accepted by their husbands and parents-in-law. A commonly heard statement was: "If you did not have *godna*, your parents-in-law would not eat your food or take water from you." According to my informants—male and female, young and old—*godnas* were related to a girl's wedding and transformation into a (married) woman. For example, during one of our first conversations in December 2011, 78-year-old Daro, who lives in the Guyanese region of Berbice with part of her family, introduced me to *godnas* while discussing specific kinds of Indian dress in Guyana (Kloß 2016). Daro and I were joined by her daughter Anto, and when Daro critically indicated that my analysis of dress lacked *godnas*, both pointed to the faded, hardly visible tattoo on Daro's forearm (see Figure 1).

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FIGURE 2 Soenita's godna, consisting of an Aum sign, Sriramnam and her husband's initials, in Nieuw Nickerie, Suriname. On her left hand, a circular symbol was tattooed between thumb and index finger. Photo Credit: Author, September 2018.

The following is an excerpt from that interview:

> ***Daro*** : We called them *godna*. [points at the tattoo and touches the mark on her arm]
>
> ***Anto*** : Not like . . . how we call it "tattoo" today, you see, "people with tattoo." A long time ago, they used to call it "*godna*."
>
> ***Daro*** : *Godna*.
>
> ….
>
> ***Daro*** : One lady would come, and she would give you one. And if you did not get it, they would say, they don't want water from you.
>
> ***Sinah***: Uh-huh?
>
> ***Anto*** : So like, that was like one . . .
>
> ***Daro*** : That, like one *tradition*. When you had been married.
>
> (Daro 78, Anto 42, women, Guyana, December 2011; author's translation from Guyanese, emphasis in original)

Daro's *godna* consisted of her own and her husband's initials "in English" (in Latin script), the Hindu symbol Aum, and the word *Rāmnām* in Devanagari script. At the time of my research, her *godna* was exemplary among those of many senior Hindu women in both Guyana and Suriname. Commonly, a husband's initials were a substantial component of *godnas*, but equally important were the tattooed words रामनाम or श्रीरामनाम (*Rāmnām* or *Śrīrāmnām*, the name of [Lord] Ram), the symbol ॐ (Aum, Oṃ), and symbols of fertility or good fortune (e.g., peacocks, flowers). *Godnas* were placed near the crook of the right arm; sometimes designs were extended with a black dot on the forehead and a circular symbol on the left hand (see Figures 2 and 3).

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FIGURE 3 A Surinamese woman's godna, consisting of Aum, Sriramnam, peacock, flower, and her husband's initials. Photo Credit: Author, September 2018.

Daro explained that *godnas* were tattooed after a woman "had been married." Besides indicating a woman's marriage and wifehood, *godnas* also indicated the bride's social transition (her new social status and role as wife and her transition from girl to woman), her geographical relocation from her childhood home to the often-distant household of her husband's family, and integration into that household.

MARKS OF SUBORDINATION: SITA KI RASOI INTERPRETATION OF GODNAS

From a contemporary (Caribbean) perspective, one might recall ownership and slave markings when considering the tattooing of a husband's initials. Today, many women consider *godnas* particularly "old-fashioned" or even "backward" signs of female subordination. Most informants described *godnas* as signs or symbols that subjugated women to their in-laws and marked them as their husbands' possessions. At the time of my research, Hindu men and women of diverse age, regardless of residence in Suriname or Guyana, most commonly supplied these explanations. This was the case not only for me—a White, European, female ethnographer—but also for Sebieren Hassenmahomed, who considers herself part of the Surinamese diaspora in The Hague.[6] In her 2016 collection of Hindoestani women's life histories, for example, Hassenmahomed included three accounts of women who framed *godna* in relation to patriarchy and subordination. In these narratives, two Hindoestani women commented on their own *godnas*, one stating: "My father-in-law insisted that I should get a *godná* (tattoo) on my forearm when I was nine months married" (Hassenmahomed 2016, 92; author's translation from Dutch). Another woman referred to her mother's *godna*: "The *godná* (tattoo) on my mother's forearm, according to her, was proof that she was married" (Hassenmahomed 2016, 56; author's translation from Dutch).

Contemporary interpretations like these frame *godnas* as marks of wifehood and relate them to "housewifely devotion" in Suriname and Guyana. In this article's remainder, I refer to specific discourse on and interpretation of *godnas* as symbols of female subordination as the *Sita ki rasoi* reading of *godnas*. *Sītā kī rasoī* (सीता की रसोई) is Hindi, translating as "Sita's kitchen." A Hindu goddess, Sita is the main female character in the epic *Ramayana*, among the *Mahabharata*, the most prominent Hindu epic in Caribbean Hindu traditions (Singh 2012). Commonly known to be the god Ram's wife, Sita is usually characterized as devoted to her husband. In the Caribbean (and elsewhere), she serves as the role model for Hindu wives and the archetype of ideal womanhood, necessarily related to (auspicious) wifehood. Servitude and devotion (*bhakti*) are relevant in this context. In traditional Hindu families, a "good wife" makes her husband's (and children's) well-being her utmost priority and must facilitate this without considering her own wishes, well-being, and prospects. This concept of *pativrata*[7] supports the ideal that only a devoted, virtuous, and faithful wife is considered a good woman (Johnson 2010, 235). C. J. Fuller confirms this with reference to popular Hinduism in India that there are many goddesses who "exemplify the virtuous *pativrata*, 'devoted to her husband,'" including "Sita, who is absolutely faithful and obedient to Rama" (2004, 201; emphasis in original). According to Fuller, this ideal is internalized and becomes an intrinsic aspect of (Hindu) womanhood (2004, 201). In Guyana and Suriname, expressions like "she is a real Sita" are commonly used to compare and evaluate women's behavior as (especially) devoted and obedient to her husband. Depending on the speaker's stance on female subordination to husbands and men, such comparisons can have positive or negative implications. Referring to gender-specific problems among Surinamese Hindoestanis, Indra Boedjarath emphasizes that in contemporary Suriname, although the goddess Sita has manifold qualities and virtues, "only those contributing to the

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image of a subservient, tolerant, self-sacrificing, chaste, honourable, ever friendly woman, even in the face of humiliation and rejection are employed" (2017, 134).

The ideal of a wife being like a maidservant to her husband traditionally extended to his family, especially the husband's parents, whose powerful position in relation to their sons' wives was (and sometimes still is) significant. My informants' interpretations of *godnas* usually directly and prominently referred to a woman's parents-in-law, who were often said to have demanded the *godna*. Similarly, in the examples above, narrators explained that the husband had not required his wife to get a *godna*, but instead the parents- or father-in-law did so. The tattoo design's name *Sita ki rasoi* might lead one to assume that *godnas* symbolize women's role in a Hindu household and more generally in Hindu communities—that is, restriction to caretaking activities, household chores, and reproduction.[8] Referring to women's "main domain," *Sita ki rasoi* directly names the kitchen, without actually depicting features of kitchens. Sita herself is not represented in the *godna's* design, but Sita's husband's name is inscribed on the woman's skin—Rāmnām ("the name of Ram[a]") or Śrīrāmnām ("the name of Lord Ram[a]").

The vast majority of *godnas* represent clear stratification of social status and hierarchy as well as domains of dependency in which a wife must serve: a *godna's* top layer usually consists of the Aum, representing the cosmic principle, the ultimate reality, and the original world sound from which everything—including humans and deities—emanated. The second refers to Ram, representing and (re)creating the tattooee's auspicious wifehood with tacit incentives to act like Sita. The design's third and lowest part usually consists of the husband's initials and sometimes symbols of good fortune and fertility. While this design represents the hierarchical organization of the cosmos—that is, humans' subordinate relation to deities, and deities' to the superior consciousness—it further suggests women's threefold subordination and dependence, inferior to the superior consciousness, deities, and husbands.

The *Sita ki rasoi* tattoo design was not invented in the Caribbean but was part of sociocultural traditions imported by Indian indentured laborers. *Sita ki rasoi* has been documented as a popular tattoo motif in Indian regions from which indentured laborers were recruited to various Caribbean colonies. As early as 1896, for example, William Crooke referred to *Sita ki rasoi* as a tattoo design in the North-Western Provinces of then-British India. Stating that in "Upper India" girls selected tattoos "according to taste" (Crooke 1896, 204), he differentiated the following designs: 1) figurative designs, including the "peacock, the horse, the serpent, the scorpion, tortoise, centipede"; 2) "representations of jewelry" including necklaces and bracelets, and 3) designs that "are purely religious, such as . . . the cooking house of Sítá, the stock type of wifely virtue" (Crooke 1896, 204). Crooke neither provides a singular explanation of the tattoos' function nor does he refer to *Sita ki rasoi* as the only noticeable tattoo design. Indicating the manifold uses of tattoos, he describes their meanings as dependent on regional contexts and as marks of social stratification, including caste. A hundred years later, for example, Shampa Shah and Aashi Manohar documented continued use of the *Sita ki rasoi* motif in Indigenous communities of the Indian state of Madhya Pradesh: "The scene of Sita Rasoi, the kitchen of Sita, the heroine of the *Ramayana*, is a popular tattoo motif in many tribes" (1996, 110).

Indicating a woman's obligation to conduct *sevā*—selfless service to deities, gurus, the needy, and the family—*godnas* can indeed be read as marks of subordination. However, having conducted between one and four formal interviews with each of my senior Hindu informants, the interviews and our additional informal conversations revealed that the women's explanations of *godna* varied and that the meaning of *godnas* proved to be much more complex and heterogeneous than portrayed by contemporary discourse. Not wanting to trivialize experiences of female indentured laborers' and contemporary Surinamese and Guyanese women's subalternization, I still believe it necessary to reflect on other aspects of *godnas* that allow further insight into their meanings.

Before I detail this in the following section, I suggest that the *Sita ki rasoi* reading has to be contextualized and considered as part of broader scholarly and popular discourse on Indian women's subordination in the Caribbean. Earlier scholarship on Indo-Caribbean women contains notions of subalternization, marginalization, and the trope of the "suffering coolie woman" (Hoefte 1987; Khodabaks-Hasnoe and Habieb 1999; Shiw Parsad 1999; Tinker 1993). "Coolie wife murders" have been an especially prominent framework in the Caribbean historiography that labeled female indentured laborers and their descendants as victimized and suppressed (Carter and Torabully 2002).[9] In this context, tales of "coolie wife murders" contributed to "European assumptions of the barbarism of Indian males and their treatment of women as their 'property'" (Carter and Torabully 2002, 52). While such approaches have been challenged more recently (Choenni 2020; Gounder 2020; Haniff 1999; Hosein 2011; Mohammed 1999; Swamy 2016), the trope proves persistent, especially in popular discourse and culture. Margriet Fokken argues that due to the absence of female voices, "the historiography on Hindustani women in Suriname remains informed by stereotypical depictions" (2015, 275). Criticizing Surinamese historiography for its continuing Eurocentric focus, for example, Gloria Wekker calls us to overcome this partiality of knowledge (2001). She rightly criticizes that "scholarly work on Suriname, certainly until the last four decades of the previous century, has largely been done by (white) men," resulting in "the standard practice to elide gender as a meaningful category of analysis" (Wekker 2001, 177). Following this criticism, this article is based especially on oral history interviews with Guyanese and Surinamese women to include female voices in Caribbean historiography. Wekker further addresses the fact that "Surinamese history and ethnography have mostly been produced by Dutch academics and to a lesser degree by Americans," revealing "a particular preoccupation with ethnicity" (2001, 177).[10] Although as a German researcher I will not be able to overcome the Western bias Wekker rightly criticizes, I have approached Surinamese (and Guyanese) history by not focusing on a specific "ethnic group" but by analyzing body marking practices on a general level. Additionally, I have

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not restricted my research to national borders—a framing that often continues to be left unquestioned—and actively compare Guyanese and Surinamese practices of *godna* in my ethnographic research. *Godnas* are not the cultural practice of a specific "ethnic group" but predominantly of a religious group in Suriname and Guyana: the Hindu community. Especially female Hindus have *godnas*, so these tattoos add a gendered dimension to the historiography and anthropology of the Guianas.

Critical reflection on the prominent *Sita ki rasoi* interpretation of *godnas* is therefore necessary. For this purpose, attention has to be drawn to the question of subalternized people's agency, which has often been addressed. However, this article's objective is to not confirm that Surinamese and Guyanese Hindu women have had and continue to have agency, especially considering that, particularly in old age, many (Hindu) women claim powerful positions and have considerable influence in their families.[11] Such an objective would reproduce a specific scholarship that does not "move beyond the terms of emancipation versus subordination" (Fokken 2015, 286). Instead, *how* women claim agency should be addressed. Again, I emphasize that I do not want to trivialize the real pain suffered by many of my informants; gender-based violence is a serious problem in Guyana and Suriname, as elsewhere in the world, and should never be glossed over. In almost all life histories of women with whom I engaged, gender-based violence was either framed as their marriage's main characteristic or it was mentioned and normalized as a "side effect" of married life. However, the content of conversations in sequential ethnographic interviews often moved beyond the *Sita ki rasoi* narrative; women started explaining *godnas'* other meanings and interpretations—for example, as indicators that a woman had conducted a *gurmukh* ritual and become a guru's disciple. Thus, besides serving her husband and in-laws, she could conduct "service" (*sevā*) toward a guru and deities. I turn to this interpretation of *godnas* in the following section, referring to it as the *gurmukh* reading of *godnas*.

MARKS OF SUBVERSION: GURMUKH READING OF GODNAS

Most informants stated that in the past, a married woman needed a *godna* to be accepted by her parents-in-law. My two oldest female informants from Suriname and Guyana, with *godnas* on their arms and hands, similarly recalled this function. In contrast to most other informants, however, both women further elaborated on procedures and meaning of *godna* during several ethnographic interviews, additionally highlighting the empowering link between *godnas* and Hindu baptism. Both women related *godna* to "baptism" by a *pandit*, and thus having acquired the status of being the "godchild" of a guru (Daro, Guyana) or of being *gurmukh/goermoekh* (Soenita, Suriname)—of "having a guru." For example, 81-year-old Soenita* from Nieuw Nickerie in Suriname explained why as a young woman, she had gotten a *godna*:

> ***Soenita***: Those old people said, "You must have *godna* on your hand." If you didn't have *godna*, those people, . . . those old people, didn't want to drink water from your hands. They didn't want to. Is not *goermoekh*.
>
> ***Sinah***: Is not . . . ?
>
> ***Soenita***: *Goermoekh*! Does not have a guru. You must have a guru.
>
> ***Sinah***: Ah! So that [*godna*] means you have a guru?
>
> ***Soenita***: Hmm [affirmative]. We must have *godna*. If you were going to give someone water, she was going to say, "Your hand has *godna*?," then they were going to drink [the] water. If you didn't have *godna*, she/he was not going to drink.
>
> (Soenita, 81, woman, September 2018, Nieuw Nickerie/Suriname; author's translation from Dutch)

Soenita referred to a baptized person as "a *goermoekh*"; *goermoekh* is the Dutch spelling for *gurmukh*, which translates as "baptized person" or "baptism" according to the Dutch-Sarnami dictionary (Bosch 2002, 159). In Guyana, Daro similarly talked about baptism in relation to *godna*, describing it as (Hindu) "christening" by a *pandit*. According to Daro, *godnas* displayed a person's connection to and relation with a guru. Like Soenita, Daro clarified in follow-up conversations that her *godna* signified her status of being a guru's "godchild." The guru, she explained, was usually a local *pandit* in Guyana who "christened" several "godchildren." The concept of *gurmukh* is referenced almost exclusively to Sikhism in academic literature. In the Sikh tradition, the word *gurmukh* refers to a person who is guru-oriented and follows the teachings of a guru (Singh 2019). *Gurmukh* also

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denotes a person who "has overcome ego" (Singh Mandair 2017, 169) and has changed from a "self-willed being (*manmukh*)" (Cassio 2019, 155). In contrast to the *gurmukh*, a *manmukh* "is controlled by the impulses of man, rather than by the dictates of the Gurū" (Bowker 2003). When in November 2020, I inquired whether the *gurmukh* was relevant to Guyanese Hindus, Daro responded (via her daughter Anto on social media) that *gurmukh* refers to a kind of teacher and relates to a person's most-liked yogi (spiritual teacher).[12]

According to these senior Hindu women, a *godna* portrays and (re)creates an empowering relationship between a guru and his disciple(s); the condition of having become guru-oriented. Knowledge and interpretations of *godna* as marks that signify a tattooee's baptism or Hindu christening are rare. Still, senior informants highlighted *godna* as a means of becoming *gurmukh*, indicating the necessity of also considering *godnas* in Guyana and Suriname in this context and, more specifically, in light of the *gurmukh* ritual. According to Cornelis Johannes Maria de Klerk, the ritual of *gurmukh* is "widely-known" among Surinamese (1998, 116). In *Cultus en ritueel van het orthodoxe Hindoeïsme in Suriname* (*Cult and Ritual of Orthodox Hinduism in Suriname*), he relates the *gurmukh* to the *upanayana*, which is one of the *sanskaras* (rites of passage) in Hindu life. Klerk lists the *gurmukh* as having a "complementary and substitute function" (1998, 116, author's translation) relative to the *upanayana*. In Suriname and Guyana, the *upanayana* is popularly referred to as *janeu* or *janneuw*; these terms denote the sacred thread handed to an initiate during a ritual. Traditionally, the *upanayana* or *janeu* is accessible only by upper-caste Hindu boys, who achieve "twice-born" status after having performed the ritual (Fuller 2004; Michaels 2004). According to Hindu philosophy, a twice-born boy is accepted by the guru who officiated at the ritual and who is henceforth responsible for the boy's (spiritual) education, thereby initiating the disciple's second, spiritual birth. The *upanayana* rite of passage consists, among other actions, of receiving the guru mantra and the sacred thread from the guru (Klerk 1998, 116). Traditionally, some groups—lower-caste and casteless Hindus as well as women in general—were restricted from conducting the *upanayana* and thus from achieving twice-born status and spiritual birth.[13] They were unable to achieve salvation from the cycle of reincarnation and had to hope for and work toward reincarnation as an upper-caste Hindu man. According to Klerk, the *gurmukh* ritual became relevant especially to groups restricted from conducting the *upanayana*—for example, women (Klerk 1998, 116).

If the *gurmukh* ritual allowed women to undergo substitute *upanayana*, *godnas* can be considered substitutes to the *janeu*, the sacred thread handed over during the ritual. Although *godnas* were not tattooed during the ritual itself, they were still perceived to mark a *gurmukh* ritual and symbolize the tattooed woman's discipleship to and dependency on a guru. In contrast to the *Sita ki rasoi* interpretation, *godnas* and their related *gurmukh* ritual may be perceived as emancipatory or even subversive in relation to Hindu orthodoxy, for they enabled women's spiritual birth and possibly births of other subalternized groups. Like twice-born Hindu men, *gurmukh* women could consequently free themselves of ego and acquire (spiritual) education. From a non-Hindu perspective, the necessary "loss of ego" seems to support wives' subordination to husbands in the patriarchal societies of Guyana and Suriname and to justify through religion their often servant-like status in their husbands' households that include their parents-in-law. From a Hindu perspective, however, the *gurmukh* ritual in itself—as a substitute for *upanayana*—must foremost be considered an emancipatory aspect of Caribbean Hindu practices; loss of ego is considered an auspicious and most desirable goal among all human beings, including men. Soenita and Daro's statements, in which they self-confidently highlighted their discipleship and link to a guru, support this interpretation.

Godnas that recreate the *gurmukh* state and a relation to a guru have to be further contextualized in the development of Caribbean Hindu traditions to fully understand their subversive potential. In colonial Guyana and Suriname, Hindu traditions were marginalized, and Hindu practices and beliefs were commonly denoted as inferior to Christian values (Kloß 2016, 2017). Hindu leaders, including *pandits*, actively sought to consolidate the Hindu community from the beginning of the twentieth century, fearing mass conversion to Christianity, and created an "official" or "Brahmanic" Hinduism (van der Veer and Vertovec 1991; Younger 2009). The so-called "Sanatan tradition" consolidated and was aimed at implementing a Sanskritic Hindu orthodoxy in Guyana and Suriname, creating a religious tradition that could be legitimized as "respectable," on a par with Christianity (Kloß 2017; Vertovec 1994; Williams 1991). To acquire respectable status, all practices labeled as "uncivilized" had to be banished.

Christians and European colonizers considered tattooing an "uncultured" practice that needed to be eradicated. Contemporary research on tattoos and tattooing has highlighted the influence of European colonization and Christian missionization on tattooing practices, illustrating how part of the "civilizing mission" was to eradicate the "savage" and "heathen" practice of tattooing (Alvarez 2020; D'Alleva 2005; Ford 2020; Krutak 2020). As tattoo research in other regions has demonstrated, some groups and people covered their tattoos in such contexts of subalternization and colonization (Gengenbach 2003). They did not necessarily eradicate tattooing altogether but maintained the practices as a means of resistance to dominant powers. Analyses of the disappearance or replacement of tattoos with less permanent modes of body modification may provide significant insight into negotiations of (colonial) power relations and concepts such as permanence and materiality. Such transformation has been documented in Latin America and the Caribbean but has not been a major focus of analysis. For example, commenting on the motifs of Indigenous body painting in *Tristes Tropiques*, Claude Lévi-Strauss points to the "exceptional importance" of body painting in Amazonian cultures, further only mentioning that the motifs were "at one time, either tattooed or painted" and adding that "tattooing has now quite dropped out" ([1955] 1961, 166).

By continuing the practice of *godna* amid the quest for respectability and associating it with the *gurmukh* ritual, Hindu women challenged traditional Hindu orthodoxy (according to which women were denied *upanayana*) and furthermore contributed to

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the creation of an alternative Caribbean Hindu orthodoxy that challenged Christian and colonial standards of respectability. Such subversive practice may not have been highly visible, however: Daro indicated in one of our conversations that, in the past, *godnas* were usually covered by women's jewelry (Kloß forthcoming). This aspect indicates the need to include covered, hidden, and allegedly disappearing tattoos into analyses of (colonial) power relations and analyze them as embodied means of resistance.

Janeu and *godna* both symbolically signified a Hindu's discipleship, but, furthermore, they directly impacted receivers' bodies. Application of auspicious symbols and objects on one's body not only indicated but also actively affected the body's purification, which was later supported by the person's spiritual birth and subsequent spiritual purification. *Godnas* were not only considered to represent the *gurmukh* state but as continually creating and recreating it—similar to *janeus* that recreated men's twice-born status. *Godnas* actively purified and cleansed the bodies on which they were inscribed. They prevented others from being polluted, especially the in-law family for whom the wife had to cook and serve food and drinks. The common explanation, "Your parents-in-law would only eat your food if you had *godna*," directly refers to a *godna's* cleansing capacity; food and drinks are considered infected and contaminated by a cook and/or a server's bodily impurities, which can be transferred to those who receive and consume items. Rather than having a mere symbolic or indexical function, *godnas* directly and effectively purified bodies, recreating the *gurmukh* state and representing a woman's relation to a guru.[14]

CONCLUSION: EMBODIED DEPENDENCY

Godnas mark, (re)create, and embody different relations of dependence. The husband's initials and *Rāmnām* embody the asymmetrical dependence of a woman on her husband and family-in-law. They (re)create her status as wife and daughter-in-law, two highly subalternized status positions in Guyanese and Surinamese Hindu communities. The tattoo of Aum signifies everybody's and everything's inferiority to the Supreme and marks the woman's (and any human's) dependence on a guru. It (re)creates the status of being a guru's godchild and disciple, which is significant as without serving a guru, no human is able to acquire spiritual knowledge, overcome ego, and reunite with the supreme consciousness—that is, to overcome human suffering and the cycle of reincarnation.

Godnas are marks of dependency that relate to multiple levels of service (*sevā*). They reinstate women's subalternized positionalities in socioreligious hierarchies and networks of power, and recreate experiences and memories thereof, especially in relation to husbands and in-laws, deities, and gurus. At the same time, they also subvert patriarchal hierarchy and orthodox Hindu structures: they provide female tattooees with the capacity to ritually purify their bodies, to acquire spiritual knowledge, and to serve a guru and deities. By applying a mark that seems to overtly bind them to various dependency relations, they indeed gain the capacity to overcome the highest level of dependency: the dependence on and the existence in the physical world.

Tattoos and tattooing practices provide innovative approaches to analyze embodied dependencies and (a)symmetrical power relations. Not only do they symbolize and visualize but they also materialize and actively recreate social relations and power asymmetries, for example in (post)colonial and patriarchal contexts. Tattoos never have singular meanings. Both the marks and the tattooing processes facilitate a variety of sensory experiences and memories. To overcome an exclusive focus on tattoos' visual characteristics, I suggest integrating tattooing practices and narratives of the tattooing process into future analyses and research. Such approaches would highlight tattooing as an event or practice, drawing further attention to the underresearched area of tattooing's material culture and to sensory approaches of tattooing. This case study of *godnas* has illustrated how diversified approaches can overcome simplified juxtapositions of tattoos' meanings and motifs, such as subordination versus emancipation and oppression versus resistance.

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ENDNOTES

[1] Names w have been changed to ensure the anonymity of my informants.

[2] For an overview, see Kloß (2021), Kosut (2015), Lane (2014), and Schildkrout (2004).

[3] Between 1838 and 1917, 238,909 Indian laborers were shipped to then-British Guiana. Between 1873 and 1916, 34,000 Indian indentured laborers arrived on Surinamese plantations (van der Veer and Vertovec 1991, 150).

[4] For detailed analyses of Hindu traditions in the Caribbean, see van der Veer and Vertovec (1991), Klerk (1998), Singh (2012), and Kloß (2016).

[5] I thank Aruna Mungra for her support of my research project and sharing her experiences, photographs, and information with me.

[6] I thank Sebieren Hassenmahomed for her continuing support of my research, including her opening up of opportunities for me to talk to senior Hindoestani women in The Hague.

[7] *Pativrata* refers to a virtuous wife who has made a vow (*vrata*) to her husband (*pati*), offering him devotion and protection.

[8] For the Surinamese context, U. Arya speculates in *Ritual Songs and Folksongs of the Hindus of Surinam*, collected during the late 1960s, on the origin of the name, hypothesizing that the design may symbolize "a woman's role in the home," but ultimately admits to being unaware of the name's origin (1968, 26–27).

[9] Marina Carter and Khal Torabully summarize this trope in their discussion of *Coolitude* (2002) as follows: "As the indenture system expanded and flourished over the nineteenth century, stereotypes of the 'helpless coolie as victim' gained a wide circulation. Transmuted to the sugar estates of the British Empire, the

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'docility' of the Indian coolie, and his relative lack of ambition, became the official explanations for the seemingly smooth running of what was deemed an essentially coercive institution" (2002, 51).

[10] She also highlights that Western knowledge production on Suriname remains biased, as the former Dutch colony of Indonesia continues to be attached with "more value" in comparison to Suriname (Wekker 2001, 178–79).

[11] Elsewhere I discuss how senior Hindu women use their *godna* narratives as "narratives of suffering" to claim more powerful positions and enhance their social status in their families, communities, and with regard to future lives (Kloß, forthcoming).

[12] Anto texted: "*Gurmukh* like teacher / your most Like yoga" (text message to author on November 19, 2020).

[13] In the Indian caste system, some upper castes are considered "twice-born." In the Caribbean, no caste system similar to the Indian one has been maintained, but caste identities sometimes prevail (Ayyathurai 2021; van der Veer and Vertovec 1991).

[14] It has to be mentioned that women's bodies are conceptualized to be more polluted than men's in most Hindu traditions. Thus, the need to apply (purificatory) *godna* to serve could also be read as a means of subordination, as discussed above. In the context of conceptualizing *godnas* as substitutes to *janeus*, my informants did not consider *godnas'* purifying capacity as reproducing gendered inequalities, I believe. Further research is needed, however, that compares the purifying capacities and material implications of *janeu* and *godna*.

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3. Research Lenses

3.2. Embodied Dependencies

Sinah Theres Kloß, Lena Muders and Taynã Tagliati. "Transforming Spirit Bodies: Materialization and Embodied Dependencies," in *Transforming Spirit Bodies: Materialization and Embodied Dependencies in South America*, ed. Sinah Theres Kloß, Lena Muders and Taynã Tagliati (Berlin: De Gruyter, 2025): 1–28.

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Sinah Theres Kloß, Lena Muders, and Taynã Tagliati

Transforming Spirit Bodies: Materialization and Embodied Dependencies

1 Spirits, Materiality, and Dependency

Spirits can transform their own bodies or can be actively manipulated and modified by humans. In specific ritual contexts, humans can embody spirits. This can occur, for example, in healing rituals and through "constructive" possession or when spirits afflict humans and take possession of their bodies in harmful ways that negatively affect the possessed person's health and wellbeing. In such situations, spirit and human bodies may mingle, overlap, unite, compete, or fight within a single entity, although a wider range of social actors and their bodies are often part of these dynamics and practices. Such social actors experience close and intimate body-to-body contact, which may enable the mutual exchange of (im-)material energies and substances requiring different levels or states of in/tangibility, in/visibility, in/audibility, and extra/sensory perceptibility. Bodily fluids, such as blood, are, at times, vehicles carrying an individual's spirit or soul.

In spite of—or precisely because of—this diversity of relations between humans and spirits, the categories and entities of humans and spirits may not always be well differentiated. Humans may be considered as and may conceive themselves as (en-)spirited subjects, animated by something that we term spirit, soul, *karon*, *shakti* or *atman*, *ánima*, *neseki* and *kunu*, ancestor, ghost, or the Holy Spirit. These and similar concepts, whose meanings do not necessarily overlap or should be understood as equivalent, encompass the idea of a metahuman entity. Alternatively, as Marshall Sahlins fashionably dressed up this idea, "People are spirits themselves."[1]

Spirits and materiality have an ambivalent yet undeniable relationship. It is precisely for this reason that analysis of this topic is promising, particularly when taking into account that human and other-than-human entities may share substances and agency during the processes of materialization and dematerialization. These are necessarily always influenced by relations of power and dependency, as they not only have material but also social dimensions. However, alleged vagueness and immateriality of spirits, which we discuss further below, are challenging as a field of inquiry. In academic contexts, they may not be taken as legitimate research topics because they are still haunted by the categorization of spirits under "superstition." This view of the "belief" in spirits as irrational superstition was, until the mid-twentieth century,

1 Marshall Sahlins, *The New Science of the Enchanted Universe*: *An Anthropology of Most of Humanity* (Princeton: Princeton University Press, 2022): 42.

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influenced by enlightenment discourse in Euro-American scholarship.[2] Many scholars agreed that as scientific knowledge advances, the belief in concepts, powers, and entities that cannot be scientifically proven and verified would become redundant. It was proposed that scientific rationality would soon eradicate the belief in spirits and other "supernatural" entities, such as ghosts, deities, and gods, casting these notions and ideas out into the supposed "premodern" realm of religion and magical practices.[3] The best-known theories in this regard are those of Max Weber regarding the disenchantment of the world, in which he defines spirits as a heuristic counter-category to rationality:

> That in turn means the disenchantment of the world. Unlike the savage for whom such forces existed, we need no longer have recourse to magic in order to control the spirits or pray to them. Instead, technology and calculation achieve our ends.[4]

Popular religious practices and beliefs were actively marginalized and stigmatized as "magical" and "outdated."[5] The practices that included spirits, ghosts, and ancestors were often either banned or "came to be looked upon as epitomizing irrationality and backwardness and obsolete remnants of premodern thinking by the enlightened subjects of the postcolonial era."[6] In many places, scientific rationality and its attendant practices came to be regarded as "prime markers of European superiority" and hence became a key concern for many "native political and intellectual elites of the late nineteenth and early twentieth centur[ies]."[7] For example, regarding Kali-Mai Puja in Guyana, discussed by Marcelo Moura Mello in this volume, possession rites and various spiritual beings became marginalized and stigmatized over the course of the twentieth century. Manifestation or possession rites that had the objective of healing and counseling were increasingly considered inappropriate and excluded from mainstream Hindu practices, which were in the process of being consolidated to create a respectable Hindu tradition that was based on Sanskritic deities. This consolidation was considered necessary to prevent mass conversion to the predominant Christianity of colonial society. Some marginalized rites were maintained, however, and developed into what is today known as the Madras tradition or Kali-Mai Puja in the Carib-

2 Kirsten W. Endres and Andrea Lauser, "Introduction: Multivocal Arenas of Modern Enchantment in Southeast Asia," in *Engaging the Spirit World: Popular Beliefs and Practices in Modern Southeast Asia*, ed. Kirsten W. Endres and Andrea Lauser (New York: Berghahn, 2012).

3 Alan Howard and Jeannette M. Mageo, "Introduction," in *Spirits in Culture, History and Mind*, ed. Jeannette Marie Mageo and Alan Howard (New York: Taylor and Francis, 1996).

4 Max Weber, "Science as a Vocation," in *The Vocation Lectures*, ed. David Owen and Tracy B. Strong (Indianapolis: Hackett, 2004): 13.

5 Endres and Lauser, "Introduction": 2.

6 Endres and Lauser, "Introduction": 3.

7 Endres and Lauser, "Introduction": 2.

bean, which continues to be labeled as backward and uneducated by those who do not partake in them.[8]

However, the ban on practices of relating to spiritual beings was not solely based on scientific rationality. Robin Wright demonstrates how the Baniwa in the Upper Rio Negro have dealt with Catholic missionaries and, from the 1940s onwards, with the New Tribes Mission (currently Ethnos360). While the Catholic Salesians were tolerant of shamanic practices, still continuing to emphasize the teaching concerning Jesus Christ, the Bible, and the Holy Spirit, the evangelicals completely prohibited shamanism and important rituals, such as those involving the Baniwa sacred flutes.[9] In fact, several flutes and shamanic objects were thrown into the river,[10] and converted evangelical Baniwa were encouraged to persecute the Baniwa shamans who were living in the Catholic Salesian mission.[11]

If it is acknowledged that there exist not one but multiple modernities,[12] we must also recognize that the various modernities do not exclude spirits, ghosts, deities, demons, and other spiritual beings. On the contrary, spiritual beings remain important social actors and means of communication in most societies. They often continue to influence social, economic, and political dynamics and relations of power and hence must be considered as "key agents within networks of sociocosmological relations that are essential for the reproduction of any society."[13] They may actively influence the reproduction of social structures, the (re-)construction and contestation of sociopolitical hierarchies, and the negotiation of power relations in these structures. Thus,

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8 Sinah Theres Kloß, *Fabrics of Indianness*: *The Exchange and Consumption of Clothing in Transnational Guyanese Hindu Communities* (New York: Palgrave, 2016); Sinah Theres Kloß, "Manifesting Kali's Power: Guyanese Hinduism and the Revitalisation of the 'Madras Tradition'," *Journal of Eastern Caribbean Studies* 41, no. 1 (2017); Marcelo M. Mello, "Dutch Spirits, East Indians, and Hindu Deities in Guyana: Contests over Land," *American Anthropologist* 124, no. 2 (2022); Marcelo M. Mello, "Espíritos, História E Colonialismo Na Guiana," *Revista de Antropologia* 64, no. 2 (2021). For the Trinidadian context consult Keith E. McNeal, *Trance and Modernity in the Southern Caribbean*: *African and Hindu Popular Religions in Trinidad and Tobago* (Gainesville: University Press of Florida, 2011); J. Brent Crosson, *Experiments with Power*: *Obeah and the Remaking of Religion in Trinidad* (Chicago: University of Chicago Press, 2020).

9 Robin Wright, "Guardians of the Cosmos: Baniwa Shamans and Prophets: Part I," *History of Religions* 32, no. 1 (1992).

10 Glenn H. Shepard Jr, Claudia Leonor López Garcés, Pascale de Robert and Carlos Eduardo Chaves, "Objeto, Sujeito, Inimigo, Vovô: Um Estudo Em Etnomuseologia Comparada Entre Os Mebêngôkre-Kayapó E Baniwa Do Brasil," *Boletim do Museu Paraense Emílio Goeldi. Ciências Humanas* 12, no. 3 (2017), https://doi.org/10.1590/1981.81222017000300006.

11 Wright, "Guardians of The Cosmos."

12 Shmuel N. Eisenstadt, "Multiple Modernities," in *Multiple Modernities*, ed. Shmuel N. Eisenstadt (Somerset: Taylor and Francis, 2002).

13 Oliver Tappe, Tijo Salverda, Andrea Hollington, Sinah Theres Kloß and Nina Schneider, "Global Modernities and the (Re-)Emergence of Ghosts: Introduction," *Voices from around the World* no. 2 (2016), https://kups.ub.uni-koeln.de/7059/ [accessed 26.07.2024].

spirits actively contribute to the (re-)production and embodiments of dependency relations, influencing whether such relations are based on interdependence or asymmetry. Omission of this topic and the category of spirits from the analysis of historical and contemporary power relations and coercive practices reproduces a Eurocentric or ethnocentric bias that maintains and does not critically reflect on the seemingly enlightened and disenchanted exclusion of the disregarded "supernatural" or "numinous."

Due to the marginalization and stigmatization of spirits, research on spiritual entities has also been largely marginalized in many academic disciplines and research projects. Research on spirits has been especially promulgated by anthropological inquiry, while scholarly engagement with deities and gods has been considered a legitimate topic of inquiry in the social sciences and humanities. This division, or compartmentalization, of research can still be seen today and was partly reflected in the organization of the conference that gave rise to this edited volume, which was held in September 2022. In response to our open call for papers, we received an overwhelming majority of submissions from scholars in anthropology, with only a few exceptions from researchers in the fields of sociology, archaeology, and literary studies. While we made every effort to maintain the interdisciplinary nature of the conference and, ultimately, of this edited volume, the majority of this volume's contributions have their home in anthropology.[14] In addition, it is partially due to our own regional research foci that our contributions center on spirits in South America, including Argentina, Brazil, Colombia, Guyana, and Suriname.

The evaluation of spirits as legitimate or illegitimate research subjects is influenced by the differing ontological statuses of spirits and gods. Outside of scholarly research, gods are usually regarded as the "foci of more elaborated social institutions than spirits," often attended by high-status priests.[15] According to Robert Levy, Jeannette Mageo, and Alan Howard, this is because gods are commonly "conceived as being more like social persons, usually idealized ones" and their "appearance is often canonically standardized, and they inhabit a humanlike world of social relations with humans and other gods."[16] Acknowledging that there are differences across such interpretations, they suggest that spirits, in their free and unbound form, are more commonly thought of as threats to the social order and are frequently expelled and eradi-

14 Exceptions to this include the contribution by Marcony Alves and Cristiana Barreto, who, drawing on archaeological research, demonstrate that pre-Columbian iconography is grounded in historical ontological notions that persist in Amazonia to this day, such as those of body transformation and predation; as well as the sociological research of Luis Bastidas Meneses investigating the adoption of the deceased victims of paramilitary forces in Colombia, demonstrating how structural violence and religion may induce ritual innovation.

15 Robert I. Levy, Jeannette M. Mageo and Alan Howard, "Gods, Spirits, and History: A Theoretical Perspective," in *Spirits in Culture, History and Mind*, ed. Jeannette Marie Mageo and Alan Howard (New York: Taylor and Francis, 1996): 14.

16 Levy, Mageo and Howard, "Gods, Spirits, and History": 15.

cated to re-create and re-establish this order, while gods are more often viewed as inducing and reaffirming social order.[17]

However, we suggest that, rather than being the exception, the various kinds of spirit—especially those labeled as benevolent—are often considered to be social persons, who—like gods and deities—have the authority and power to maintain social order, as well as to challenge and destroy it. The spirit realms are usually as influenced by social order and hierarchical structures as the human realm. Indeed, spirit worlds may be organized similarly to human worlds, or, vice versa, the human social order may reflect spirits' own social order. These worlds may be conceptualized as being deeply entangled, not as distinct spheres. Social order and relations are considered interdependent and continually negotiated and reproduced. Among the manifold case studies and contexts that provide insight into how the spirit and ancestor worlds are organized and mutually co-constructed, Piers Vitebsky's *Dialogues with the Dead*, for example, discusses how the human and spirit worlds interact in the context of the Sora in eastern India. In his case study, the "underworld" of spirits is characterized by social order and power relations.[18] Furthermore, Eduardo Viveiros de Castro demonstrates that Amazonian cosmologies challenge the assumption of a humanlike world belonging to the gods as a contraposition to an unhuman-like world belonging to spirits, as for many Amazonian peoples, spirits live in societies that are similar to or resembling those of humans, albeit in a metahuman realm.[19]

Social science research that centers around influential theorists Karl Marx, Émile Durkheim, and Max Weber has focused on religions, gods, and their roles in industrialized societies. In such studies, spirits were often exiled "to the margins of human experience, rendering them more the results of psychological aberrations than culturally understandable constructs."[20] Apart from the problematic premise that spirits are merely cultural constructs,[21] this perspective also overlooks the role that spirits play in capitalist

17 Levy, Mageo and Howard, "Gods, Spirits, and History": 16.

18 Piers Vitebsky, *Dialogues with the Dead*: *The Discussion of Mortality Among the Sora of Eastern India* (Cambridge: Cambridge University Press, 1993).

19 Eduardo Viveiros de Castro, "Os pronomes cosmológicos e o perspectivismo ameríndio," *Mana* 2, no. 2 (1996), https://doi.org/10.1590/S0104-93131996000200005.

20 Howard and Mageo, "Introduction": 3.

21 Approaches that consider spirits and ghosts to be merely symbolic representations and as a means of expressing, for example, social discontent continue to be published. For example, Mu-chou Poo suggests in the introduction to the edited volume *Rethinking Ghosts in World Religions* (2009) that ghosts can be defined as a "kind of post-earthly existence of a dead individual, which can be perceived by those still alive in a variety of different forms" and that the volume's contributions reveal that ghosts are useful in analyzing how "collective imagination" works. Mu-chou Poo, "Introduction," in *Rethinking Ghosts in World Religions*, ed. Mu-chou Poo (Leiden: Brill, 2009): 4.

societies, for instance, with respect to the role and concept of the Holy Spirit.[22] For example, in this volume, Agustina Altman and Alejandro López provide the exemplary case study of the integration of the Holy Spirit into the Moqoit cosmos of spirits in colonialism and missionization in Argentina, where the Holy Spirit reclaims an out-standing role among all the spirits that engage with human bodies.

Weber's observation of the disenchantment of the world may appear to be a logical and palpable diagnosis of the rapid industrialization and societal transformations he witnessed. However, he failed to grasp that "we need no longer have recourse to magic in order to control the spirits or pray to them" not because "technology and calculation achieve our ends," but exactly because technology and calculation may be considered as the new spirits of capitalist society.[23] Drawing on Marx's concept of commodity fetishism, Alf Hornborg demonstrates, "even technological efficacy is cognate to magic,"[24] as technology is fetishized in capitalist society. It is entrusted with agency that was previously demanded from and restricted to gods and spirits.[25]

In tracing the history of spirits in social thought, we must address the concept of fetish,[26] which was a product of the enlightenment theory of primitive fetish-

22 Catholicism condensed the phenomenological possibility of all the spirits in One only: the Holy Spirit. The Holy Spirit was the death of the other spirits in the public Christian world (in the private world, "smaller" or "unholy" spirits continued to endure).

23 The topic of capitalism, commodities, technology, and spirits has been extensively discussed and goes beyond the scope of this introduction. However, it seems noteworthy to refer to some of the key studies that have focused on the topic, especially in the context of Southeast Asia and most prominently by Ahiwa Ong in her classic study *Spirits of Resistance and Capitalist Discipline*, in which Ong discusses spirit possession as a means of resisting capitalist modes of production. Aihwa Ong, *Spirits of Resistance and Capitalist Discipline*: *Factory Women in Malaysia* (New York: State University of New York Press, 1987); Aihwa Ong, "The Production of Possession: Spirits and the Multinational Corporation in Malaysia," *American Ethnologist* 15, no. 1 (1988). Spirits of prosperity have been analyzed by Peter A. Jackson in the context of Thai capitalism: Peter A. Jackson, "Royal Spirits, Chinese Gods, and Magic Monks: Thailand's Boom-Time Religions of Prosperity," *South East Asia Research* 7, no. 3 (1999), http://www.jstor.org/stable/23746841 [accessed 10.09.2024]; Peter A. Jackson, "The Enchanting Spirit of Thai Capitalism: The Cult of Luang Phor Khoon and the Post-Modernization of Thai Buddhism," *South East Asia Research* 7, no. 1 (1999), http://www.jstor.org/stable/23746975 [accessed 10.09.2024]. For a discussion of the "modern" fascination of technology—or tech-gnosis—and spirits in Indonesia, consult Nils Bubandt, "Spirits as Technology: Tech-Gnosis and the Ambivalent Politics of the Invisible in Indonesia," *Contemporary Islam* 13, no. 1 (2019), https://doi.org/10.1007/s11562-017-0391-9.

24 Alf Hornborg, "Technology as Fetish: Marx, Latour, and the Cultural Foundations of Capitalism," *Theory, Culture & Society* 31, no. 4 (2014): 131.

25 For a discussion of commodity fetish, materialist spirits, and capitalism in Korea consult Laurel Kendall, "Korean Shamans and the Spirits of Capitalism," *American Anthropologist* 98, no. 3 (1996), http://www.jstor.org/stable/682720 [accessed 10.09.2024].

26 The term "fetish" comes from the Portuguese word *feitiço*, which originated from the Latin *facticius* (referring to manufacture), meaning "artificial" or "non-natural." In the fifteenth century, it also referred to witchcraft. The Portuguese used it to describe objects and practices they encountered among West-African peoples, and it was later adopted by West African people as *fetissu*. Over time, it

ism.[27] In the nineteenth century, the term "fetish" was already well-established in European thought and was used to describe objects that, in non-industrialist societies, were attributed with personhood and agency. Fetishism was pejoratively characterized "the error of worshiping material objects."[28] Marx added that Europeans also exhibited fetishistic practices, but in a different mode, that of commodity fetishism. According to this, commodities were imbued with intrinsic value, as if they did not originate from human work, assuming a magical or spiritual quality.[29] While non-capitalist fetishism attributes full personhood to things, capitalist fetishism only attributes agency "to non-living things."[30] Drawing on discussions of fetishism and ethnographic research among plantation workers in Colombia and *mestizo* miners in Bolivia, in *The Devil and Commodity Fetishism*, Michael Taussig insightfully argued that the spirit of the evil that is fetishized in the embodied image of the devil "mediates the conflict between precapitalist and capitalist modes of objectifying the human condition."[31]

Fetishism is only one concept articulated in social and cultural anthropology that examines human relations to spirits; another productive concept is animism. The term animism was coined by Edward Tylor in 1871 to characterize the belief in spirits and spiritual beings, drawing on the Latin *anima*, which meant soul or spirit.[32] Animistic worldviews imbue tangible entities with a subjective capacity and conceptualize embodied presence as animated by a "soul." Philippe Descola has been revising the concept of animism since the 1990s, conceiving it to be a mode of conceptualizing nature in terms of society; thus, animism refers to "sociologies of nature," embedding a human disposition into animals, plants, and other natural beings, while integrating nature into the social sphere.[33] Acknowledging that personhood is relational and is

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evolved into the French word "fétiche" with the meaning predominantly used today. See: William Pietz, "The Problem of the Fetish, II: The Origin of the Fetish," *Res: Anthropology and Aesthetics* 13 (1987), https://doi.org/10.1086/RESv13n1ms20166762.

27 See also Christina Antenhofer, ed., *Fetisch als heuristische Kategorie*: *Geschichte—Rezeption—Interpretation* (Bielefeld: transcript Verlag, 2011); Rogério Brittes W. Pires, "Fetische und ungerade Dualismen: Anmerkungen zu afrikanischen und afroamerikanischen Religionen," in *Fetisch als Heuristische Kategorie: Geschichte—Rezeption—Interpretation*, ed. Christina Antenhofer (Bielefeld: transcript Verlag, 2011).

28 Pietz, "The Problem of the Fetish, II": 45.

29 Karl Marx, *Capital* (London: Penguin Books, 1976).

30 Hornborg, "Technology as Fetish": 136.

31 Michael T. Taussig, *The Devil and Commodity Fetishism in South America* (Chapel Hill: University of North Carolina Press, 2010): xvi.

32 Rane Willerslev, *Soul Hunters*: *Hunting, Animism, and Personhood Among the Siberian Yukaghirs* (Berkeley: University of California Press, 2007): 2.

33 Philippe Descola and Gisli Palsson, *Nature and Society*: *Anthropological Perspectives* (London: Routledge, 1996).

not restricted to humanity,[34] animism can also be understood to refer to "the personhood of things."[35]

Spirit possession has been another primary field of inquiry concerning spirits in social and cultural anthropology. This has certainly been influenced by spirit possession, as regarded as a performative event in which spirits make and claim a distinctive presence sensible to humans. In such an event, a spirit is acting on, with, or through a human body. According to Michael Lambek, human bodies can provide "the vehicle by means of which spirits can be held in focus, [. . .] through which they can be sustained in steady communication, and from which they can be expected to speak."[36] Spirit possessions are a source of both suffering and of healing. In spirit possession studies conducted in the late twentieth century, spirits were understood to be mere representations of individual psychological processes (psychiatric dissociative states) or of social, political, and historical processes.[37] Toward the end of the century, social and cultural anthropologists adopted a more holistic approach, observing spirit possession as embedded in a specific historical and socio-cultural context. Spirit possession was considered to offer symbolic means of dealing with conditions of systematic inequality, including modernity, colonialism, capitalism, and religious and other hegemonies.[38] More recent studies, including those of Erik Mueggler,[39] Heonik Kwon,[40] and Victor Igreja,[41] have focused on ill-health and, through an interdisciplinary and epidemiological lens, have examined spirit possession as a phenomenon of

34 A.I. Hallowell, "Ojibwa Ontology, Behavior, and World View," in *Primitive Views of the World*, ed. Diamond Stanley (Columbia University Press, 1960). Also Nurit Bird-David, drawing on ethnography with the south Indian Nayaka, proposes animism as relational epistemology, i.e., it is a relational mode of being, knowing, and perceiving the world. Nurit Bird-David, "'Animism' Revisited: Personhood, Environment, and Relational Epistemology," *Current Anthropology* 40, no. 1 (1999), https://doi.org/10.1086/200061.

35 Sahlins, *The New Science of the Enchanted Universe*: 75.

36 Michael Lambek, "Afterword: Spirits and Their Histories," in *Spirits in Culture, History and Mind*, ed. Jeannette Marie Mageo and Alan Howard (New York: Taylor and Francis, 1996): 240.

37 Victor Igreja, "Spirit Possession," in *The International Encyclopedia of Anthropology*, ed. Hilary Callan (Hoboken: Wiley, 2018).

38 Paul Stoller, *Embodying Colonial Memories*: *Spirit Possession, Power, and the Hauka in West Africa* (London: Routledge, 2013 [1995]), https://doi.org/10.4324/9781315021669; Janice Boddy, "Spirits and Selves in Northern Sudan: The Cultural Therapeutics of Possession and Trance," *American Ethnologist* 15, no. 1 (1988); Janice Boddy, *Wombs and Alien Spirits*: *Women, Men, and the Zār Cult in Northern Sudan* (Madison: University of Wisconsin Press, 1989); Janice Boddy, "Spirit Possession Revisited: Beyond Instrumentality," *Annual Review of Anthropology* 23 (1994).

39 Erik Mueggler, *The Age of Wild Ghosts*: *Memory, Violence, and Place in Southwest China* (Berkeley: University of California Press, 2001).

40 Heonik Kwon, *Ghosts of War in Vietnam* (Cambridge: Cambridge University Press, 2008), https://doi.org/10.1017/CBO9780511807596.

41 Victor Igreja, Beatrice Dias-Lambranca, Douglas A. Hershey, Limore Racin, Annemiek Richters and Ria Reis, "The Epidemiology of Spirit Possession in the Aftermath of Mass Political Violence in Mozambique," *Social Science & Medicine (1982)* 71, no. 3 (2010), https://doi.org/10.1016/j.socscimed.2010.04.024.

collective suffering in post-conflict or post-war contexts, in which spirits play a role in executing transitional justice. These approaches focus on the collective perceptions and consequences of spirit possession that go beyond the individual body, as observed in the earlier psychoanalytic approach. Spirit possession is therefore not only a subjective embodied phenomenon but also impacts group dynamics and, consequently, cultural and social transformations.

2 Spirits as Powerful Social Actors

Spirits may act as powerful social actors, alongside and in relation with humans and more-than-humans. Posthumanist approaches have developed since the 1990s, taking into account the agency of other- or more-than-human entities, and seeking to decenter the human as the main category of analysis.[42] In such frameworks, a variety of terms and concepts emerged, among them being "multispecies" and "more-than-human." The latter is of particular importance for this volume, as it accommodates spiritual beings and other non-living entities, while the former reifies a particular epistemology that is implied in the term "species."[43] *More Than Human* was the title of a science fiction novel by Theodore Sturgeon of 1953, but the term became popular among scholars following the publication of David Abram's book *The Spell of the Sensuous* in 1996,[44] which popularized the term "more-than-human world." First promoted in ecological and geographical studies, the term actively sought to include animals, plants, minerals, meteorological phenomena, spirits, deities, and so on in analyses. Alternative terms, such as nonhuman and other-than-human, have also been discussed and adopted.[45] These all have the shared concern in common of moving away from the human, without necessarily excluding it, amplifying analysis to plural ontological categories of beings.[46] Recently, scholars have expanded these post-

42 Andy Miah, "A Critical History of Posthumanism," in *Medical Enhancement and Posthumanity*, eds. Bert Gordijn and Ruth Chadwick (Dordrecht: Springer Netherlands, 2008): 2.

43 Catherine Price and Sophie Chao, "Multispecies, More-Than-Human, Nonhuman, Other-Than-Human: Reimagining Idioms of Animacy in an Age of Planetary Unmaking," *Exchanges: The Interdisciplinary Research Journal* 10, no. 2 (2023), https://doi.org/10.31273/eirj.v10i2.1166.

44 David Abram, *The Spell of the Sensous*: *Perception and Language in a More-Than-Human World* (New York: Vintage Books, 1996).

45 For an in-depth discussion of these terms, consult Price and Chao, "Multispecies, More-Than-Human, Nonhuman, Other-Than-Human."

46 Although the use of such terms comes with moderation in the anthropological field, "multispecies" and "more-than-humans" are constantly adopted by prominent scholars such as Anna Tsing and Donna Haraway. Anna Lowenhaupt Tsing, *The Mushroom at the End of the World*: *On the Possibility of Life in Capitalist Ruins* (Princeton: Princeton University Press, 2021); Donna Jeanne Haraway, *When Species Meet* (Minneapolis: University of Minnesota Press, 2008).

humanist categories to create the umbrella terms "many worlds" or "the pluriverse."[47]

From the early concept of animism to the contemporary pluriverse, spirits have had a sometimes hidden, sometimes explicit, but always influential and continuing presence in human society. Spirits can bring fortune, merit, good luck, and wellbeing, grant miracles, and attend to requests (Bastidas Meneses, this volume); however, they are often also responsible for disease, traumatic past, and tragedy.[48] They are actively involved in power negotiations and the (re-)production of social hierarchy, as noted above. They can claim powerful positions when they give, distribute, withhold, or withdraw resources that other beings depend on. They may exercise control over human beings (and other entities), while they can also be controlled by others.[49] Humans may acquire and learn specific (bodily) techniques that "enable them to tap into the powers of the spirit world and enhance their own potency."[50] As Kirsten Endres and Andrea Lauser have observed, scholarly engagement with spirits has commonly found that spirits are central to and "have always been closely associated with the implementation of power."[51] Or, in Lambek's words,

> Spirits emerge or recede as products of discourse and loci of power, authority, or resistance. Collectively authorized and celebrated, or restricted to the realm of individual dysphoria, spirits provide an idiom with which to get a handle on experience, a means to step beyond the quotidian, the better to understand it. And yet for participants the stance is not that of the distant, detached observer, but its very opposite—not "outside," but intensely, immediately, and deeply "within." Spirits provide a vehicle with which to experience a loss of control, to speak from and about it, but also to recapture control.[52]

As powerful social actors, spirits are "transworldly, transreligious, and transethnic beings," who "move freely [. . .] between historical pasts and political presents"[53] and in this capacity engage with "contemporary political processes, power relations, and moral values."[54] In this sense, we add, they can be further regarded as transhistorical actors, who influence not only historical narratives contributing to contemporary

47 Marisol de La Cadena and Mario Blaser, eds., *A World of Many Worlds* (Durham, NC: Duke University Press, 2018); Arturo Escobar, *Designs for the Pluriverse*: *Radical Interdependence, Autonomy, and the Making of Worlds* (Durham, NC: Duke University Press, 2018).

48 Tappe, Salverda, Hollington, Kloß and Schneider, "Global Modernities and the (Re-)Emergence of Ghosts," np; Christine S. VanPool and Todd L. VanPool, *An Anthropological Study of Spirits* (Cham: Springer Nature Switzerland, 2023), https://doi.org/10.1007/978-3-031-25920-3: 31; Lambek, "Afterword": 240.

49 VanPool and VanPool, *An Anthropological Study of Spirits*: 31.

50 Endres and Lauser, "Introduction": 6.

51 Endres and Lauser, "Introduction": 6.

52 Lambek, "Afterword": 246.

53 Endres and Lauser, "Introduction": 6.

54 Endres and Lauser, "Introduction": 7.

understandings and accepted versions of history[55] but also raise awareness of the temporal dimension of social interaction, performance, representation, and narration, conflating the past and the present, or at least complicating their relation.

Spirits are often historical social actors (with or without specific biographies) and witnesses of historical events. They may be malevolent agents from the past, as discussed, for example, with regard to Dutch spirits in Guyana, where the roaming and sometimes possessing spirits of former colonizers are sometimes blamed for racialized discourse and (violent) tension among people of Indian and African descent in contemporary society.[56] However, spirits may also have an ahistorical character, as they are, for example, omnipresent in Amerindian oral histories of time outside of historical time (that some might call mythology). In this mythological time, all humans were able to communicate with other-than-human beings and, unlike today, this channel was open and not restricted to shamans. All of the entities in the world shared a similar condition, characterized by continuous communication and the ceaseless transformation of bodies (Alves and Barreto, this volume). Viveiros de Castro suggests that these oral histories show nostalgia for a time when they could communicate with other beings: "Myth, then, is a story of the time when humanity communicated with the rest of the world."[57] In this volume, André Demarchi demonstrates that these ahistorical (mythological) and historical beings and ancestors are manifest presences in Mebêngôkre-Kayapó ceremonies of name confirmation. Due to their mythical origin, some names bear their original nonhuman owners' "agentive weight," as well as that of all the human owners who had the name before. In such ceremonies, ahistorical and historical time meet.

Due to their ambiguous temporal positionality, spirits may have agency in power negotiations and may become actively involved in contemporary politics. For example, during the political crisis surrounding the presidential elections in Bolivia in 2019, Lena Muders was analyzing *ñatitas* in La Paz. *Ñatitas* are human skulls of relatives or strangers or even those taken from archaeological contexts, which as *almas* (souls) enter relationships of mutual care and dependency with living devotees.

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55 Michel-Rolph Trouillot, *Silencing the Past*: *Power and the Production of History* (Boston: Beacon Press, 1995).

56 Brackette Williams, "Dutchman Ghosts and the History Mystery: Ritual, Colonizer, and Colonized Interpretations of the 1763 Berbice Slave Rebellion," *Journal of Historical Sociology* 3, no. 2 (1990); Mello, "Dutch Spirits, East Indians, and Hindu Deities in Guyana." For an analysis of spirits and racialized identities in Guyana and Suriname, consult Brittes W. Pires, Rogério, Stuart Earle Strange and Marcelo Moura Mello, "The Bakru Speaks: Money-Making Demons and Racial Stereotypes in Guyana and Suriname," *New West Indian Guide* 92, no. 1–2 (2018); Stuart Strange, *Suspect Others*: *Spirit Mediums, Self-Knowledge, and Race in Multiethnic Suriname* (Toronto: University of Toronto Press, 2021).

57 Elsje Lagrou and Luisa E. Belaunde, "Do mito grego ao mito ameríndio: Uma entrevista sobre Lévi-Strauss com Eduardo Viveiros De Castro," *Sociologia & Antropologia* 1, no. 2 (2011), https://doi.org/10.1590/2238-38752011v121, 11. Translations from Portuguese are by the authors.

One interlocutor expressed her confidence in her uncle Henry's skull and the other *ñatitas*, who, according to her, would remove President Evo Morales from office.[58] Focusing on human remains, ancestors, and spirits in the context of contemporary politics, Jonatan Kurzwelly critically reflects on recent policies and practices of the restitution of musealized human remains. According to so-called "societies of origin," ancestral spirits may reside in the bone, and therefore, human remains must be understood to be the embodiment of these entities; in addition, the repatriation of the remains to their original place, often framed by public ceremonies, can also serve political and diplomatic aims. According to Kurzwelly, "restitutions can provide some sense of spiritual and emotional justice in the form of recognition of spiritual claims and demands, and of historical trauma, alongside the return of ancestral spirits."[59] Facilitating the re-encounters of former colonized people with their displaced ancestors' bodies and spirits gives institutions and nation states the opportunity to acknowledge their violent colonial legacies. However, the prevailing asymmetrical relations of dependency have not yet been overcome, as recent controversial negotiations have shown in the case of Germany, Namibia, and the Herero and Nama.[60]

Spirits may either be instrumentalized or actively claim or request a role in the negotiation of political practices, hierarchies, and structures. For example, Nils Bubandt demonstrates that in the postcolonial politics on the island of Ternate in eastern Indonesia, where sultanates have been regaining power in political decision-making and ruling since the beginning of the twenty-first century, spirits take an active part in contemporary decision-making as political advisors, carrying a special authority.[61] Here, spirits who lived under the sultanates prior to Dutch colonization are conjured up in possession rituals in which they "assert themselves as political subjects and informants," possessed of political efficacy and actively influencing regional politics. In this context, they are "historical figures who act politically in this world"[62] and who can be manipulated to achieve certain desired ends in "political struggles or forms of social control."[63] Strategic manipulation of possession is not restricted to or reserved for humans: Bubandt analyzes how a royal ancestor spirit omitted to mention the pe-

58 Lena Muders, "Ñatitas: Perzeption, Praxis und Materialität eines Schädelkultes in Bolivien," in *Objekte der Krise—Krise der Objekte: Materialitäten des Außergewöhnlichen in unterschiedlichen Gesellschaftlichen und kulturellen Kontexten*, eds. Elena Demke, Heiner Fangeru, Annika Felten, Nils Löffelbein, Ludwig Morenz, Karoline Noack and Naomi Rattunde (Berlin: EB Verlag, forthcoming 2025).

59 Jonatan Kurzwelly, "Bones and Injustices: Provenance Research, Restitutions and Identity Politics," *Dialectical Anthropology* 47, no. 1 (2023), https://doi.org/10.1007/s10624-022-09670-9.

60 Jonatan Kurzwelly and Malin S. Wilckens, "Calcified Identities: Persisting Essentialism in Academic Collections of Human Remains," *Anthropological Theory* 23, no. 1 (2023), https://doi.org/10.1177/14634996221133872.

61 Nils Bubandt, "Interview with an Ancestor: Spirits as Informants and the Politics of Possession in North Maluku," *Ethnography* 10, no. 3 (2009).

62 Bubandt, "Interview with an Ancestor": 298.

63 Bubandt, "Interview with an Ancestor": 311.

riod of European colonization in Indonesia when Bubandt consulted him as an informant, cultivating a "colonial amnesia."[64] Many spirits, he concludes, act as "'presentist' rather than 'historicist' political beings,"[65] following specific objectives that are relevant to contemporary political organization and society.

Spirits have claimed central positions in the implementation and contestation of sociopolitical power and continue to do so.[66] They have often been discussed as being counter-hegemonic and as forming a means of imitating (former) colonial powers, obtaining the power of the one being mimicked by way of mimesis.[67] An in-depth discussion of this already well-researched topic is beyond the scope of this introduction; however, it is important to note some of the most relevant findings to understand spirits' role in analyses of dependency relations. For example, Paul Stoller argues that "Songhay spirit possession is a sensory arena of counter-memory"[68] and a "site of mimetic production and reproduction, which makes it a stage for the production and reproduction of power."[69] Lambek suggests that spirits bring "the authority of the past to bear on the present,"[70] noting, on the basis of spirit possession in Mayotte, that here possession "entails the construction, elaboration, and deployment of alternative and multiple voices that join and transform larger conversations" and that these "additional voices provide a measure of critical distance and often speak with more authority, more freedom, or more levity, than other voices."[71] Thus, possession rituals may become sites of resistance, in which specific social inequalities, which have been reproduced in for example hegemonic, patriarchal, and imperialist contexts, are contested and opposed. In addition to its political relevance, spirit possession is also intrinsically related to processes of materialization, an aspect that we turn to in the next section.

3 Spirits and (De-)Materialization

Categories and definitions of spirits, ancestors, ghosts, demons, deities, and other spiritual entities are multiple and may overlap. The etymology of the word "spirit" shows that, in its Latin origin, *spiritus* means for example the "action of breathing," "respira-

64 Bubandt, "Interview with an Ancestor": 307.
65 Bubandt, "Interview with an Ancestor": 308.
66 Michael T. Taussig, *Shamanism, Colonialism, and the Wild Man*: *A Study in Terror and Healing* (Chicago: University of Chicago Press, 2004); Stoller, *Embodying Colonial Memories*; Boddy, *Wombs and Alien Spirits*.
67 For a discussion of the efficacy of imitating colonizers, see Michael Taussig, *Mimesis and Alterity*: *A Particular History of the Senses* (London: Taylor and Francis, 1992).
68 Stoller, *Embodying Colonial Memories*: 34.
69 Stoller, *Embodying Colonial Memories*: 37.
70 Lambek, "Afterword": 239.
71 Lambek, "Afterword": 244.

tion" and "breath."[72] In the Abrahamic religions, the breath of God is considered to animate bodies that are composed of natural elements. Air, in wind form, also animates—in the sense of giving motion to—material things. Among the Mebêngôkre-Kayapó, Taynã Tagliati observes in her ongoing research that the sounds produced by the spirits of the dead (*mekaron*) are associated with the wind.[73]

The wide range of historical and sociocultural contexts in which spirits are relevant make it impossible to propose a universally valid definition of spirits. It is likely redundant to seek such a definition, particularly if we begin from the premise that knowledge of spirits—and, moreover, knowledge in general—can only ever be contextual and partial. However, a recurring theme in the scholarly categorization of spirits is their supposed immateriality. Spirits are often defined by their immaterial quality and as having a nonmaterial existence, although scholars often recalled that this definition is not universal. For example, Christine and Todd VanPool define spirits as "non-physical agents that have some form of consciousness and varying degrees of influence over the material world," further elaborating that spirits "may be tied to a physical essence, but they may exist independent of any physical body."[74] Diana Espírito Santo and Ruy Blanes report that in "anthropology the word *spirit* or the term *spiritual entity* has tended to be associated with a transcendent, nonmaterial sphere of existence, even if we know from ethnography that this is far from universal."[75] Similarly, Levy, Mageo, and Howard, in their characterization of spirits and gods as endpoints of a continuum, suggest that, in common English language usage as well, the notion of the spiritual (including deities and spirits) usually implies immateriality, an understanding based on Cartesian dualism.[76]

The question of the (im-)materiality of spirits, spiritual entities, and spiritual beings has been receiving attention since the mid-2010s. This has been stimulated in particular through the research and work of Diana Espírito Santo.[77] For example, in a

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72 "Spirit (N.)," in *Oxford English Dictionary*, https://www.oed.com/dictionary/spirit_n?tab=etymology#21464538 [accessed 22.07.2024].

73 The Kayapó word *karon*, itself, refers not only to spirits but also to pictures. *Karon* is, therefore, an image. For another association of spirits to image in Amazonia, see: Davi Kopenawa and Bruce Albert, *The Falling Sky*: *Words of a Yanomami Shaman* (Cambridge, MA: Harvard University Press, 2013): 54.

74 VanPool and VanPool, *An Anthropological Study of Spirits*.

75 Diana Espírito Santo and Ruy L. Blanes, "Introduction: On the Agency of Intangibles," in *The Social Life of Spirits: An Entity in Brazilian Umbanda*, eds. Ruy Blanes and Diana Espirito Santo (Chicago: University of Chicago Press, 2014): 14.

76 Levy, Mageo and Howard, "Gods, Spirits, and History": 12.

77 Diana Espírito Santo has published the monographs *Developing the Dead: Mediumship and Selfhood in Cuban Espiritismo* (2015), *Fluid Spirits: Cosmology and Change in Contemporary Brazilian Umbanda* (2018), and *Spirited Histories: Technologies, Media, and Trauma in Paranormal Chile* (2023). She has co-edited numerous volumes on spiritual entities and (im-)materiality, including *Making Spirits* (2013, with Nico Tassi), *The Social Life of Spirits* (2014, with Ruy Blanes), *Articulate Necrographies* (2019, with Anastasios Panagiotopoulos), *Mattering the Invisible* (2021, with Jack Hunter), *The Dynamic Cosmos*

contribution discussing the making of spirit bodies in Afro-Cuban religion, Espírito Santo suggests that here spirits "yearn to partake of this worldly 'matter,'" and they urge "their mediums to furnish them with spaces of 'representation.'"[78] However, she warns against considering human bodies mere receptors of spirits, arguing that some of her interlocutors had conceptualized the human body as "*constituted* on spirits at many levels of its structure" because the spirits "bring their own energetic patterns from past lives" that ultimately "get entangled with the medium's own material system, engendering, in this way, a spirit-ized bodily biochemistry, altering her own thoughts and behavior."[79] This resonates with Rogério Brittes W. Pires' contribution in this volume, where he suggests that his Saamaka interlocutors in Suriname usually considered a person's body to be foremost "an iteration of the matrilineal substance" and that—as every person has an ancestor as their spiritual godparent who "sprouts" and "raises" them—this implies that the person and the spiritual ancestor share bodily substances and consequently share dietary restrictions and food taboos (Pires, this volume). In this sense, spirits' corporeality cannot be negated, and instead, their "constitutive transcorporality" has to be asserted.[80]

Human beings may experience and perceive processes of spirits' (de-)materialization as "shifts in the body's emotional and somatic density."[81] Luiz Costa, in this volume, further addresses material transformation with respect to spirits and shamanic powers: a living shaman condenses the power of a deceased shaman, whose soul has ultimately become a jaguar-spirit after death, into a material gemstone. This transformation occurs as the outcome of a shamanic battle, in which the victor can "capture the spirit of the defeated entity," resulting in the production of the *dyohko* gemstone. The *dyohko*, which is the source of shamanic power that was earlier inserted into human bodies in shamanic initiation, is defined as a transforming substance emanating "from nonhuman spirits" that is "viscous when in the body of shamans and appears as a resinous stone" when removed (Costa, this volume).

In the study of spirits and their embodiments and when critically reflecting on their (im-)materiality, it is necessary to reflect on the notion of materiality itself. As some theorists in the field of New Materialisms have rightfully cautioned, the understandings of materiality and immateriality are not universal, and their definitions depend on sociocultural contexts and the various knowledge systems that social actors

(2022, with Matan Shapiro), and *Other Worlds, Other Bodies* (2023, with Emily Pierini and Alberto Groisman).

78 Diana Espírito Santo, "The Making of Spirit Bodies and Death Perspectives in Afro-Cuban Religion," in *Articulate Necrographies: Comparative Perspectives on the Voices and Silences of the Dead*, eds. Anastasios Panagiotopoulos and Diana Espirito Santo (New York: Berghahn, 2019): 97.

79 Espírito Santo, "The Making of Spirit Bodies and Death Perspectives in Afro-Cuban Religion": 96.

80 Eduardo Viveiros Castro, "A floresta de cristal: Notas sobre a ontologia dos espíritos amazônicos," *Cadernos de Campo* 15, no. 14–15 (2006): 326, https://doi.org/10.11606/issn.2316-9133.v15i14-15p319-338.

81 Espírito Santo, "The Making of Spirit Bodies and Death Perspectives in Afro-Cuban Religion": 94.

(including scholars) are embedded in and rely upon. Much of scholarly publishing continues to reproduce ideas and the understandings of materiality that "in fact remain indebted to Descartes, who defined matter in the seventeenth century as corporeal substance constituted of length, breadth, and thickness; as extended, uniform, and inert."[82] However, what is considered matter (and what is not) is "itself culturally and historically specific and, as such, contested terrain."[83] For example, different degrees of materiality may exist, on the basis of which all kinds of existence and entities may be considered to be more or less material. This has been discussed in the context of Hindu concepts of materiality, where even energies are considered to consist of subtle matter, although this is imperceptible to the human senses. As Sinah Kloß discusses in the context of Caribbean Hindu traditions, most Hindus "understand materiality as a continuum, ranging by degree from subtle energies to gross substances" and that, according to them, "everything in this world is more or less material, including souls, knowledge, sound and energies."[84] This differentiation does not reflect a dualistic understanding but emphasizes that even subtle bodies and energies—including spirits—are to a certain degree material.[85]

Materiality can be understood not as simply existing but as something that is relational and evolving, as "something more than 'mere' matter: an excess, force, vitality, relationality, or difference."[86] Therefore, we believe that it is fruitful to consider materiality in a "relational, emergent sense as contingent materialization—a process within which more or less enduring structures and assemblages sediment and congeal, sometimes as a result of their internal inertia but also as a manifestation of the powerful interests invested therein."[87] New Materialist theories also emphasize "active processes of materialization of which embodied humans are an integral part."[88] Further, we believe that the manifold ways in which spirits materialize must be considered, and such analysis should also look for processes of materialization that go beyond (although do not omit) spirit possession. The moments and sites of manifestation in other kinds of rituals can provide a more comprehensive understanding of spi-

82 Diana H. Coole and Samantha Frost, "Introducing the New Materialisms," in *New Materialisms: Ontology, Agency, and Politics*, eds. Diana Coole and Samantha Frost (Durham, NC: Duke University Press, 2010): 7.

83 Angela Willey, "A World of Materialisms," *Science, Technology, & Human Values* 41, no. 6 (2016): 993, https://doi.org/10.1177/0162243916658707.

84 Sinah Theres Kloß, "Sensitive Bodies: Materialisation, Energetic States and the Balancing of Bodily Boundaries During Pregnancy and Birth," *Body & Society* (forthcoming).

85 Barbara A. Holdrege, "Body Connections: Hindu Discourses of the Body and the Study of Religion," *International Journal of Hindu Studies* 2, no. 3 (1998); McKim Marriott, "Hindu Transactions: Diversity Without Dualism," in *Transaction and Meaning: Directions in the Anthropology of Exchange and Symbolic Behavior*, ed. Bruce Kapferer (Philadelphia: Institute for the Study of Human Issues, 1976).

86 Coole and Frost, "Introducing the New Materialisms": 9.

87 Coole and Frost, "Introducing the New Materialisms": 29.

88 Coole and Frost, "Introducing the New Materialisms": 8.

rits' (de-)materialization and the ways in which this can affect related social power dynamics.

This suggestion is supported by recent approaches taking into account the various ways in which spirits (de-)materialize. For example, in the context of spirit writing, Webb Keane argues for the concept of "transduction" across different semiotic modalities, discussing how it can generate religious powers. Keane uses the analogy of a turbine that transforms the movement of water into electrical energy to illustrate this idea. The act of transforming something from one semiotic modality to another is seen as a source of efficacy that allows human beings to access divine power.[89] Furthermore, the moments and modes of shape-shifting and metamorphosis have been considered by other researchers to be fruitful perspectives on spirit materialization and transformation.[90] Patrice Ladwig proposes a focus on movements or the "ontic shifts" of beings, for instance, when beings "slip" or transition "from one form of being into another."[91] In this context, the notion of trace may be useful for analyzing these ontic shifts and the processes of (de-)materialization. According to Ladwig,

> Ghosts and spirits leave material traces in this world. Trace might indicate the places where they appear, the materiality of the ritual items to deal with them, or the offerings they receive. The trace is in that sense a track, a footprint or an imprint—a sign left in the material domain of something that in conventional ways is not graspable for most people not endowed with the special capacities to do so.[92]

Traces may be useful for directing attention to the "indexical presence of a being, but also its absence."[93] Kristina Wirtz argues in her study on materiality and spiritual agency in Cuba that, indeed, materializations are the means through which spirits "act in the world" and that "humans seek to capture the attention and power of spirits through complex manipulations of the material world."[94] She takes into account these manipulations, which, as we suggest, rely on various practices of (de-)materialization (or, with Keane, transduction). Wirtz suggests that the notion of perspicience—knowledgeable seeing—is a useful approach for analyzing these manipulations. She defines

89 Webb Keane, "On Spirit Writing: Materialities of Language and the Religious Work of Transduction," *Journal of the Royal Anthropological Institute* 19, no. 1 (2013).

90 Istvan Praet, "People into Ghosts: Chachi Death Rituals as Shape-Shifting," *Tipití: The Journal of the Society of Lowland South America* 3, no. 2 (2005): 140.

91 Patrice Ladwig, "Ontology, Materiality and Spectral Traces: Methodological Thoughts on Studying Lao Buddhist Festivals for Ghosts and Ancestral Spirits," *Anthropological Theory* 12, no. 4 (2012): 429, https://doi.org/10.1177/1463499612471933.

92 Ladwig, "Ontology, Materiality and Spectral Traces": 431.

93 Ladwig, "Ontology, Materiality and Spectral Traces": 440.

94 Kristina Wirtz, "Spiritual Agency, Materiality and Knowledge in Cuba," in *Spirited Things: The Work of "Possession" in Afro-Atlantic Religions*, ed. Paul C. Johnson (Chicago: University of Chicago Press, 2014): 100.

perspicience as "related to the tangibility or sense-ability of spirits"[95] and as capturing "the connection between sensing and knowing, between sensory perception and ontological knowledge."[96]

The processes of (de-)materialization, through which spirits may be part of an entangled and distributed agency, provide insight into how social actors act on, act in, or act as matter. The ways in which human and more-than-human beings (including spirits) materialize in ever-changing bodies or objects, how they produce traces, (re-) produce shared substances, and possibly even sense this (material) intra-action, forms the focus of this volume. Because processes of materialization do not only have material dimensions but also have social dimensions, power dynamics and shifting relations in these processes must also be addressed.

4 Outline of the Volume

This volume addresses the social and material dynamics outlined above, beginning with Luiz Costa's study of the enduring impacts that relations of asymmetrical dependency between human and more-than-human entities have for the Kanamari in the Brazilian Amazon region. Following out the biography of the shaman João Dias, Costa analyzes these asymmetries in three distinct realms of relationship: between parents and children, shamans and familiar spirits, and bosses and clients. João Dias navigated through all three of these relational modes and ways of depending, which have persisted after his passing. In Costa's view, the concept of dependency is fundamental to the Kanamari understanding of personhood, which is itself intertwined with ownership relations. The act of feeding, he suggests, is central in the creation of both the role of the dependent and the role of the provider, taking into account not only the physical act of providing food but also nurturing and sustaining (dependent) others. Ownership is considered to be a foundational aspect of kinship, creating a dynamic in which owners assume responsibility for the wellbeing of their dependents. Feeding forms the basis of asymmetrical dependencies and ownership relations, which are essential to the Kanamari concept of personhood and kinship. Costa concludes that even figures as influential and powerful as shamans, who may have many dependents, are subject to dependency themselves. His case study presents how João Dias, first dependent on his parents as a child and on bosses as an adult, met yet another condition or relation of dependency after his death: his spirit becomes captured and familiarized by a living shaman, who turns him into the living shaman's familiar spirit whereby João Dias becomes again a dependent.

95 Wirtz, "Spiritual Agency, Materiality and Knowledge in Cuba": 126.
96 Wirtz, "Spiritual Agency, Materiality and Knowledge in Cuba": 124.

Rogério Brittes W. Pires explores a case study in which the idiom of nurture and the relevance of feeding become relevant in the context of reparative exchanges with one's deceased ancestors. Here, these ancestor spirits claim powerful positions, although they must also be fed. Analyzing the role of spirits in the composition of bodies and society among the Saamaka maroons in Suriname, Pires describes two types of spirits who are related to dead ancestors and can appear through visions, dreams, or possession. These are the avenging *kunu* and the protecting *neseki*, who define kin groups sharing certain vulnerabilities that influence dietary peculiarities and taboos. Pires elaborates that the members of a matrilineage must enter into a relationship of reparative exchange with the threatening *kunu* as a direct result of someone in the matrilineage having caused another's death. This reparative exchange includes the provision of periodic sacrifices, libations, and visits to the deceased. This forms a relation of dependency to a *kunu*, which always remains asymmetrical, as the sacrifices and service offered to the *kunu* can never fully equal the guilt but are only able to appease the spirit. Pires suggests that this transforms a relationship of enmity between groups into one of debt. *Neseki*, on the other hand, are the souls of dead patrilateral ancestors who begin to dwell in young children and thereby become part of their personality, assembling their body and its vulnerabilities, making them into full humans. *Neseki* make people who they are through their transmission of physical, spiritual, and emotional treats, their protection, and their tutelary presence. Unlike *kunu*, *neseki* do not depend on gifts or sacrifices. Ultimately, Pires concludes, *kunu* and *neseki* spirits are both essential for the composition of the bodies and social relationships of Saamaka, as the dead and the living are united into relationships of asymmetrical dependency and shared vulnerabilities, remaining malleable and constantly in motion.

Marcelo Moura Mello examines the ways in which humans transform and purify their bodies to endure the embodied manifestation of the divine during ritual practices, which, among other things, relies on specific dietary practices. In the contemporary Guyanese worship of Kali, also known as Kali-Mai Puja, bodies that manifest deities must be permeable to divine power (*shakti*). This permeability is achieved through active transformation of the body into an "apt vehicle" of divine power requiring bodily discipline. Indeed, the quality of the manifestation of the deity depends on the bodily discipline that is exercised before the ritual. Mello reports that bodies are prepared for manifestation through purification, which means that the *marlo*s—the religious experts—have to abstain from sex and polluting substances such as meat, eggs, and alcohol. This purification is commonly referred to as fasting. Thus, the corporeality of human beings places limits on the deities' power and directly affects the relationship between humans and more-than-human entities. Furthermore, as religious experts, *marlo*s have powerful positions in their religious communities, similar to shamans and religious experts elsewhere. Thus, they play a crucial role in mediating the relationships between devotees and deities, (re-)creating and negotiating asymmetrical relationships of dependency between human beings and the divine.

This fosters a mode of dependency between devotees and the *marlo*s, as the former rely on the latter for access to divine powers. Those who are capable of enduring a divine manifestation enjoy an elevated social status and increased level of control within the discussed Hindu communities. *Marlo*s' bodies, Mello adds, are not only affected during ritual manifestation, but, like all (human) bodies, they are also affected by the deities' control over the land that nurtures them.

Rituals directed at the wellbeing of their practitioners and that center around human bodies are also addressed in this volume by Luis Bastidas Meneses, in the context of Colombia. Bastidas Meneses focuses on the case of the Rio Magdalena Region and the souls of the unidentified deceased and practices that relate to *las benditas ánimas* (the holy souls) in purgatory. In the early 1990s, the Magdalena River often carried the bodies of victims of paramilitary violence to the banks of the town of Puerto Berrío. During this time, paramilitary groups exercised violent justice beginning in the 1980s, where transgressors of their imposed order were violently punished by executing them secretly and throwing their mortal remains into the river. The mortal remains rescued by the people of Puerto Berrío were often unidentifiable and were buried in the local cemetery under the designation N.N. (No Name). Because paramilitary justice had declared them sinful criminals, according to Catholic dogma, these unidentified souls were destined to suffer in purgatory. However, a soul's time in purgatory can be shortened when their relatives pray for them. Between the living of Puerto Berrío and the dead N.N., a relationship of interdependency was observed. By adopting an anonymous N.N., caring for that grave, and praying for its resident, the living can hope for miracles and support for their earthly problems with health, finances, or social relationships. In addition, prayers for them could shorten the souls' time in purgatory, helping purify them from all of the negative accusations they received in their lifetimes and that may have led to their violent end. The chosen relatives of an N.N. perceive the soul's presence not only through their benevolent actions but also through bodily sensations: they see, hear, and feel these souls, and they can interact in dreams. The souls in purgatory are venerated individually, like Catholic saints, but they are neither saints nor gods but *ánimas*. Through being part of this relationship of mutual dependency, the social status of a dead person changes from that of a criminalized victim of lethal violence to a benevolent *ánima*, stripped of all supposed sins.

The action of spirits on the lives and bodies of followers of Christian churches can be observed throughout South America, as this volume's contribution from the Argentinian context also reveals. Agustina Altman and Alejandro M. López explore how Moqoit cosmovision and cosmo-politics, including an understanding of bodies as assembled and fluid units that enter relationships with nonhuman entities, impact their interpretation of missionary religious practice and their construction of an indigenous modernity in the Argentinian Chaco. Here, power is an essential component of the human body, personal health, and wellbeing. The more power that a body contains, the more fluid it is; it may come to adopt a variety of bodily regimes, in the

shape of humans, animals, plants, or astronomical or atmospheric phenomena. The borders of the Moqoit body are porous and can be crossed by nonhuman entities, who can harm or strengthen the individual person. Thus, border management is important for regulating incoming and outgoing flows. A healthy body, which is a body filled with power, cannot be entered and accessed by harmful entities. This is relevant, as humans share the world with powerful and chaotic nonhuman entities that are linked to fertility and abundance and with whom they can enter pacts to receive power. Strong emotions stem from the presence of a powerful spirit or nonhuman entity in a body. Bodies are thus assemblages of relationships of different powerful entities. Further, shamans can heal by blowing or sucking the harmful entity out of the body, in which process the entity materializes as small objects. The shaman can ingest these objects to incorporate them into their own power arsenal.

Moreover, Altman and López discuss this understanding in the context of the missionary activities of Pentecostal churches. These activities led to the construction of a new socioreligious reality combining "autochthonous" cosmovision with Christian paradigms. The researchers' interlocutors explained the success of the Christian colonizers through what they considered to be a strong pact with the Holy Spirit. Following this, the Moqoit adopted the Holy Spirit as another nonhuman spiritual entity with whom they can enter into pacts to increase their power and wellbeing. However, the exclusiveness of the monotheistic rule of the *Evangelio*, which does not permit them to enter into pacts with spirits besides the Holy Spirit, incurs their displeasure and doubt. The ecstatic experience of joy and singing in Pentecostal services manifests the presence of the spirit in their bodies. Modes of interaction with non-human entities, such as dreams, are incorporated in their religious practices.

A different mode of mediating interactions with more-than-human entities takes place in Central Brazil. In his comparative analysis of the Ge peoples of Central Brazil, André Demarchi explores the intricate intertwining of relationships between skin, blood, and spirit and the profound influence that body painting has on these elements. Highlighting the gendered dynamics and the predominantly role of female persons in the tradition and knowledge of body painting, Demarchi illustrates the therapeutic and prophylactic effects of annatto and genipap painting on the human body. The act of body painting strengthens the body's boundaries and diminishes its susceptibility to external spiritual forces. Demarchi's interlocutors understand blood as the vehicle of the *karon* (spirit or soul), and thus consider blood to be potentially hazardous. They consider the contamination by blood to be a transference of someone else's *karon*, which can result in illness or even death. The skin has a pivotal role to play in encapsulating and safeguarding both blood and *karon*, creating a barrier that separates the individual's body from the external world and the bodies of others. To the Ge, skin painting fortifies the skin, rendering it less susceptible to external influence. Suggesting that "body-painting acts precisely in the continuous reconstitution of the skin," Demarchi questions Terence Turner's concept of body painting as a social "second skin." Instead, he posits that this understanding is "eminently representational"

and foregoes material and embodied dimensions.[97] He further emphasizes that for the Ge groups, annatto is associated with humanity and beauty. Annatto ink is crucial for fabricating children's bodies, and it is strongly linked to the concept of health. Although genipap is related to beauty and health, it has the additional capacity to protect against malevolent spirits, making human bodies invisible or dark to them. There is a sequence that children and adults go through in leaving seclusion with respect to the use of body painting: first, red annatto ink is applied, followed by the all-black painting with genipap ink, and only then is the skin ready to endure the painted graphic designs. The skin must be prepared to bear the weight of graphisms, as they are, ultimately, aesthetic appropriations of the agentive capacities of others.

Painted patterns embody cosmological principles on peoples' skin and on the objects that they use. This volume concludes with the archaeological study of ceramic styles from the Brazilian Amazon. Marcony Alves and Cristiana Barreto explore the iconography of Marajoara (400–1300 CE) and Tapajó (or Santarém) (1000–1650 CE) ceramics, which they take to be materializations of the Amerindian cosmological principles that have been described in ethnographies of post-Columbian societies. In the study of ancient Amazonian cosmology, the imagery on durable ceramic artifacts appear to be the most fruitful source, suggesting that changes and continuities can be observed from pre- to post-Columbian times. They argue that Amerindian societies in the Amazon region share an animist or perspectivist cosmology that is based on certain premises about bodies, souls, and powers. In this view, the world is inhabited by humans, animals, and spirits, whose capacity to change physical form varies from the mythological to present times and from ordinary to more spiritual beings. Shamans can change their body's form and thereby communicate between and relate to both humans and other-than-humans. The composite images found on pre-Columbian ceramic represent this cosmology surrounding transformations, and the multiscale depiction of humans, animals, and composed creatures reflect their ontological position in cosmic layers. While pre-Columbian iconography includes iconic depictions of humans, animals, and composite beings with traits of different creatures, abstract geometric patterns are now dominant in contemporary Amerindian art. However, such geometrical motifs, sometimes visibly inspired by animal bodies or body parts, transmit the same ontological principles in a more codified way: bodily transformation and construction and ontological predation remain the main iconographic themes. Understanding post-Columbian iconography requires exclusive knowledge; however, this iconography allowed shamanic practices to be continued in spite of colonization, proving indigenous resistance and agency in the context of asymmetrical power relations.

97 See Demarchi in this volume.

5 Conclusion

This edited volume focuses on the bodies and embodiments of spirits, their (im-)materialities, and their bodily transformations, which they may be subject to or which they themselves may prompt in different sociocultural contexts. This study draws attention to the embodied experiences of asymmetrical dependencies among humans and spirits and the ways in which experiences of (inter-)dependence are negotiated in their interactions. The volume's contributions highlight that spirit entities may be central to the (re-)construction and experience of symmetrical and asymmetrical dependency. More-than-human entities can make a significant contribution to agency in social interactions and negotiations of power. In accordance with critical posthumanist approaches, this volume seeks to challenge the anthropocentric views that continue to dominate scholarly analyses of power relations, dependency, and coercion, and it emphasizes the need to focus on agency as distributed, entangled, and relational.

Using the term spirit bodies, we intentionally draw attention to and question body-spirit dualism, which has often been criticized but has proven to be persistent. Highlighting processes of spirits' (material) transformation, we support earlier suggestions to avoid considering spirits to be discrete or fixed entities but rather as processual and ever-changing entities, not as opposed to but in close exchange and interaction with (human) bodily matters and corporeality.[98] Emphasizing the notion of spirit bodies, we do not suggest that spirits necessarily must have material or corporeal bodies. Indeed, in some contexts, they may be considered as immaterial or may be generally characterized by immateriality. Instead, analyses that consider spirit bodies to be dynamic presences, transformed by but also actively transforming other entities, may provide a more comprehensive understanding of humans' interdependence with other-than-human entities, consequently providing a more nuanced reflection of the role of materiality and immateriality in such contexts, as, in Sahlins's words, physicality may be regarded as "metaphysicality and, in that sense, spirituality."[99] Spirits and their bodies provide a means of further analyzing and conceptualizing embodied dependencies from a posthumanist perspective.

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98 Lambek, "Afterword": 243.

99 Sahlins, *The New Science of the Enchanted Universe*: 50.

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3. Research Lenses

3.3. Norms, Institutions, Practices

Introduction

Over the last few years, the strong legalistic approach to slavery and asymmetrical dependency has been productively challenged. Under the heading of 'second slavery' or 'hidden Atlantic', scholars examined the unfree living conditions of the emancipados, recaptives and kuli in the post-emancipatory colonial societies of Latin America, all of which had long remained invisible due to the predominant Western Abolitionist discourse. Additionally, a large number of previously unnoticed traditions relating to enslavement practices in Muslim and Christian societies in the Mediterranean from the fourteenth to the eighteenth centuries has been discovered. Unfree conditions in other times and spaces as well as diverse practices of enslavement beyond the legal institution of slavery have also increasingly come into focus. In other words, there is currently a shift within research towards acknowledging the historical heterogeneity of the phenomenon of slavery. Especially those forms of strong asymmetrical dependencies where religious justifications, a supposed agreement of the persons involved, symbolic payments, a signed contract, or a document of manumission render a categorization in terms of the common characteristics of slavery impossible have gained more attention. Thus, the object of research was to analyze 'slaving' as a historical strategy and enslavement as a human experience. Dynamics of slaving ought to be seen as both a product and a strategy of change itself, of time and timing. Instead of assuming a dichotomy between the powerful masters and powerless slaves, the objective was to analyze – from an expressly historical perspective – the contexts of both sides' agency, strong asymmetrical dependency and mutual impact. This productive revision and extension of our previous understanding of 'slavery' needed to be made productive for the study of all other forms of asymmetrical dependency and economic exploitation. In a dialogue between current slavery studies and the New Legal History, the concepts of justice, power and authority had to be imagined in a much more pluralistic and complex way. Based on this very broad understanding of justice and authority, this research area took into account the wealth of institutional regulations and normative concepts in their historical variety. Statements on differences in terms of social status and on social hierarchies and dependencies have been examined in capitularies and codes of law as much as in loose collections of customary-law settlements, mirrors for princes and other instructional sources. Sacred texts, religious treatises and dogmatic literature as well as records of religious courts and secular jurisdiction were researched for their normative conceptions of servitude, dependency and unfreedom. The research also focused on the mutual effects between processes of institutionalizing and the establishment of norms relating to social asymmetries on the one hand, and social practices of slaving and subjugation on the other. These processes of negotiating social power and status relations were analyzed on the macro-, meso- and micro-levels. What were the effects of legislation by key authoritarian institutions on the legal practices of regional and local decision-making? How did the social interactions of individuals affect the small- and large-scale organization of justice, norms and social order? What was the ratio in the mixture between politics and religion on different levels, and what were the consequences of a change in the legal status of persons for their social behavior? The answers to these questions have been positioned within a transculturally comparative perspective. The interdisciplinary exchange across different times, societies and cultures served as an ideal basis for a comparison across space and time, and the study of transregional similarities and differences, entanglements and disentanglements in the regulation of social power and status relations.

3. Research Lenses

3.3. Norms, Institutions, Practices

Martin Schermaier. "Without Rights? Social Theories Meet Roman Law Texts," in *The Position of Roman Slaves. Social Realities and Legal Differences*, ed. Martin Schermaier (Berlin: de Gruyter, 2023): 1–24.

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Martin Schermaier

Without Rights? Social Theories Meet Roman Law Texts

The title holds out great promise: but it immediately becomes clear from the format that this paper does not address Roman slave law as a whole. For that purpose, we can still confidently turn to Buckland's masterwork,[1] which, despite the many recent, more narrowly focused studies, has not lost its value as an exhaustive survey of the topic. This paper does not address the question of slave law as such, but instead asks whether Roman legal texts can provide information about the social reality of Roman slavery.

To start with, there are methodological questions: what terms and concepts can we use to describe a society that we do not know from empirical observation but only from its artefacts? The term 'slave law' (1) is just as multi-layered and imprecise as the term 'slavery' (2). Both are modern, and as such have the potential to get in our way as we examine historical conditions. Awareness of this hermeneutical problem enables us to clarify in outline (3) how Roman jurists classified slaves and categorised them as objects or actors of property law. In doing so, we confront sociological concepts and socio-historical findings with modern exegesis. Unsurprisingly, not all Roman texts that are used to support popular arguments are in fact suitable for this purpose. Ideas about so-called 'Roman slave law' feed on narratives that emerged during the period of transatlantic slavery. However, the fact that Roman jurists also had very definite ideas about the social inferiority of Roman slaves emerges clearly even from a close reading of Roman legal sources. But it is not only the rules but also the nuances that deserve attention.

1 Was There Ever a Roman Slave Law?

This question will surprise many: was there ever a Roman slave law? There were slaves and there was a legal system, so there will have been slave law in Rome. How could Roman law, worked out with such great precision and in minute detail, have bypassed the millions of slaves[2] on whose very existence Rome's specialised

1 William Warwick Buckland, *The Roman Law of Slavery. The Condition of the Slave in Private Law from Augustus to Justinian* (Cambridge: Cambridge University Press, 1908).

2 For the proportion of slaves among the general population see for example Walter Scheidel, "Quantifying the Sources of Slaves in the Early Roman Empire," *Journal of Roman Studies* 87 (1997): 156–69; diverging slightly is William V. Harris, "Demography, Geography and the Sources of Roman Slaves," *Journal of Roman Studies* 89 (1999): 62–75; more recently Walter Scheidel, "The Roman Slave

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economy was based in the first place? Have not thousands[3] of ancient legal texts on slavery[4] come down to us? Was Roman slave law not repeatedly used as a model for later rules[5] or codifications, such as Louis XIV's 'Code Noir'?[6] The parallel to the Roman model was certainly repeatedly invoked in the era of the transatlantic slave trade.[7] So did what was so often observed and described never even exist?

Not necessarily. For what we think of as slave law today builds on concepts that the Roman jurists probably were not even aware of. Each generation creates its own conception of what slavery is, of what law is. Both define what might be identified as 'slave law'. A Roman jurist would probably have classified early nineteenth-century wage labourers as slaves and might think of civil servants and agency workers today

Supply," in *The Cambridge World History of Slavery*, vol. 1, *The Ancient Mediterranean Worlds*, ed. Keith Bradley and Paul Cartledge (Cambridge: Cambridge University Press, 2011): 287–310.

3 Elisabeth Herrmann-Otto, "Die Sklaverei in antiken Theorien und deren Bedeutung für die moderne Menschrechtsdiskussion," in *Grundlagen der antiken Sklaverei. Eine Institution zwischen Theorie und Praxis*, ed. Elisabeth Herrmann-Otto (Hildesheim: Georg Olms Verlag, 2015): 39, 50 lists 'mehr als 5,000 Paragraphen allein in den 50 Büchern der Digesten'.

4 A considerable part has now been made accessible through the publications in the series *Corpus der römischen Rechtsquellen zur antiken Sklaverei* (*Corpus of Roman Legal Sources on Ancient Slavery*), founded by the Mainz Academy and edited by Tiziana Chiusi, Johanna Filip-Fröschl and Johannes Michael Rainer (Stuttgart, since 1999); an overview of the volumes so far published can be found at: https://www.adwmainz.de/index.php?id=712&L=4 [accessed 04.08.2022].

5 So David Mevius, *Ein kurtzes Bedencken über die Fragen so von dem Zustand, Abfoderung und verwiederter Abfolge der Bawrsleute zu welchen iemand Zuspruch zu haben vermeynet, bey jetzigen Zeiten entstehen und vorkommen* (Stralsund: Zachariä, 1645); see Marion Wiese, *Leibeigene Bauern und Römisches Recht im 17. Jahrhundert. Ein Gutachten des David Mevius* (Berlin: Duncker & Humblot, 2005).

6 *Code noir, ou recueil d'edits déclarations et arrets concernant les esclaves négres de l'Amérique* (1685), which Louis XIV enacted for the French colonies in the Caribbean; see for example Vernon V. Palmer, "Essai sur les origines et les auteurs du Code Noir," *Revue internationale de droit comparé* 50, no. 1 (1998): 111–40; Dominique A. Mignot, "Le droit romain et la servitude aux Antilles," *Bulletin de la Société d'Histoire de la Guadeloupe* 127–128, no. 1–2 (2001): 25–46; Dominique A. Mignot, "Du 'ius vetus' au code noir: Le délit de l'esclave aux îles françaises d'Amérique (XVIIe – XVIIIe siècle)," *Latomus* 64, no. 3 (2005): 733–41; Frédéric Charlin, "Droit romain et Code Noir. Quelques réflexions a posteriori," *Clio@Themis. Revue électronique d'histoire du droit* 8 (2015), https://publications-prairial.fr/cliothemis/index.php?id=1491?id=1491#toc [accessed 04.08.2022]; Linda De Maddalena, "Spuren des römischen Rechts im Code Noir," in *Sklaverei und Recht: Zwischen römischer Antike und moderner Welt*, Berner Universitätsschriften 61, ed. Iole Fargnoli and Thomas Späth (Bern: Haupt Verlag, 2018): 85–99. For the *Code Noir* in general and its history see Jean-François Niort, *Le Code Noir. Idées reçues sur un texte symbolique* (Paris: Le Cavalier Bleu, 2015).

7 Alan Watson, *Slave Law in the Americas* (Athens: University of Georgia Press, 1989); Sally Hadden, "The Fragmented Laws of Slavery in the Colonial and Revolutionary Eras," in *The Cambridge History of Law in America*, vol. 1, *Early America (1580–1815)*, ed. Michael Grossberg and Christopher Tomlins (Cambridge: Cambridge University Press: 2008): 253–87 and 646–57; Peter van den Berg, "Slaves: Persons or Property? The Roman Law on Slavery and Its Reception in Western Europe and Its Overseas Territories," *Osaka Law Review* 63 (2016): 171–88. More sophisticated is Robin Blackburn, "The Old World Background to European Colonial Slavery," *The William and Mary Quarterly* 54, no. 1 (1997): 65–102.

as slaves, too. Conversely, a modern jurist might waver in his assessment of Roman 'slave society'[8] if he was told that many masters kept and cared for their slaves even in old age and sickness.[9] Even if, in the seventeenth or eighteenth century, people thought that their own regulations on slavery would follow Roman law, this was not a historical claim. At the time, as in the *usus modernus iuris romani*[10] in general, the ancient texts were used to solve current legal questions. But these often had little or nothing to do with what we know today as historical Roman law.

Many modern studies of slavery in Roman law continue to make very similar mistakes. Even Buckland already rebuked this 'defect of the gravest kind'.[11] Some studies idealise the curbs on slave masters' despotism as an expression of the idea of *humanitas* in jurisprudence.[12] Others put Roman slavery on a par with transatlantic slavery;[13] yet others resort to purely legal terminology and define Roman slaves as their masters' objects and property.[14] While none of these approaches produces exclusively false insights, none quite does justice to the historical circumstances either.

They all share the same mistaken approach: they try to describe and classify ancient slavery with the help of modern concepts. Those who speak of 'humanity' will find it hard to distance themselves from the meaning this term acquired during the

8 The term originates in Marxist theory, but is still being used today, for example by Christian Delacampagne, *Die Geschichte der Sklaverei* (Düsseldorf/Zürich: Artemis und Winkler Verlag, 2004): 73 (for Rome): 'Sklavenhaltergesellschaft' ('société esclavagiste'). Cf. as well Wilfried Nippel, "Sklavenhaltergesellschaft," in *Handwörterbuch der Antiken Sklaverei*, ed. Heinz Heinen et al. (Stuttgart: Franz Steiner Verlag, 2017): 2601–3. It should however be noted that the term survived in the concept of a 'slave society', for example in Moses I. Finley, *Ancient Slavery and Modern Ideology* (New York: The Viking Press, 1980): 9, who identifies five 'genuine slave societies'. Critically on that Noel Lenski, "Framing the Question: What Is a Slave Society?," in *What Is a Slave Society? The Practice of Slavery in Global Perspective*, ed. Noel Lenski and Catherine M. Cameron (Cambridge: Cambridge University Press, 2018): 15–58.

9 See Stefan Knoch, *Sklavenfürsorge im Römischen Reich. Formen und Motive zwischen humanitas und utilitas* (Hildesheim: Georg OlmsVerlag, 2005): 119–42; succinctly Herrmann-Otto, "Sklaverei in antiken Theorien" (n. 3): 32, with reference to Sen. clem. 1.18.2.

10 On this topic see Franz Wieacker, *A History of Private Law in Europe, with Particular Reference to Germany*, transl. Tony Weir (Oxford: Clarendon Press, 1995): 159–67.

11 Buckland, *Law of Slavery* (n. 1): 2.

12 So for example Joseph Vogt, *Sklaverei und Humanität: Studien zur antiken Sklaverei und ihrer Erforschung* (Wiesbaden: Franz Steiner Verlag, 1983); largely in agreement with him are Wolfgang Waldstein, *Operae libertorum. Untersuchungen zur Dienstpflicht freigelassener Sklaven* (Stuttgart: Franz Steiner Verlag, 1986): 388; Johannes M. Rainer, "Humanität und Arbeit im römischen Recht," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Romanistische Abteilung* 105 (1988): 745–70, referring to Fritz Schulz, *Prinzipien des römischen Rechts* (Berlin: Duncker & Humblot, 1934).

13 Especially by Finley, *Ancient Slavery* (n. 8): 93–122. Delacampagne, *Geschichte der Sklaverei* (n. 8): 73–96, pursues a similar argument.

14 Such as Herrmann-Otto, "Sklaverei in antiken Theorien" (n. 3): 51.

Enlightenment,[15] and so struggle to separate its philosophical[16] from its socio-ethical significance.[17] What makes it all the more difficult to distinguish between the two is the fact that Roman jurists actually used *humanus* or *humanior* in a legal-ethical sense, correcting strict law.[18] 'Strict law', however, does not refer to the norms that regulated the positions and duties of slaves but to the formalised *ius civile* that was rigid in content and had come down from the ancestors. The *humanitas* of the Roman jurists is therefore not the one that we expect of humane law today.

Much the same is true for analogies with transatlantic slavery. Being a slave in the late Republic or the Empire was a deplorable fate for most. The vast majority of Roman slaves worked on latifundia, in quarries and mines or on galleys; their lives were joyless, miserable and usually short, and probably differed little from those of the slaves in the European colonies. But archaeological and literary evidence for the enslaved labouring masses is rare. We are, however, very well informed about the much smaller number of more advantaged domestic slaves. This may distort our view of ancient slavery. Even so, comparison with transatlantic slavery is misleading. One essential difference is that Roman slavery, unlike its transatlantic counterpart, had no racist basis.[19] In addition, the position of Roman slaves cannot be clearly described either in social or legal terms: 'Roman slaves were of many types', as Watson rightly noted.[20] This is also the subject of this paper. If we want to perceive and classify the differences, it helps to leave behind the stereotypes of transatlantic slavery. In this as in any historical study, moral judgements do more harm than good.

15 See Marc Laureys and Rolf Lessenich, "Humanität," in *Bonner Enzyklopädie der Globalität*, ed. Ludger Kühnhardt and Tilman Mayer (Wiesbaden: Springer Verlag, 2017): 1379–88; Rudolf Rieks, "Humanitas," in *Historisches Wörterbuch der Philosophie*, vol. 3, ed. Joachim Ritter, Karlfried Gründer and Gottfried Gabriel (Basel: Schwabe, 1973): 1231–32.

16 Jörg Splett, "Humanität: I. Philosophisch," *Staatslexikon online*, 04.01.2021, https://www.staatslexikon-online.de/Lexikon/Humanit%C3%A4t [accessed 04.08.2022].

17 Arndt Küppers, "Humanität: II. Sozialethisch," *Staatslexikon online*, 04.01.2021, https://www.staatslexikon-online.de/Lexikon/Humanit%C3%A4t [accessed 04.08.2022].

18 Cf. for example Antonio Palma, *Humanior interpretatio. 'Humanitas' nell'interpretazione e nella normazione da Adriano ai Severi* (Turin: Giappichelli, 1992); see also my review in *Iura. Rivista internazionale di diritto romano e antico* 44 (1993/1996): 343–51.

19 This was already observed by Alan Watson, *Roman Slave Law* (Baltimore/London: Johns Hopkins University Press, 1987): XVIII: '[N]on racist slavery is very different but may be no less horrifying in many regards than racist slavery'.

20 Alan Watson, "Seventeenth-Century Jurists, Roman Law, and the Law of Slavery," *Chicago-Kent Law Review* 68, no. 3 (1992): 1343, 1347.

2 Roman Slaves and 'Social Death'

Orlando Patterson, following Claude Meillassoux,[21] described slavery as 'social death'. He defined a slave as a person who has no kin, no origin and no home, who is at the mercy of his master and has 'no social existence outside his master',[22] arguing that this concept fully applied also to Roman slaves.[23] As fruitful as the concept of 'social death' can be in describing slavery, it is inaccurate as a description of Roman conditions. Patterson himself identified two possible objections to his hypothesis: for one thing, there were many Greek slaves in Rome and the esteem in which Greek culture was held could have been reflected in Roman attitudes towards them.[24] For another, certain slaves performed important tasks in the imperial administration, so that their social status may have equalled that of free men.[25]

Patterson rightly rejected the first objection: respect for everything Greek did not improve the social status of Greek slaves. But there is another dimension to this objection that Patterson did not sufficiently consider: many elite Roman families employed Greek tutors, many of whom were slaves.[26] While the social position of these educators was not unassailable,[27] it was much more assured than that of other slaves. In addition, it should be kept in mind (which is not Patterson's point[28]) that as part of the reception of Greek culture, stoic ethics found great favour among Rome's educated classes. This was probably the driving force behind the acceptance of the concept of the equality of all human beings[29] endorsed in learned

21 Claude Meillassoux, *L'esclavage en Afrique précoloniale* (Paris: François Maspero, 1975).

22 Orlando Patterson, *Slavery and Social Death. A Comparative Study* (Cambridge, MA: Harvard University Press, 1982, quoted from the 2018 edition): 35–76, at 38.

23 Patterson, *Slavery and Social Death* (n. 22): 40.

24 Patterson, *Slavery and Social Death* (n. 22): 88–92.

25 Patterson, *Slavery and Social Death* (n. 22): 300–308.

26 This is reported in detail by Lucian in his work *De mercede conductis*. Lucian assumed that tutors concluded contracts of employment that ran for a year at a time; but we may assume that the relationship with his master was probably not significantly different for a tutor who had been bought as a slave. See Markus Hafner, *Lucians Schrift 'Das traurige Los der Gelehrten'. Einführung und Kommentar zu De Mercede Conductis Potentium Familiaribus, lib. 36*, Hermes Einzelschriften 110 (Stuttgart: Franz Steiner Verlag, 2017); see also the overview in Ludwig Friedländer, *Darstellungen aus der Sittengeschichte Roms in der Zeit von August bis zum Ausgang der Antoninen*, vol. 3 (Leipzig: Hirzel, 1920): 280–91; briefly also Patterson, *Slavery and Social Death* (n. 22): 91–92.

27 See for example Luc. merc. cond. 39.

28 For a divergent opinion see Christian Delacampagne, *Geschichte der Sklaverei* (n. 8): 87–96.

29 D. 1.1.4 (Ulp. 1 inst.): [. . .] *iure naturali omnes liberi nascerentur* ('according to natural law all men are born free'). See for example Tony Honoré, "Ulpian, Natural Law and Stoic Influence," *Tijdschrift voor Rechtsgeschiedenis* 78, no. 1–2 (2010): 199–208.

discourses.[30] Such positions[31] were not without influence on the pertinent social norms, i.e. what was considered to be the right or decent way to act beyond legal stipulations in dealing with slaves. Even if the legal texts remain largely quiet on this front, we should not underestimate the 'inhibiting influence of social norms on the behavior of individual masters toward their slaves'.[32] The concept of *favor libertatis*[33] may show how this influence found expression in concrete legal terms. The same applies to a series of imperial measures that improved the legal position of slaves.[34]

The second objection, i.e. the prominent position of the *familia Caesaris*,[35] for example, is also not easy to refute. Patterson rightly points out that the members of the *familia Caesaris* were exposed to the whims of the emperor;[36] the ever-looming risk of falling from grace was one reason why the emperor could count on their absolute loyalty. But such loyalty arising from dependency alone does not make slaves. Freedmen or liegemen were dependent in a comparable manner. Moreover, empirical evidence shows that the vast majority of the *familia Caesaris* were not only financially well-off but also enjoyed social recognition.[37] Patterson has to concede this, and so he sums up the relationship between the emperor and his slaves or freedmen as being 'not wholly asymmetric'.[38]

Such slaves, whose occupation, training or special talents ensured their higher rank, as a rule were able to have their own families,[39] to count on later manumission,

30 Sen. benef. 3.18–20; epist. 47. Ulrich Eigler, "Familiariter cum servis vivere: Einige Überlegungen zu Inhalt und Hintergrund von Senecas Epistel 47," in *Seneca: philosophus et magister*, ed. Thomas Baier, Gesine Manuwald and Bernhard Zimmermann (Freiburg im Breisgau: Rombach, 2005): 63–79, pointed out that Seneca was not concerned with the protection of slaves but rather with the moral integrity of the *dominus*.

31 Egon Flaig, *Weltgeschichte der Sklaverei*, 3rd ed. (Munich: C.H. Beck, 2018): 75–76, refers to prestoic sources.

32 John Bodel, "Death and Social Death in Ancient Rome," in *On Human Bondage. After Slavery and Social Death*, ed. John Bodel and Walter Scheidel (Oxford: Wiley-Blackwell, 2016): 81–108, 87.

33 Cf. J.F. Stagl, "'Favor libertatis': Slaveholders as Freedom Fighters" (in this volume).

34 Cf. Martin Avenarius, "Einleitung," in *Stellung des Sklaven im Privatrecht*, vol. 3, *Erbrecht. Aktive Stellung: Personeneigenschaft und Ansätze zur Anerkennung von Rechten*, Corpus der römischen Rechtsquellen zur Sklaverei 4, ed. Martin Avenarius (Stuttgart: Franz Steiner Verlag, 2017): 14–19.

35 Still essential reading are Gérard Boulvert, *Esclaves et affranchis impériaux sous Haut-Empire. Rôle politique et administratif* (Naples: Jovene, 1970); Gérard Boulvert, *Domestique et fonctionnaire sous le Haut-Empire romain: La condition de l'affranchi et de l'esclave du prince* (Paris: Les Belles Lettres, 1974); Paul Richard Carey Weaver, *Familia Caesaris: A Social Study of the Emperor's Freedmen and Slaves* (Cambridge: Cambridge University Press, 1972). The role played by public slaves is no less remarkable, see Alexander Weiß, *Sklave der Stadt. Untersuchungen zur öffentlichen Sklaverei in den Städten des Römischen Reiches*, Historia Einzelschriften 173 (Stuttgart: Franz Steiner Verlag, 2004).

36 Patterson, *Slavery and Social Death* (n. 22): 300–301.

37 For numerous examples see the paper by Pierangelo Buongiorno in this volume.

38 Patterson, *Slavery and Social Death* (n. 22): 308.

39 Cf. the examples in Reinhard Willvonseder, *Stellung des Sklaven im Privatrecht*, vol. 1, *Eheähnliche Verbindungen und verwandtschaftliche Beziehungen*, Corpus der römischen Rechtsquellen zur Sklaverei

and to accumulate wealth of their own. These privileges were not legally protected. But both our extant epigraphic and legal evidence about such slaves testify to their comfortable social position. They do not seem to have experienced a 'social death', or to have lived their lives as social 'nobodies'. So Roman slaves were complex figures. Even most of the social criteria that Patterson and others see as typifying slavery fail wholly or in part when faced with the wide range of slave conditions in Rome. And if we start to look for legal criteria to define these relations, things get even more difficult.

3 The Legal Status of Roman Slaves

3.1 *Nullum caput*

It is only at first glance that the legal classification of slaves seems simple: all slaves were unfree, and as such unable to enter into valid marriages, to acquire property or even to undertake political tasks. In addition, they were the property of their masters. But what did 'unfreedom' really mean at Rome? And what did it mean to be the property of another person? The answer to these questions is more difficult than some modern historians or sociologists imagine. And even the answer given by jurists and legal historians often leaves out the grey area between social reality and legal rules.

Regardless of their social position, the legal status of all slaves was the same: *servile caput nullum ius habet*, as the jurist Paulus wrote.[40] But this sentence is easily misunderstood unless we take its context into account. The fragment is about changes in the legal status of a person. The Roman jurists distinguished three such statuses:[41] *status libertatis*, according to which a person was free and not a slave; *status civitatis*, according to which a person was a Roman not a foreigner; and *status familiae*, according to which a person was either under the authority of a *pater familias* or not.

4 (Stuttgart: Franz Steiner Verlag, 2010); Henrik Mouritsen, "The Families of Roman Slaves and Freedmen," in *A Companion to Families in the Greek und Roman World*, ed. Beryl Rawson (Chichester/Malden, MA: Wiley-Blackwell, 2011): 129–44; Jonathan Edmondson, "Slavery and the Roman Family," in *The Cambridge World History of Slavery*, vol. 1, *The Ancient Mediterranean World*, ed. Keith R. Bradley and Paul Cartledge (Cambridge: Cambridge University Press, 2011): 347–49.

40 D. 4.5.3.1 (Paulus 11 ad ed.).

41 Cf. John A. Crook, *Law and Life of Rome, 90 B.C. – A.D. 212* (New York: Cornell University Press, 1967): 36–45; Max Kaser, *Das römische Privatrecht*, vol. 1, *Das altrömische, das vorklassische und klassische Recht*, 2nd ed. (Munich: C.H. Beck, 1971): 271–72; Andrew Lewis, "Slavery, Family and Status," in *The Cambridge Companion to Roman Law*, ed. David Johnston (Cambridge: Cambridge University Press, 2015): 151–74.

Since the time of Cicero, a loss of status was called *capitis deminutio*.[42] But because there could be not only loss but also gain, the jurist Gaius noted succinctly, *capitis minutio est status permutatio*.[43] *Caput* here did not mean 'head' or 'person', but the legal categorisation of a person.[44] In this context, Paul considers the question of whether the manumission of a slave is also a *capitis minutio*, but rejects this because a slave, who has no status, cannot change it. Nothing more, but also nothing less, is meant by the strange sentence that 'a slave's *caput* is possessed of no right'. Justinian added a clarification by Modestinus, *hodie enim incipit statum habere*.[45] Status could only be discussed where it existed. From a strictly conceptual point of view, the acquisition of *status libertatis* can therefore not be described as a change of status. But Paul did not mean that a slave had 'no right'.

3.2 A Person or a Thing?

But how else, apart from their status, could the legal position of slaves be established? In legal texts, they were often treated as *res*, objects of law. But in many respects the slaves' ability to establish rights and obligations through their own actions was also taken into account. Jurists would ask under which conditions slaves could independently entitle or obligate their masters. But the fact that slaves were human beings who thought and acted is never generally addressed in the legal sources. It seems to have been taken for granted. This was probably why Gaius, when he distinguished in his textbook between objects of law (*res*) and legal subjects (*personae*), counted slaves among the *personae* (Gaius inst. 1):[46]

> Gai. Inst. 1.8–9: Omne autem ius, quo utimur, vel ad personas pertinet vel ad res vel ad actiones. Et prius videamus de personis. 9. Et quidem summa divisio de iure personarum haec est, quod omnes homines aut liberi sunt aut servi.

> Gai. Inst. 1.8–9: All our law is about persons, things or actions. We turn to persons first. 9. The main classification in the law of persons is this: all men are either free or slaves.[47]

42 Cic. top. 18 and 29; see also Max Kaser, review of *The Law of Persons in the Later Roman Republic*, by Alan Watson, *Tijdschrift voor Rechtsgeschiedenis* 36, no. 3 (1968): 429–33.

43 D. 4.5.1 (Gai. 4 ad ed. prov.): 'Capitis minutio is the change of status'.

44 Hermann Gottlieb Heumann and Emil Seckel, *Handlexikon zu den Quellen des römischen Rechts*, 9th ed. (Jena: G. Fischer, 1914): 56 accordingly note the meaning of 'Leben, Freiheit und Zivität einer Person', with reference to D. 48.11.7 pr.-1 and D. 37.14.10.

45 D. 4.5.4 (Mod. 1 pandect.): 'For now he begins to have status.' (MacCormack in Alan Watson, *The Digest of Justinian*, vol. 1–4 [Pennsylvania: University of Pennsylvania Press, 1985]).

46 The text is even conserved in the Digests of Justinian: Gai. inst. 1.8 (= D. 1.5.1) and Gai. inst. 1.9 (= D. 1.5.3) and also forms the backbone of Justinian's Institutes: I. 1.2.12–1.3 pr.

47 Transl. Gordon and Robinson in Watson, *Digest of Justinian* (n. 45).

The fact that Gaius also describes 'man' (*homo*) as a thing (*res*)[48] in his textbook does not prevent him from categorically classifying slaves as *personae*.[49] This double assignment,[50] so to speak, is an apt expression of the fact that the legal position of Roman slaves cannot be clearly described in modern terms. In any case, unlike other movable objects,[51] slaves were not considered 'merchandise' (*merx*);[52] but in certain circumstances Romans had no qualms legally to equate slaves with objects.

This understanding of persons as objects of law or of claims stands in stark contrast to our own liberal creed. We do not interpret the *vindicatio liberorum*, which in modern German law is represented by § 1632 para 1 of the German Civil Code (BGB),[53] as the parents' claim in rem but rather as an expression of their right of custody.[54] We do not construe as debt slavery the fact that a creditor can benefit from the debtor's labour until the debt is paid off but rather as a right enforced by the courts to satisfy the creditor.[55] Even so, if the court seizes a part of their wages for the creditor, the debtor in effect works for the creditor without having contracted about it. And the child, like a thing, can be demanded from anyone who withholds it from its parents (i.e. from any 'possessor'). In those cases, human beings become the objects of claims, but the legal constructions used to dress up such relationships[56] make them appear innocuous and civilised.

48 Such as Gai. inst. 2.13: (*Corporales*) *hae, quae tangi possunt, velut fundus, homo vestis, aurum argentum et denique aliae res innumerabiles* (transl. Gordon and Robinson in Watson, *Digest of Justinian* (n. 45): 'Corporeal things can be touched – land, a slave, clothes, gold, silver and of course countless others').

49 See for example Hans-Dieter Spengler, "Zugleich Person und Sache – vielleicht Arbeitstier oder Unternehmer: Rechtliche Aspekte der römischen Sklaverei," in *Recht der Wirtschaft und der Arbeit in Europa. Gedächtnisschrift für Wolfgang Blomeyer*, ed. Rüdiger Krause, Winfried Veelken and Klaus Vieweg (Berlin: Duncker & Humblot, 2004): 271–83; Hans-Dieter Spengler, "Homo et res," in *Handwörterbuch der Antiken Sklaverei*, vol. 2, ed. Heinz Heinen et al. (Stuttgart: Franz Steiner Verlag, 2017): 1444–48; Antonio Saccoccio, "Römische Sklaverei zwischen ius gentium und ius naturale," in *Sklaverei und Recht: Zwischen römischer Antike und moderner Welt*, Berner Universitätsschriften 61, ed. Iole Fargnoli and Thomas Späth (Bern: Haupt Verlag, 2018): 41, 45–50.

50 Concise and still relevant is Kaser, *Das römische Privatrecht*, vol. 1 (n. 41): 285.

51 D. 50.16.66 (Ulp. 74 ad ed.): *Mercis appellatio ad res mobiles tantum pertinet*.

52 D. 50.16.207 (Afr. 3 quaest.): *Mercis appellatione homines non contineri Mela ait: et ob eam rem mangones non mercatores, sed venaliciarios appellari sit, et recte*.

53 § 1632 para 1 BGB: 'The care for the person of the child includes the right to require surrender of the child from every person who is unlawfully withholding it from the parents or from one parent.' English translation by the German Federal Ministry of Justice and Consumer Protection and the Federal Office of Justice: https://www.gesetze-im-internet.de/englisch_bgb [accessed 04.08.2022].

54 Patterson, *Slavery and Social Death* (n. 22): 21–22 chooses as an example for US American law the fact that spouses are one another's 'property'.

55 Relevant regulations are to be found in §§ 850 ZPO (*Zivilprozessordnung* = Law on Civil Procedure).

56 Patterson, *Slavery and Social Death* (n. 22): 22, regards this as merely a 'social convention', or 'an exercise in semantics' or simple 'politeness'. With regard to a discussion of European civil law, this is however not the whole story.

But what does this oscillation of the legal position between 'person' and 'object' mean for historical research? First of all, classification as *persona* clearly does not mean that slaves were always treated as subjects. By the same token, even in those instances where slaves were objects, such as when a jurist counted them as a factor in their master's estate, they were not completely dehumanised. Buckland's decision not to use a modern term for Roman slaves but rather to consider them from two angles, as thing and as persons, was therefore correct.[57]

Okko Behrends[58] and Martin Avenarius[59] even believe that from the imperial period onwards, slaves had a 'partial legal capacity'. But rather than linking this partial legal capacity to the notion of person, they base it on the ability of slaves to litigate certain matters themselves. The best-known example is that of a slave manumitted by will (in the form of a *fideicommissum*), who could independently enforce the claim for liberation against the heir.[60] Buckland had previously already criticised those who applied the concept of rightlessness to Roman slaves. He pointed out that although the servile population lacked many of the rights that were readily available to the 'free', this did not apply to all matters; he added that those who speak of 'rightlessness' did so from a modern understanding of the term.[61]

It is however difficult to define the 'rights' of slaves in specific terms or case groups. What frequently happened in social practice was that slaves were granted favours. Such concessions created grey areas in legal terms because, while slaves could expect their masters to grant them certain privileges, there was no legal means of enforcing those privileges. We will need to look more closely at this 'soft law' in slave law.[62]

This leaves us with the preliminary conclusion that modern concepts of persons and things, of legal subjects and objects of law, cannot clearly describe the legal

57 Buckland, *Law of Slavery* (n. 1): 10–72 ('Slave as Res') and 73–238 ('Slave as Man'); so also Watson, *Roman Slave Law* (n. 19): 46–66 and 67–89.

58 Okko Behrends, "Prinzipat und Sklavenrecht. Zu den geistigen Grundlagen der augusteischen Verfassungsschöpfung," in *Rechtswissenschaft und Rechtsentwicklung*, ed. Ulrich Immenga (Göttingen: Schwartz, 1980): 56–62 [= in *Institut und Prinzip*, vol. 1, ed. Martin Avenarius (Göttingen: Wallstein Verlag, 2004): 417–55]; see also Wolfgang Waldstein, "Zur 'Teilrechtsfähigkeit der Sklaven nach Kaiserrecht'," in *Ars Iuris. Festschrift für Okko Behrends zum 70. Geburtstag*, ed. Martin Avenarius, Rudolf Meyer-Pritzl and Cosima Möller (Göttingen: Wallstein Verlag, 2009): 589–602.

59 Avenarius, "Einleitung" (n. 34): 1–5.

60 See for example Francesca Lamberti, "Fideicommissa libertas ancillae data," in *Femmes-esclaves. Modèles d'interpretation anthropologique, économique, juridique*, ed. Francesca Reduzzi Merola and Alfredina Storchi Marino (Naples: Jovene, 1999): 2385–94; Rolf Knütel, "Rechtsfragen zu den Freilassungsfideikommissen," in *Sklaverei und Freilassung im römischen Recht. Symposion für Hans Josef Wieling zum 70. Geburtstag*, ed. Thomas Finkenauer (Berlin: Springer Verlag, 2006): 131–51; Francesco Maria Silla, *La 'cognitio' sulle 'libertates fideicommissae'*, L'Arte Del Diritto 11 (Padua: Cedam, 2008).

61 Buckland, *Law of Slavery* (n. 1): 2.

62 See below at p. 237–268 (Martin Schermaier, "Neither Fish nor Fowl").

position of Roman slaves. This is not only due to the intricacies of Roman slave law but rather to the fact that the concepts that we apply to Roman law do not do justice to historical circumstances. Christianity and the western Enlightenment elevated humanity to the exalted position of 'crown of creation',[63] which deepened the chasm between 'person' and 'thing' to the extent of rendering it unbridgeable.[64] Those modern terms do not allow for any nuances in between. The concept of 'half-freedom', despite its popularity, cannot help us with classical law because the Romans had one consistent definition of servile legal status: a slave was a person without status.

3.3 Slaves as Their Masters' 'Property'

To say that slaves were the property of their masters also inadequately describes the legal position of slaves. Certainly, it is true that in Roman thinking slaves were property: *in persona servi dominium*, Paul wrote about the power relationship between masters and slaves:

> D. 50.16.215 (Paul. 1 ad legem Fufiam et Caniniam): 'Potestatis' verbo plura significantur: in persona magistratuum imperium: in persona liberorum patria potestas: in persona servi dominium. Et cum agimus de noxae deditione cum eo qui servum non defendit, praesentis corporis copiam facultatemque significamus. In lege Atinia in potestatem domini rem furtivam venisse videri, et si eius vindicandae potestatem habuerit, Sabinus et Cassius aiunt.

> D. 50.16.215 (Paul, Lex Fufia Caninia, sole book): The word "potestas" has many meanings; in the person of magistrates it means imperium; in the person of children it means parental power; in the person of a slave it means ownership. But when we are dealing over noxal surrender with someone who does not defend his slave, we mean the capacity and ability to hand over an actual body. In the lex Atinia, according to Sabinus and Cassius, something stolen seems to have come into the potestas of its owner if he has acquired the potestas of claiming it by vindicatio.[65]

Even if other jurists employed similar terms,[66] it does not follow that it was the fact of being a property of their master's that made the slave a slave. Even abandoned

63 The literature is vast; see as a representative example Theo Kobusch, *Die Entdeckung der Person. Metaphysik der Freiheit und modernes Menschenbild* (Darmstadt: Herder Verlag, 1997); so also, albeit with a different take on the history of ideas, Larry Siedentop, *Inventing the Individual. The Origins of Western Liberalism* (London: The Belknap Press, 2014).

64 Critically, Roberto Esposito, *Le persone e le cose* (Turin: Giulio Einaudi Editore, 2014).

65 Transl. Crawford in Watson, *Digest of Justinian* (n. 45).

66 D. 12.6.64 (Tryph. 7 disp.): [. . .] *dominatio ex gentium iure introducta est* ('The domination of slaves was introduced by the common law of nations'); D. 1.5.4.1 (Flor. 9 inst.): *Servitus est constitutio iuris gentium, qua quis dominio alieno contra naturam subicitur* ('Slavery is constituted by the common law of nations, according to which somebody is – contrary to natural justice – subjected

slaves, whose masters had given up their possession in them, remained slaves.[67] But if we look at it from the other side, the connection between slave status and property is quite correct: being a slave usually entailed belonging to the *dominium* of another.

But what is *dominium*? Paul describes it as that form of *potestas* which pertained to slaves and objects. But the children of the family[68] were under comparable *potestas*, as was the wife – who is not mentioned in D. 50.16.215 – in a *manus* marriage.[69] *Dominium*, *patria potestas* and *manus* were forms of being under the domestic power of the *pater familias*; those in it included all objects or persons of which or whom the head of the household could say, *mea sunt*, they belong to me. This in no way implies that he was able to exercise unlimited power over the person in question. The concept is better understood as the owner's ability to demand the return of the object or the person from anyone less entitled to possess it. *Meum est, quod ex re mea superest, cuius vindicandi ius habeo*, Celsus wrote.[70]

So Roman property was conceptualised from the possibility to bring an action, i.e. from *ius vindicandi*: whoever was able to demand the return of the thing (or person) in question from another was considered its (or their) owner. That is why – as we saw above (§ 1632 para 1 BGB) – a Roman jurist would regard twenty-first-century German parents as the owner of their child because he can reclaim it.

But we today do not understand property from the potential to bring a lawsuit, instead we define it materially, i.e. as comprehensive power of disposition. An owner is someone who can 'deal with the thing at his discretion'.[71] This does not apply to custody. So, according to our modern view, children are not the 'property' of their parents. With the same conviction, Article 1 of the Slavery Convention of the League of Nations (1926), which is still in force today, states,

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to the ownership of another'); D. 1.5.5.1 (Marc. 1 inst): *Servi autem in dominium nostrum rediguntur* ('People are brought under our power as slaves', transl. based on MacCormick and Birks in Watson, *Digest of Justinian* [n. 45]).

67 Cf. D. 9.4.38.1 (Ulp. 37 ad ed.); D. 41.7.2 (Paul. 54 ad ed.); cf. Friedrich Affolter, *Die Persönlichkeit des herrenlosen Sklaven. Ein Stück aus dem römischen Sklavenrecht* (Leipzig: Von Veit, 1913).

68 Gaius (inst. 1.52 and 55) referred to the power over both slaves and over children as *potestas*, domestic power.

69 Gai. inst. 1.49 and 108–115b.

70 D. 6.1.49.1 (Cels. 18 dig.): 'Whatever remains from my property which I have a right to vindicate is itself mine'. (transl. Stein in Watson, *Digest of Justinian* [n. 45]); similar to the definition of *bona* in D. 50.16. 49 (Ulp. 59 ed.): [. . .] *aeque bonis adnumerabitur etiam, si quid est in actionibus petitionibus persecutionibus*. ('Among our goods will equally be reckoned also anything which is subject to actions, petitions, or claims', transl. Crawford in Watson, *Digest of Justinian* [n. 45]).

71 E.g. § 903 BGB: 'Der Eigentümer einer Sache kann, soweit nicht das Gesetz oder Rechte Dritter entgegenstehen, mit der Sache nach Belieben verfahren [. . .]'; engl. translation (n. 53): 'The owner of a thing may, to the extent that a statute or third-party rights do not conflict with this, deal with the thing at his discretion [. . .]'.

> (1) Slavery is the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised.

Slavery is said to exist even if only some of the powers that constitute ownership are exercised. But this does not change the fact that the Slavery Convention is based on a clearly defined concept of ownership. It defines ownership according to how it is exercised. This both acuminates and narrows Roman *dominium*. Certain forms of control over things or persons are not covered by such a definition. What this means in practice is made clear by the 2005 decision of the European Court of Human Rights in the case of *Siliadin v France*: the case was that of a young woman who had been employed as an unpaid domestic worker by a French family for many years. The woman was unable to escape because the family had confiscated her passport. While the court ruled that she had been subjected to forced labour, it denied that she had been a 'slave':[72]

> Although the applicant was, in the instant case, clearly deprived of her personal autonomy, the evidence does not suggest that she was held in slavery in the proper sense, in other words, that Mr and Mrs B exercised a genuine right of legal ownership over her, thus reducing her to the status of an "object".

From this reasoning we can see not only that modern law makes a strict distinction between subject and object, but also that the concept of 'property' is being measured against this distinction: entitlement to treat someone as an object is what constitutes property.

This ruling makes clear what had already been pointed out by Orlando Patterson, i.e. that slavery cannot be accurately described by the legal concept of 'property'.[73] Moses I. Finley, probably one of the most distinguished scholars of ancient slavery, had implied the same for the conditions in Greek and Roman antiquity.[74] Most recently David M. Lewis casts doubt on Patterson's position. He believes that it

72 ECtHR, 28. June 2005, no 73316/01 para 122; on this decision cf. Rebecca J. Scott, "Under Color of Law. Siliadin v France and the Dynamics of Enslavement in Historical Perspective," in *The Legal Understanding of Slavery. From the Historical to the Contemporary*, ed. Jean Allain (Oxford: Oxford University Press, 2012): 152–64, as well as several other contributions in that volume, e.g. Robin Hickey, "Seeking to Understand the Definition of Slavery" in *The Legal Understanding of Slavery: From the Historical to the Contemporary*, ed. Jean Allain (Oxford: Oxford University Press, 2012): 220–41; James E. Penner, "The Concept of Property and the Concept of Slavery" in *The Legal Understanding of Slavery: From the Historical to the Contemporary*, ed. Jean Allain (Oxford: Oxford University Press, 2012): 242–52; Jean Allain, "The Definition of Slavery in International Law," *Howard Law Journal* 52, no. 2 (2009): 239–75.

73 Patterson, *Slavery and Social Death* (n. 22): 20–27.

74 Moses I. Finley, "Between Slavery and Freedom," *Comparative Studies in Society and History* 6, no. 3 (1964): 248: '[N]either the property-definition nor any other single test is really meaningful'.

is possible clearly to distinguish the rights of masters to their slaves from the rights to other dependents in ancient societies, citing Tony Honoré, who, in a short comparative survey of law listed the typical entitlements of owners.[75] Lewis argued that such typical entitlements could also be identified for the relationship between masters and slaves. But this argument, built on the 'bundle of rights-theory',[76] is still tied too closely to the concept of one person belonging to another. More promising is the approach – most recently advocated by Tony Honoré himself[77] – of looking for typical forms of social discrimination.

Moreover, Lewis misses the point of Patterson's argument. Patterson rejected the idea of defining the position of slaves in terms of 'ownership' or 'property'. He was not concerned with the material substance of these terms. Even so, Patterson's conceptual position is weak because he assumes that the 'conception of absolute ownership' originates in Roman law: '[T]he Romans invented the legal fiction of dominium or absolute ownership, a fiction that highlights their practical genius'.[78] He argues that this precisely expressed their understanding of slavery because *dominium* had derived from the word *dominus* in its meaning of slave master. Thus, he sums up:[79]

> It is not the condition of slavery that must be defined in terms of absolute notions of property, as is so often attempted: rather it is the notion of absolute property that must be explained in terms of ancient Roman slavery.

This sounds plausible and convincing, but the approach is wrong. Because what Patterson refers to as 'the notion of absolute property' is a product not of Roman but of late medieval law. It was only then, in the fourteenth century, that property as *dominium* became an 'absolute' concept, in which the right was founded on the owner's discretion in dealing with the thing in question.[80] Only then was property no longer defined in order to fend off third parties but also according to substantive criteria such as the way an owner was entitled to deal with slaves. This was where the modern concept of property originated. This is the basis of Article 1 of the Slavery Convention, quoted above, and, unfortunately, also the basis of modern historians' ideas about Roman property and the position of Roman slaves. The fact that Patterson even identifies the concept of *dominium* as based on Roman slavery completes the hermeneutic

75 Tony Honoré, "Ownership," in *Oxford Essays in Jurisprudence*, ed. Anthony Gordon Guest (Oxford: Oxford University Press, 1961): 107–47.

76 On this theory and the concept of property see e.g. James E. Penner, "The 'Bundle of Rights' Picture of Property," *UCLA Law Review* 43 (1995–1996): 711–820.

77 Tony Honoré, "The Nature of Slavery," *in The Legal Understanding of Slavery. From the Historical to the Contemporary*, ed. Jean Allain (Oxford: Oxford University Press, 2014): 10–16.

78 Patterson, *Slavery and Social Death* (n. 22): 31.

79 Patterson, *Slavery and Social Death* (n. 22): 32.

80 Cf. Martin Schermaier, "Dominus actuum suorum: Die willenstheoretische Begründung des Eigentums und das römische Recht," in *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Romanistische Abteilung* 134 (2017): 49–105.

circle; his fallacy is perfect. What should have caught his attention is the fact that the *dominus* gets his name from the *domus*, the house or household he heads.[81] Although the terms *dominus* and *dominium* appear comparatively late,[82] it is reasonable to assume that both were derived from 'domestic property', that property which in contrast to gentile property was held exclusively by the *pater familias*, the master of all persons and objects in the household.[83]

It is a different matter that the classification of Roman slaves into their master's *dominium* – such as in Paul – resulted in a social discrimination[84] which must have occurred at the time of Rome's expansion in the third and second centuries BCE. But even this classification says little about the legal position of slaves. And it would be overstated even if we were to think of *dominium* as absolute property in the modern sense.

3.4 Servi pro nullo habentur

But it is not only the *dominium* that induces modern scholars to retroject later conditions back onto Roman slavery. There are numerous other, mostly short, sentences that also imply the inferior legal position of slaves. The same applies to them as to the *dominium* over slaves: they frequently do not contain as much as modern readers wish to find in them. A well-known example is Ulpian's statement that slaves counted *pro nullis*, as nothing, under civil law. It sounds unambiguous: slaves do not legally exist.[85] But that is probably not what Ulpian wanted to express. If we read the fragment to the end, we learn that it is a completely different matter according to natural law:

D. 50.17.32 (Ulp. 43 ad Sab.): Quod attinet ad ius civile, servi pro nullis habentur: non tamen et iure naturali, quia, quod ad ius naturale attinet, omnes homines aequales sunt.	D. 50.17.32 (Ulpian, Sabinus, book 43): As far as concerns the civil law slaves are regarded as not existing, not, however, in the natural law, because as far as concerns the natural law all men are equal.[86]

81 Cf. Alois Walde and Johann Baptist Hofmann, *Lateinisches Etymologisches Wörterbuch*, vol. 1, Indogermanische Bibliothek, 2. Reihe: Wörterbücher (Heidelberg: Carl Winter, 1938): 367; Richard P. Saller, "Familia, Domus, and the Roman Conception of the Family," *Phoenix* 38, no. 4 (1984): 342–49.

82 Still seminal is Max Kaser's *Eigentum und Besitz im älteren römischen Recht* (Weimar: Hermann Böhlaus Nachfolger, 1943): 306–12.

83 E.g. Plaut. Most. 661 (*nomen domini*) and 686 (*dominus aedium*); Pseud. 1140 (*dominus aedium*); Cat. Agr. 1,4 (*dominus agri*); for further examples see Kaser, *Eigentum und Besitz* (n. 83): 308 n. 6.

84 Concisely Luigi Capogrossi Colognesi, "Das Eigentum in Rom vom Ende der patriarchalischen Ordnung bis zur Blütezeit der Sklavereiordnung," in *Eigentum. Beiträge zu seiner Entwicklung in politischen Gesellschaften. Werner Sellnow zum 70. Geburtstag*, ed. Jens Köhn and Burkhard Rode (Weimar: Böhlau, 1987): 117–39, esp. 121–23.

85 This is how Patterson reads it: *Slavery and Social Death* (n. 22): 40.

86 D. 50.17.32 (Ulp. 43 ad Sab.) (transl. Crawford in Watson, *Digest of Justinian* [n. 45]).

According to natural law, all men were equal, both slaves and free. So, we now have put at least Ulpian's statement that *ius civile* regards slaves as nothing into perspective. To interpret it correctly, however, we need to know that the Roman jurists regarded *ius civile* as only one part of positive law. There was also *ius gentium* (international law) and *ius honorarium*, made up by edicts of the magistrates. When he referred to *ius civile*, Ulpian meant only a certain section of positive law. In addition, although the Roman jurists thought of *ius naturale* as a philosophical category, it was not meaningless for the way they understood and applied positive law. The terse statement *servi pro nullis habentur* merely means that according to this particular aspect of law, under *ius civile*, slaves counted as nothing.

In addition to these general considerations, it is worth paying attention to the context from which the sentence is taken. The forty-third book *ad Sabinum* also contains the following fragment:

D. 15.1.41 (Ulp. 43 ad Sab.): Nec servus quicquam debere potest nec servo potest deberi, sed cum eo verbo abutimur, factum magis demonstramus quam ad ius civile referimus obligationem. itaque quod servo debetur, ab extraneis dominus recte petet, quod servus ipse debet, eo nomine in peculium et si quid inde in rem domini versum est in dominum actio datur.

D. 15.1.41 (Ulpian, Sabinus, book 43): A slave cannot really owe or be owed anything, but we use the word loosely to indicate the facts rather than with reference to obligations at civil law. Thus, a master may sue third parties for what they owe the slave, and he may be sued for what the slave owes them up to the amount of the peculium, and for any benefit thereby accruing to him.[87]

Under *ius civile*, a slave could be neither a creditor nor a debtor. This was because slaves were not entitled to take legal action, i.e. they could not assert claims in court nor be sued for debt: *cum servo nulla actio est*, Gaius noted succinctly.[88] This is noteworthy because in Greek law, slaves were entitled to take legal action.[89] But even under Roman law the servile lack of entitlement did not exclude slaves from being able to establish debts or claims, as the text continues: their master could claim what they were owed; while, if a slave owed a debt to another person, their master would be liable for it from the slave's *peculium*.

To readers unversed in Roman law, the text sounds perplexing: a slave unable to be a debtor was able to owe; a slave unable to be a creditor could be owed a debt. Behind this aporia hides a problem specific to classical law, which originated as case law and was therefore oriented towards litigation and the procedural enforcement of

87 Transl. Weir in Watson, *Digest of Justinian* (n. 45).

88 D. 50.17.107 (Gai. 1 ad ed. prov.): 'There is no action with a slave' (Crawford in Watson, *Digest of Justinian* [n. 45]). Cf. Kaser, *Das römische Privatrecht*, vol. 1 (n. 41): 286.

89 See for example Alfons Bürge, "Lo schiavo (in)dipendente e il suo patrimonio," in *Homo, caput, persona: La construzione giuridica dell'identità nell'esperienza romana; dall'epoca di Plauto a Ulpiano*, ed. Alessandro Corbino, Michel Humbert and Giovanni Negri (Pavia: IUSS Press, 2010): esp. 370–72.

law. In its scholarly treatment, however, this law only started on the path towards becoming an institutional system of substantive rights and claims with Masurius Sabinus' *ius civile,*[90] on which Ulpian comments here. We probably already have a merging of the procedural and the institutional views in this account by Sabinus, and we certainly do in Ulpian.[91] The procedural view is that no claim could be brought for the debts of slaves. They could, however, be effectively settled; from the 'natural' perspective they were still owed: and it was for this reason that the Roman jurists called them *obligationes naturales.*[92]

D. 15.1.41 is an eloquent testimony to this. If the two fragments D. 50.17.32 and D. 15.1.41 were originally closely associated,[93] *servi pro nullis habentur* merely means that from the point of view of procedural law, slaves were treated as non-existent persons – just as, incidentally, women were.

Ulpian's sentence that slaves did not participate in *ius civile* has a similar meaning:

D. 28.1.20.7 (Ulp. 1 ad Sab.): Servus quoque merito ad sollemnia adhiberi non potest, cum iuris civilis communionem non habeat in totum, ne praetoris quidem edicti.	D. 28.1.20.7 (Ulpian, Sabinus, book 1): It is also right that a slave cannot be used in solemn acts as he is totally excluded from participation in the civil law, and even in the praetor's edict.[94]

It is unclear how much of this text is Ulpian's own statement: *iuris civilis communionem non habeat in totum* could either mean that slaves could not fully participate in *ius civile*,[95] or that they could not participate in it at all.[96] In my view, the former translation is the correct one. But even if we were to prefer the second one, the text does not

90 Cf. as well D. 15.1.49.2 (Pomp. 4 ad Quint. Muc.); the manual on *ius civile* of Quintus Mucius Scaevola, which was later commented by Pomponius, is presumably the first institutional depiction of the *ius civile* (D. 1.2.2.41; Pomp. sing. ench.) and could have been the model for Sabinus' work.

91 The two schools of thought in classical jurisprudence can still be traced in the structure of the *Digest*, compare D. 41.1 (material preconditions of property acquisition) to D. 6.1 (acquisition of property as consequence of loss of the right to claim of previous owner).

92 See, in detail, Kaser, *Das römische Privatrecht*, vol. 1 (n. 41): 480–81, esp. 481 (on debts of slaves); Götz Schulze, *Die Naturalobligation. Rechtsfigur und Instrument des Rechtsverkehrs einst und heute – zugleich Grundlegung einer Forderungslehre im Zivilrecht* (Tübingen: Mohr Siebeck, 2008).

93 Otto Lenel, *Palingenesia iuris civilis*, vol. 2 (Leipzig: Bernhard Tauchnitz, 1889; repr. Aalen: Scientia Verlag, 2000): 1173 (Ulpian no. 2899) assumes that they were.

94 Transl. Gordon in Watson, *Digest of Justinian* (n. 45).

95 This is the translation by Carl E. Otto, Bruno Schilling and Carl F.F. Sintenis, *Das Corpus Juris Civilis in's Deutsche übersetzt*, vol. 3 (Leipzig: G. Focke, 1831): 10; likewise that by Dominique Gaurier, *Les 50 livres du Digeste de l'Empereur Justinien. Edition traduite et annotée*, vol. 2 (Paris: Éditions La Mémoire du Droit, 2017): 1036.

96 This is the translation by Rolf Knütel, Berthold Kupisch, Thomas Rüfner and Hans Hermann Seiler, *Corpus Iuris civilis. Text und Übersetzung*, vol. 5, *(Digesten 28–34)* (Heidelberg: C.F. Müller, 2012): 6; likewise Watson's (n. 94).

completely exclude slaves from the law. The starting point of the argument was that slaves and others who were subject to authority were incapable of witnessing a will. This included women. Solemn acts of law based on ancient tradition, like the *testamentum per aes et libram*, were not available to slaves. This legal incapacity to make or to witness a will[97] echoes the lack of entitlement to take legal action; both were formal requirements, and both were part of public law.[98] So *ius civile* and *ius praetorium*, which latter Ulpian rules out for slaves, do not mean civil law as a whole but merely that part of the law which concerned formalised, and therefore also procedural, acts.

The sources provide further evidence for both. A slave to whom an inheritance had accrued could not himself formally declare its acceptance: this had to be done by his master. In D. 28.8.1 we read:

D. 28.8.1 (Ulp. 60 ad ed.): Si servus fuerit heres institutus, utique non ipsi praestituimus tempus ad deliberandum, sed ei cuius servus est, quia pro nullo isti habentur apud praetorem.	D. 28.8.1 (Ulpan, Edict, book 6): If a slave has been instituted heir, we have certainly not provided [the slave] himself with time for consideration, but the person who owns the slave, because, before the praetor, those people [slaves] are regarded as non existent.[99]

Slaves could inherit,[100] but they could not themselves declare their acceptance of the inheritance. For this reason, it was not they themselves but instead their masters who were granted a suitable period of reflection.[101] Slaves were unable to make a corresponding application to the *praetor* because they were incapable of raising actions. So, the sentence *pro nullo isti habentur* does not mean, as Patterson assumed,[102] that slaves were without rights. It merely means that slaves could not bring effective procedural action.

We have already mentioned that in a legal system like the Roman one, in which entitlements were conceived of in terms of procedural enforceability, procedural capability determined substantive law. In this respect, it could be argued that slaves possessed no rights merely on the grounds that they were denied access to the

97 Cf. D. 28.1.8 (Gai. 17 ad ed. prov.); D. 28.1.19 (Mod. 5 pand.); however, a slave could be appointed as scribe of a will, D. 28.1.28 (Mod. 9 reg.).

98 For the making of a will see D. 28.1.3 (Pap. 14 quaest.): *Testamti factio non privati, sed publici iuris est* ('*Testamenti factio* is matter not of private, but of public law', transl. Gordon in Watson, *Digest of Justinian* [n. 45]).

99 Transl. Gordon in Watson, *Digest of Justinian* (n. 45).

100 Cf. Wolfram Buchwitz, *Servus alienus heres. Die Erbeinsetzung fremder Sklaven im klassischen römischen Recht* (Vienna/Cologne/Weimar: Böhlau, 2012); for the text see 125–26; for general points see Buckland, *Law of Slavery* (n. 1): 137–39.

101 Cf. D. 50.17.107 (Gai. 1 ad ed. prov.): *cum servo nulla actio est*. 'There is no action with a slave', transl. Crawford in Watson, *Digest of Justinian* (n. 45).

102 Cf. again Patterson, *Slavery and Social Death* (n. 22): 40.

courts. But this conclusion is fallacious for two reasons: firstly, it fails to recognise the legal reality, which – as we shall see – could diverge from formal law.[103] And secondly, the principle that slaves could not appeal to the praetor and the courts was broken several times. There is a description of one case in the following text:

D. 48.10.7 (Marc. 2 inst.): Nullo modo servi cum dominis suis consistere possunt, cum ne quidem omnino iure civili neque iure praetorio neque extra ordinem computantur: praeterquam quod favorabiliter divi Marcus et Commodus rescripserunt, cum servus quereretur, quod tabulae testamenti, quibus ei data erat libertas, subprimerentur, admittendum ad suppressi testamenti accusationem.

D. 48.10.7 (Marcian, Institutes, book 2): Slaves can in no way bring actions against their masters, since they are reckoned as altogether unable to raise actions in the jus civile most surely, and also not in praetorian law nor in cognito proceedings; except for [the case] of which as a concession the deified Marcus and Commodus wrote in a rescript, when a slave was making a complaint that the tablets of a will, in which he had been granted his freedom, were suppressed, that he should be allowed to bring an accusation concerning the suppression of the will.[104]

Marcian explains that slaves were unable to sue their masters, under neither *ius civile* nor *ius praetorium*, nor according to the *extraordinaria cognitio*. They were accordingly excluded from all forms of litigation that existed side by side during the empire: the *legis actio*, preaetorian litigation and the post-classical procedures of extraordinary inquiry.[105] However, Marcian continues, the emperors Marcus Aurelius and Commodus allowed an exception: if a slave had grounds to assume that their deceased master had set them free in his will, and if the heir denied access to the document, the slave could accuse the heir of withholding the will. A comparable *favor libertatis*[106] underlies cases in which emperors allowed slaves to bring cases against an heir for freedom granted by will or bequest.[107]

There are even exceptions for the exclusion of slaves from *ius civile* or *ius honorarium*, which was limited to procedural law and formal legal acts. So *pro nullo habere* should not be taken literally: for one thing, because of the exceptions mentioned; for another, and most importantly, because it says nothing about the material entitlement of slaves.

103 See for more detail p. 249–251.

104 Transl. Robinson in Watson, *Digest of Justinian* (n. 45).

105 On these forms of litigation see Max Kaser and Karl Hackl, *Das römische Zivilprozessrecht*, 2nd ed. (Munich: C.H. Beck, 1996): 25–51, 151–62 and 435–514; more concisely Ernest Metzger, *Litigation in Roman Law* (Oxford: Oxford University Press, 2005).

106 For information on other relevant texts, apart from Stagl (in this volume), see Liselot Huchthausen, "Zum Problem der Freiheitsbegünstigung (favor libertatis) im römischen Recht," *Philologus* 120, no. 1 (1976): 47–72. Thomas Finkenauer, Die Rechtsetzung Mark Aurels zur Sklaverei (Stuttgart: Franz Steiner Verlag, 2010): 13–26 is sceptic about the influence of favor libertatis.

107 Such as D. 40.7.34.1 (Pap. 21 quaest.); D. 47.4.1.7 (Ulp. 38 ad ed.).

3.5 Enslavement as 'Death'

Those legal texts in which slavery is being compared with death deserve particular attention as they seem to express what Patterson means by the concept of 'social death'. While Patterson does not discuss these texts, Bodel comments:[108]

> The figuring of slavery as social death, so far from being opposed to a legal definition of the institution, was built by the Romans into the law of persons, to characterize a status that was absolute but potentially temporary.

The institution of *postliminium* testifies to the fact that Roman law potentially understood slavery as a transitory, temporally limited event. This, at any rate, applied to Romans who had been taken captive in war and so – from the Roman point of view – lost all family and property rights through enslavement. Of those who died as captives, the time of capture was considered their time of death.[109] A will set up prior to capture would then become effective.[110] In the absence of a will, intestate succession would take effect.[111] Dependents who had been under *manus* or *potestats* attained their freedom, while slaves would go to the heirs or legatees unless their manumission had been decreed in the will. If, however, the captive returned, was released from slavery or ransomed, his old rights were restored (*ius postliminii*).[112]

Because enslavement could happen not only as a result of captivity, but also of a criminal sentence,[113] D. 35.1.59.2 provides for the same consequences for the latter case. It is again useful to consider the context fully to understand this text:

D. 35.1.59 (Ulp. 13 ad leg. Iul. et Pap.): Intercidit legatum, si ea persona decesserit, cui legatum est sub condicione. (1) Quid ergo, si non decesserit, sed in civitate esse desierit?	D. 35.1.59 (Lex Julia et Papia, book 13): A legacy fails if the person to whom it was left under a condition dies. 1. What, then, if he does not die but ceases to be a citizen?

108 Bodel, "Death and Social Death" (n. 32): 94.

109 D. 49.15.18 (Ulp. 35 ad Sab.): *In omnibus partibus iuris is, qui reversus non est ab hostibus, quasi tunc decessisse videtur, cum captus est* ('In every branch of the law, a person who fails to return from enemy hands is regarded as having died at the moment when he was captured', transl. Robinson in Watson, *Digest of Justinian* [n. 45]). We know from I. 2.12.5 that this regulation was based on a law of P. Cornelius Sulla's (*lex Cornelia de confirmandis testamentis*).

110 Cf. most recently Sebastian Lohsse, "Die Beerbung des Kriegsgefangenen. Entwicklungsstufen der Auslegung der lex Cornelia de confirmandis testamentis," in *Facetten des römischen Erbrechts*, ed. Jan Dirk Harke (Berlin/Heidelberg: Springer Verlag, 2021): 79–111; Carlos M. Sánchez-Moreno Ellart, "Die fictio legis Corneliae in P.Berol. 11753 A and 21294 A," *Archiv für Papyrusforschung und verwandte Gebiete* 67, no. 1 (2021): 102–9.

111 This conforms to the currently prevailing view, cf. D. 49.15.22 pr. (Iul. 62 dig.); D. 38.16.1 pr. (Ulp. 12 ad Sab.).

112 Still relevant is August Bechmann, *Das Ius Postliminii und die Lex Cornelia: Ein Beitrag zur Dogmatik des römischen Rechts* (Erlangen: Verlag von Andreas Deichert, 1872).

113 See Aglaia McClintock (in this volume).

114 Transl. Thomas in Watson, *Digest of Justinian* (n. 45).

puta alicui legatum 'si consul fuerit' et is in insulam deportatus est: numquid non interim exstinguitur legatum, quia restitui in civitate potest? quod probabilius esse arbitror. (2) Non idem erit dicendum, si ea poena in eum statuta fuerit, quae irrogat servitutem, quia servitus morti adsimulatur.	Suppose a legacy to someone, "if he becomes consul", and he be deported to an island; is it to be said that the legacy is not destroyed in the interim, because he could be restored to citizenship? I think this is the more acceptable view. 2. The same would not be said if he were subjected to a penalty entailing slavery; for slavery is equated with death.[114]

The examples dealt with here in brief[115] address the effectiveness of a bequest decreed under a conditional precedent. Did the heir have to wait for the condition to be met before fulfilling the bequest, or could he consider the bequest to be discharged if something befell the legatee? The *principium* states briefly that the legatee's death would cause the legacy to lapse unless the condition had occurred by then. If it already had, the case was different: in this case, the claim passed to the heir of the legatee. Only his premature death caused the legacy to lapse entirely. If the condition did not occur before the legatee's death, it was of no use to his heir. This was the starting point for the following deliberations.

In § 1, the legatee had not died, but been exiled as the result of a criminal conviction. In this case, the legacy was not extinguished even if the condition had not yet been met before banishment. Upon being exiled, the legatee would lose his citizen rights, which was why the condition that he becomes consul could not occur. There were good grounds for assuming that the legacy was extinguished, but, Ulpian countered, the exiled might yet be pardoned, and so regain his citizenship and become consul after all. So, the heir was required to wait and see whether this would happen during the legatee's lifetime.

This case discussed in § 1 was not dissimilar from the one in § 2: what applied if, before the stipulated condition had occurred, the legatee was given a punishment that entailed losing his freeman status? Ulpian's answer is clear and concise: because *servitus poenae* was equated with death (*servitus morti adsimulatur*), the legacy was going to expire. But could it not again be argued that the condemned might still be pardoned? This was indeed not impossible. But for one thing a pardon did not automatically result in the reinstatement of proprietary status.[116] And even if the ex-convict had been exceptionally[117] reinstated into all citizen rights by means of *restitutio in integrum*, this restitution could not completely erase the reduction in status: with death occurring as a result of the conviction, there was now no possibility of the condition ('that he becomes consul') occurring and the bequest

115 On the fragment see most recently Tommaso Beggio, *Contributo allo studio della 'servitus poenae'* (Bari: Cacucci Editore, 2020): 219–21.

116 Cf. Wolfgang Waldstein, *Untersuchungen zum römischen Begnadigungsrecht. Abolitio – indulgentia – venia*, Commentationes Aenipontanae 18 (Innsbruck: Universitätsverlag Wagner, 1964): 132.

117 Cf. Waldstein, *Begnadigungsrecht* (n. 116): 135–37 (on Paul. sent. 4.8.22).

claim being effective. A different decision would have resulted in significantly increased uncertainty for the heir: his obligation would no longer have depended solely on the condition occurring but also on the pardon, and even on whether the condition had occurred only *after* the pardon. This would go too far beyond the testator's stipulations. So, if a legatee had been sentenced to penal slavery before the stated condition had occurred, the heir was thereby freed from his obligation.

This is what Ulpian intended to say by the short sentence *servitus morti adsimulatur*: a liability that had not yet fallen effective would expire permanently with the creditor's enslavement, just as if he had died.

Another sentence of Ulpian's, D. 50.17.209, sounds much more universal: *Servitutem mortalitati fere comparamus* – 'In general, becoming a slave is compared with death'. We can be certain that this sentence – like all the rules contained under the heading of D. 50.17 (*De diversis regulibus iuris antiqui*) – had been phrased for a specific reason and now, without this context, appeared to have general validity and greater weight. Here too, however, we can reconstruct this context. Like fragment D. 35.1.59, the sentence originates in Ulpian's commentary on the *lex Iulia et Papia*. Augustus had passed these two laws[118] in order to promote marriage and encourage procreation. Especially the *lex Papia Poppaea* with its sanctions against the unmarried and the childless had a considerable impact on Roman inheritance law: anyone who was still unmarried at the stipulated age and had not already given birth to or fathered three (legitimate) children, could not receive anything from a will and a legacy. Those who were married but childless could only receive half of what they were left. The portions of inheritance or legacies thus released (the so-called *caducum*) went to married heirs or legatees with at least one child.[119] If there were none, the inheritance or legacy went to the state.

What does all this have to do with Ulpian's rule? The connection is revealed by the cases discussed in D. 35.1.59: the question is which persons could obtain the *caducum* before it went to the state.[120] If any among them were married with children but had lost their freedom at the time of the possible acquirement, they did not count as acquirers; the inheritance or legacy went to the next potential inheritor

118 *Lex Iulia de maritandis ordinibus* in 18 BCE and *lex Papia Poppaea* in 9 CE; see for example James A. Field, "The Purpose of the Lex Iulia et Papia Poppaea," *The Classical Journal* 40, no. 7 (1945): 398–416; Angelika Mette-Dittmann, *Die Ehegesetze des Augustus: Eine Untersuchung im Rahmen der Gesellschaftspolitik des Princeps* (Stuttgart: Franz Steiner Verlag, 1991); Susan Treggiari, *Roman Marriage: 'Iusti Coniuges' from the Time of Cicero to the Time of Ulpian* (Oxford: Oxford University Press, 1991): 60–80; Riccardo Astolfi, *La 'lex Iulia et Papia'* (Padua: Cedam, 1996).

119 For more details, see Kaser, *Das römische Privatrecht*, vol. 1 (n. 41): 319–21; Astolfi, *lex Iulia et Papia* (n. 118): 126–32; most recently Filippo Bonin, "Tra ius antiquum, lex Iulia e Lex Papia: Il complesso destino di caduca in età Augustea," *Teoria e Storia del diritto Privato* 12 (2019), https://dialnet.unirioja.es/servlet/articulo?codigo=7236855 [accessed 05.08.2022].

120 Lenel, *Palingenesia*, vol. 2 (n. 93): 948, puts D. 35.1.59 under the heading '*Quae lege Papia caduca fiant*'.

or to the state. D. 50.17.209 is a similar case: the few extant fragments from Ulpian's fourth book of *ad legem Iuliam et Papiam libri XX* discuss the question which children could be considered to be the testamentary beneficiary's. Did they include children born by his wife while he was a prisoner of war (and thus in slavery)?[121] Did they include the children fathered by a man while he was a prisoner of war?[122] The sentence contained in D. 50.17.209 can probably be placed in a similar context.[123] Here again, *servitus* is discussed with reference to the child and not to the person whose entitlement to inherit is being discussed. Children in captivity or slavery did not count in favour of their parents (in terms of the *lex Papia Poppaea*): it was as if they had been stillborn or died. This, and nothing more, is meant in Ulpian's pronouncement that 'becoming a slave is compared with death'.

4 Some Results

Such terse, formulaic sentences, which are sometimes used to illustrate sociological arguments or to express social-historical findings, often turn out to be unsuitable for this purpose. This has been shown by the deliberations in this paper on *nullum caput* (a), *pro nulla habentur* (d) or *servitus morti adsimulatur* (e). That is not to say that these phrases are meaningless for the legal classification of slaves. Whether it was slaves not being admissible to trial or to bring a formal action, or the fact that in Augustus' legislation to encourage population expansion only free persons were counted while slaves were not: all of these show quite clearly the legal discrimination against slaves that did exist. Even so, the legal context matters. It tells us whether something is the brief outline of a legal issue, or an actual rule that can be universalised.

But just like the description of slaves as the 'property' of their masters, these sentences also have an important significance in the history of ideas. Most of those who later wanted to understand and use the Roman sources were not concerned with their historical meaning.[124] The sentences and pronouncements stand for themselves, they are not *explanandum*, but *explanans*. They are just as normative as they are (being part of Roman law) authoritative. The concept of *dominium*, for example, took on a life of its own in the high middle ages, becoming a key concept not only in jurisprudence but also in moral theology and in political and social philosophy. In slave law, as indicated, it turned into an Archimedean point from which

121 D. 1.7.46 (Ulp. 4 ad leg. Iul. et Pap.).

122 D. 49.15.9 (Ulp. 4 ad leg. Iul. et Pap.).

123 Cf. Lenel, *Palingenesia*, vol. 2 (n. 93): 943–44.

124 In this sense, Patterson's observation in *Slavery and Social Death* (n. 22): 189 is quite correct: 'Roman legal theory, which probably did not depart much from practice, certainly influenced most subsequent slaveholding societies in the Western world'.

it became possible to conceptualise slavery for the first time. Much the same is true for the rules cited as examples. While they may not have contributed to legitimising asymmetrical dependencies, we use them to analyse dependency structures. This is unproblematic as long as we do not want to use them to explain Roman slavery itself. In other words: the fact that being a slave was tantamount to 'social death' can be proven with many details from Roman slave law but not with the dictum that jurists considered slaves *pro nullo* (or *pro nullis*).

If we try to understand Roman slavery from the experience of transatlantic slavery, we cannot do justice either to the social or the legal conditions in antiquity. The study of Roman slavery must begin *ab ovo*: we must first understand the role of the *servi* in the small-scale structures of early Rome because it was during this period that the rules governing status began to be developed, which would, centuries later, continue to provide the frame of reference for the legal status of slaves. Only from this point is it possible to explain the consequences of the prosperous slave economy of the late Republic and the Empire which turned slaves into 'merchandise'[125] while at the same time causing a strong social differentiation within the slave class. This is the period in which most of our sources originated, at the peak of the Roman slave economy. For Roman jurists, all *servi* still shared the same status, and so were essentially all in the same legal situation. But it would be absurd to understand them as a homogeneous class because of this. The social differences among the unfree were immense and were respected by contemporary law. The following contributions will examine this tension in more detail.

125 In an economic, not a legal, sense: cf. Mela in D. 50.16.207 (Afr. 3 quaest.), see above n. 52.

3. Research Lenses

3.3. Norms, Institutions, Practices

Martin Schermaier. "*Dominium in se ipsum* in Antique and Medieval Discourses on Liberty," in *Control, Coercion, and Constraint: The Role of Religion in Overcoming and Creating Structures of Dependency*, ed. Wolfram Kinzig and Barbara Loose (Berlin: De Gruyter, 2025): 265–296.

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Martin Schermaier

Dominium in se ipsum in Antique and Medieval Discourses on Liberty

This chapter provides a glimpse into the history of human freedom. Its aim is to focus on a barely tapped relationship between late antique and medieval discussions of freedom, namely, the relationship between freedom of will as a basis of *dominium in se ipsum* and contemporary conceptions of slavery.

1 Freedom in John Locke: From the End to the Beginning

Among the commonplace statements that are repeatedly uttered in debates about slavery, these two are probably the best known: (1) slavery is the most extreme form of unfreedom, and (2) slavery is characterized by one person owning another. Both propositions, though popular, are useless for research on both historical and modern forms of slavery because they each rely on a vague conception of freedom. Freedom, like property, can be defined in many ways. Those who narrowly define freedom also tend to exclude diverse forms of extreme dependency from their concepts of "slavery".

It is little known that the very terms "freedom" and "property" have been intimately related on a conceptual level since late antiquity. The fact that slavery studies in particular, and modern research in general, usually do not address the intricate relationship between freedom and property may be due to the fact that, in its source work, most researchers usually penetrate the historical record only so far as the ominous language boundary that divides early modernity from the Age of Enlightenment: what was discussed before the advent of the latter can only be learned from Latin sources. Therefore, in the search for the ideological roots of the theory of freedom or property, one rarely encounters studies that stretch back to a time before Thomas Hobbes or John Locke, both of whom have already been published (at least in part) in English.[1]

Before looking back past the European Enlightenment, it is helpful to revisit how Locke, as one of its key figures, defined the terms under evaluation in this chapter.

1 Cfr., for example, Laura Brace, *The Politics of Property: Labour, Freedom, and Belonging* (Edinburgh: Edinburgh University Press, 2004).

Note: I am deeply grateful for the help of Jolanda Müller and Imogen Herrad for their help in translating the text into English and especially for the corrections and observations made by David B. Smith and Wolfram Kinzig.

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After all, in his *Two Treatises of Government* (1690), Locke treats "liberty", "slavery", and "property" in the same breath but in different respects:

a. "Freedom" (or "liberty") and its restriction by natural law and legal regulations is the guiding theme of Locke's *Second Treatise of Government*. By "freedom", Locke means freedom of action, which can only be affected by natural law, but not by the will of third parties: '[. . .] all men are naturally in [. . .] a *state of perfect freedom*, to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man.'[2]

b. For Locke, slavery is diametrically opposed to freedom. Therefore, he begins his chapter on slavery with yet another definition. This time, it is not self-determination that matters, but rather the absence of domination: 'The *natural liberty* of man is to be free from any superior power on earth, and not to be under the will or legislative authority of man, but to have only the law of nature for his rule.'[3]

c. The chapter following the one on slavery deals with property and the justification for the acquisition of individual property. Here, Locke formulates the proposition of 'possessive individualism',[4] which deals with the concept of ownership of man by himself: 'Though the earth, and all inferior creatures, be common to all men, yet every man has a *property* in his own *person*: this no body has any right to but himself.'[5] Locke does not explain why man has 'property in his own person'. Thus, the connection between freedom and property is, at best, recognizable if one reads between the lines. One might look, for instance, at his statements about the appropriation of goods which initially were common to all men: 'The *labour* of his body, and the *work* of his hands, we may say, are properly his. Whatsoever then he removes out of the state that nature hath provided, and left it in, he hath mixed his *labour* with, and joined to it something that is his own, and thereby makes it his *property*.'[6] With some imagination, therefore, one can understand that 'the labour of his body, and the work of his hands' refer to self-determination.

However, in Locke's account, this connection between "freedom" and "property" remains diffuse. One can recognize it,[7] but one can also easily overlook it. The connection

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2 John Locke, *Second Treatise of Government*, cited according to: *Two Treatises of Government. In the Former The False Principles and Foundation of Sir Robert Filmer and his Followers Are Detected and Overthrown. The Latter Is an Essay Concerning The True Original Extent and End of Civil Government* (Dublin: J. Sheppard and G. Nugent Bookfellers, 1779): 155, ch. 2, § 4 (original emphasis).

3 Locke, *Second Treatise of Government*, chap. IV, § 22 (p. 168 f.; original emphasis).

4 The term was coined by Crawford Brough Macpherson, *The Political Theory of Possessive Individualism. Hobbes to Locke* (Oxford: Clarendon Press, 1962).

5 Locke, *Second Treatise of Government*, chap. V, § 27 (p. 171; original emphasis).

6 Locke, *Second Treatise of Government*, chap. V, § 27 (p. 171 f.; original emphasis).

7 As e.g. Ulfried Reichardt, "Sklaverei, Freiheit und Eigentum: Zur Auseinandersetzung über die Sklaverei in der US-amerikanischen Literatur des 19. Jahrhunderts," in *Sklaverei und Recht. Zwischen römischer Antike und moderner Welt*, eds. Iole Fargnoli and Thomas Späth (Zurich: Haupt, 2018): 159.

between "property" and "slavery" is perhaps even more blurred. Although slavery is described as being 'under the dominion of any will, or restraint of any law'[8], Locke does not say that the ownership of things equates to man's 'property in his own person'. The reason for this may be that Locke does not close the circle of definitions: man is the owner of himself insofar as he wills and acts, but not insofar as he can dispose of himself. The theological proposition that man does not owe his existence to himself but to God and, therefore, may neither kill nor sell himself has an effect herein.[9]

The two missing links between freedom and property can only be found by engaging with the predecessors of Locke's concept of freedom, i.e., those developed within Christian moral theology. Centuries before he penned his treatises, various Christian theologians advanced the concepts Locke uses. Indeed, as matters of course, they articulated concepts of freedom based on freedom of action and of property based on freedom of will.

In this chapter, I aim to uncover the conceptual roots of both freedom and property in the history of ideas, at least to some extent. This approach might appear rather strange: a jurist explaining the theological sources of our modern concept of freedom. But both freedom and property are key concepts in modern jurisprudence as well as in other disciplines. I hope to show that it was not Locke, who is often praised for such innovations, nor other contemporary thinkers who shaped the modern concept of freedom and thus laid the foundations for the nineteenth-century abolitionist movement. Instead, theologians and jurists whose names are hardly known to any modern slavery researcher are responsible for laying these important conceptual foundations.

At first glance, this project does not seem to fit well under the title of the present volume: 'Control, coercion, and constraint' are the three key terms attributed to religion as a creator of dependency structures. Nevertheless, the subtitle also points to the role of religion in overcoming such structures. Thus, I would like to emphasize this "light side of the force". In the process, the ambivalence of the modern concept of freedom will become visible. Though the abolitionist movements of the modern era would be unthinkable without them, the normative concept of freedom is still used to justify slavery-like forms of strong asymmetrical dependency. The concept of "freedom of contract" for example stresses the legal freedom to conclude or to terminate a working contract. But it neglects that frequently for economic or social reasons termination is not an option. With the prevailing notion of freedom, as with other constructs, the normative conceptualization is Janus-faced.

8 Locke, *Second Treatise of Government*: 168–69, ch. 4, § 22.

9 For example, in Domingo de Soto, *De iustitia et iure libri decem*, lib. 4, quaest. 2, art. 2 (Venice: Apud Minimam Societatem, 1594): 294–97, esp. 295.

2 Concepts of *libertas* in Antiquity

As we have already seen, Locke employed two concepts of freedom in his *Treatises of Government*:[10] with freedom from external determination on the one hand and freedom to act in a self-determined manner on the other. The concepts of negative and positive freedom used in modern discourses[11] have their roots here.[12] In Locke, these terms still seem to partly converge: he who – within the limits of the law – can act as he pleases is at the same time free from external determination. Nevertheless, the two concepts have quite different foundations.

2.1 Freedom in Philosophy

In ancient philosophy and political theory, "freedom" is mostly understood in the negative, i.e., as freedom from something or from someone.[13] The beginnings of this understanding of freedom, *eleuthería*, stretch far back into Greek history.[14] In philosophy,

10 Whereas in his famous *Essay on Human Understanding* he concentrates on positive liberty, i.e., the liberty to act: John Locke, *An Essay concerning Human Understanding*, book 2, ch. 21, § 8 (London: Thomas Basset, 1690), https://www.gutenberg.org/files/10615/10615-h/10615-h.htm#link2HCH0024 [accessed 25.03.2024]; original emphasis: 'All the actions that we have any idea of reducing themselves, as has been said, to these two, viz. thinking and motion; so far as a man has power to think or not to think, to move or not to move, according to the preference or direction of his own mind, so far is a man *free*. Wherever any performance or forbearance are not equally in a man's power; wherever doing or not doing will not equally *follow* upon the preference of his mind directing it, there he is not free, though perhaps the action may be voluntary.'

11 Esp. Isaiah Berlin, "Two Concepts of Liberty," in *Four Essays On Liberty* (Oxford: Oxford University Press, 1969): 118–72; on this Alan Ryan, "Isaiah Berlin: Four Essays on Liberty," in *The Oxford Handbook of Classics in Contemporary Political Theory*, ed. Jacob T. Levy, Oxford Academic, 10.12.2015, https://doi.org/10.1093/oxfordhb/9780198717133.013.8; Ian Carter, "Positive and Negative Liberty," in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta (spring 2022 edition, https://plato.stanford.edu/archives/spr2022/entries/liberty-positive-negative/ [accessed 23.08.2022]).

12 According to its content we later find the division in Gottfried Wilhelm Leibniz, *Die philosophischen Schriften* ed. Carl Immanuel Gerhardt, vol. 7 (Berlin: Weidemann, 1890; repr., Hildesheim: Olms, 1978): 109. It is heavily disputed if Kant used the dichotomy, as well; cfr. Manfred Baum, "Positive und negative Freiheit bei Kant," *Jahrbuch für Recht und Ethik / Annual Review of Law and Ethics* 16 (2008): 43–56; Bernd Ludwig, "'Positive und negative Freiheit' bei Kant? Wie begriffliche Konfusion auf philosophi(ehistori)sche Abwege führt," *Jahrbuch für Recht und Ethik / Annual Review of Law and Ethics* 21 (2013): 271–305.

13 An overview is provided by Walter Warnach, "Freiheit (I)," in *Historisches Wörterbuch der Philosophie (HWPh)*, vol. 2, ed. Joachim Ritter (Basel: Schwabe, 1972): 1064–74; Orlando Patterson, *Freedom in the Making of Western Culture* (New York: Harper Collins, 1991) (telling a history of freedom as opposite of slavery or domination).

14 Kurt Raaflaub, *Die Entdeckung der Freiheit: Zur historischen Semantik und Gesellschaftsgeschichte eines politischen Grundbegriffes der Griechen* (Munich: C.H. Beck 1985).

however, there were also approaches that constructed positive concepts of freedom, for example, in the *prohaíresis* of the Aristotelian doctrine of imputation.[15] *Prohaíresis* can be translated as "free choice" and means the selection of a reasonable action that achieves the set goal or the purpose pursued.[16] Such a choice justifies imputation only if it is made voluntarily (*ekoúsios*), that is, without error or external coercion. This sounds like "voluntariness" in the modern sense, but Aristotle's theory of action has still some distance from what the Christian doctrine of imputation later came to mean. But Aristotelian ethics offers us the first approach to understanding freedom as a precondition of human action, that is, as freedom "to" something.

Similar, but different in approach, is the Stoic concept of human freedom. Although, according to the Stoic view, man is predetermined by the natural order (one could also say: by the deity which ordered nature), unlike animals, he is capable of acting not only out of affect, but out of reason. Here, a free space opens for deliberate and desired conduct.[17] This *ekousía autopragías*, allegedly already mentioned by Chrysippus,[18] does not equate to voluntary action in the modern sense. Rather, it indicates deliberate action based on one's own decision. The design of one's own life, however, cannot exceed the limits that nature or God has set for this life.[19] For example, in the Late Stoa, in Seneca and especially in Epictetus, the freedom of decision, therefore, turns inward: even if one's own decision cannot influence the external course of events, the salvation of the soul depends on moral action.

The *tranquilitas animi*, the goal of the wise man's life, can only be achieved by those who retain the freedom to make their own morally correct decisions. For Epictetus, in particular, this freedom of the will consists in making correct decisions.[20] Frede, therefore, sees Epictetus as the first of the ancient philosophers to acknowledge what Western philosophy later called "free will". Interestingly, however, Epictetus' version of free will is not part of a general theory of action or attribution. Therefore, it does not indicate a freedom *to* something but is rather a freedom *from* something; namely, it is freedom from external constraints that nature or deity imposes on the

15 Cfr. Alfons Fürst, *Wege zur Freiheit* (Tübingen: Mohr Siebeck, 2022): 62–73; Michael Frede, *A Free Will. Origins of the Notion in Ancient Thought* (Berkeley: University of California Press, 2011): 19–30.

16 Aristotle, *Nicomachean Ethics* III, 1–7 (1109b–1115a), esp. III 3 (1111a–b).

17 On the coincidence of volition and predestination in the Elder and Middle Stoa Warnach, "Freiheit (I)": 1069–70; Maximilian Forschner, "Epiktets Theorie der Freiheit im Verhältnis zur klassischen stoischen Lehre (Didd. IV, 1)," in *Epiktet: Was ist wahre Freiheit?* eds. Samuel Vollenweider, Manuel Baumbach, Eva Ebel, Maximilian Forschner, and Thomas Schmeller (Tübingen: Mohr Siebeck, 2013): 97–118; Fürst, *Freiheit*: 73–91.

18 Diogenes Laertius 7,121; on this Frede, *Free Will*: 67.

19 Seneca, *Naturales quaestiones* 2, 38, 3: 'cum de ista re agetur, dicam quemadmodum manente fato aliquid sit in hominis arbitrio; [. . .].' Cfr. Aldo Setaioli, "Ethics III: Free will and Autonomy," in *Brill's Companion to Seneca. Philosopher and Dramatist*, eds. Andreas Heil and Gregor Damschen (Leiden: Brill 2014): 277–99.

20 Frede, *Free Will*: 76–78.

individual.[21] Epictetus' "free will" is not a means or standard for moral action but an inner state, a state of the soul, which only the wise attain. In contrast, anyone who succumbs to the constraints of nature is its slave.

It seems understandable that Epictetus, himself a slave who was later freed, conceives of *inner* freedom as the form of freedom which is to be most ardently desired. Yet, this internalist view can also be explained via reference to Stoic metaphysics, which understands nature to be as immutable as it is normative. In Stoicism, freedom is conceivable only in the open realms that are not predetermined by nature, including reason, which is a realm peculiar to man.

The philosophical designs find a clear echo in the legal sources. In texts from the Roman Republic, *libertas* always means being free "from" something. We see this in the concept of *libera res publica*, but we also see it in private law figures. As stated in the Twelve Tables, the emancipation of the son of the house makes him *a patre liber*.[22] At the same time, the freedman is called *libertus,* that is, the one freed from the power of another. In the classical sources of the second century, however, one also finds (though rarely) texts like that of Florentinus *(Digest* 1, 5, 4 pr.), which asserts, 'Libertas est naturalis facultas eius quod cuique facere libet, nisi si quid vi aut iure prohibetur'.[23] Here, in a way that almost parallels its use in Stoic philosophy, *libertas* is described as the capacity to act. Nevertheless, this definition does not tell modern readers anything about the concept of *libertas* as it was employed in, for example, republican times.[24]

2.2 Libertas in Cicero: *dominum in se ipsum*?

A thoroughly modern-sounding, though Stoic, definition of "freedom" has been handed down to us by Cicero. Like Florentinus, he describes *libertas* as *potestas vivendi*, *ut velis* (Cicero, *Paradoxa Stoicorum* 34).[25] If one reads the text further,[26] however, one realizes

21 Epictetus 1, 1, 23; 1, 12, 9; further references in Frede, *Free Will*: 76; cfr. as well Fürst, *Freiheit*: 108–19.

22 XII tab. 4, 2 b; cfr. Gaius, *Institutes* 1, 132; *Ulpiani liber singularis regularum* 10, 1.

23 Transl. Watson: 'Freedom is one's natural power of doing what one pleases, save insofar as it is ruled out either by coercion or by law.'

24 However, Valentina Arena, *Libertas and the Practice of Politics in the Late Roman Republic* (Cambridge: Cambridge University Press, 2012): 14–15 quotes Florentinus as a witness for "Roman libertas" in general.

25 Similarly, Cicero, *De officiis* 1, 17 and 20.

26 The whole chapter runs as follows: 'Quid est enim libertas? Potestas vivendi, ut velis. Quis igitur vivit, ut volt, nisi qui recte vivit? qui gaudet officio, cui vivendi via considerata atque provisa est, qui ne legibus quidem propter metum paret, sed eas sequitur et colit, quia id salutare esse maxime iudicat, qui nihil dicit, nihil facit, nihil cogitat denique nisi libenter ac libere, cuius omnia consilia resque omnes, quas gerit, ab ipso proficiscuntur eodemque referuntur, nec est ulla res, quae plus apud eum polleat quam ipsius voluntas atque iudicium; cui quidem etiam, quae vim habere maximam dicitur,

that Cicero is not describing what we today call "free will", i.e., the freedom to make a decision and therefore be held responsible for it. According to Cicero, free is the one who voluntarily chooses what is right, what is reasonable, without being forced to do so by laws. Therefore, only the wise man is free;[27] the stupid man is a slave to what drives him to his actions. Two things need to be commented on here: first, the ideal of the Stoic wise man, who makes decisions free of external constraints, also underlies the early Christian image, according to which one who does not follow Christ remains a slave to sin.[28] Second, Cicero makes it clear that he does not go beyond the concept of *ekousía autopragías*[29] in his Stoic description of freedom.

Nevertheless, when viewed from a different perspective, Cicero's insights can be seen in a fresh light. In his writings on political philosophy, Cicero also poses the question of *libertas* and its essence. Valentina Arena has pointed out in her writings that Cicero compares the freedom of the *res publica* with that of a human being: free is he who does not have to obey the orders of others.[30]

That the Roman concept of freedom starts from the negative vantage of being "free from something" has been common knowledge since Rudolf von Jhering[31] or, at the latest, since Fritz Schulz.[32] However, Arena's observation is not based on them but on Pettit and Skinner,[33] who describe Roman *libertas* as "non-domination". Without

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Fortuna ipsa cedit, si, ut sapiens poeta dixit, "suis ea cuique fingitur moribus." Soli igitur hoc contingit sapienti, ut nihil faciat invitus, nihil dolens, nihil coactus.' – Transl. Loeb and Horace Rackham: 'For what is freedom? The power to live as you will. Who then lives as he wills except one who follows the things that are right, who delights in his duty, who has a well-considered path of life mapped out before him, who does not obey even the laws because of fear but follows and respects them because he judges that to be most conducive to health, whose every utterance and action and even thought is voluntary and free, whose enterprises and courses of conduct all take their start from himself and likewise have their end in himself, there being no other thing that has more influence with him than his own will and judgement? to whom indeed Fortune, whose power is said to be supreme, herself submits – if, as the wise poet said, she is moulded for each man by his manners. It therefore befalls the wise man alone that he does nothing against his will nor with regret nor by compulsion.'

27 Cfr. Cicero, *De officiis* 1, 66–70; on that and similar texts Arena, *Libertas*, 262; Valentina Arena, "Invocation to Liberty and Invective of Dominatus at the End of the Roman Republic," in *Bulletin of the Institute of Classical Studies* 50 (2007): 49–74.

28 John 8:34; Romans 6:16–23.

29 Above, at fn. 17.

30 On these texts Valentina Arena, "Popular Sovereignty in the Late Roman Republic: Cicero and the Notion of Popular Will," in *Popular Sovereignty in Historical Perspective*, eds. Richard Bourke and Quentin Skinner (Cambridge: Cambridge University Press, 2007): 73–95, esp. 74–79.

31 Rudolf von Jhering, *Geist des römischen Rechts auf den verschiedenen Stufen seiner Entwicklung*, vol. 1.2 (Leipzig: Breitkopf & Härtel, 1854): 134–320.

32 Fritz Schulz, *Prinzipien des römischen Rechts* (Berlin: Duncker & Humblot, 1934): 95–111; since 1936 available in an English translation: Fritz Schulz, *Principles of Roman Law*. Translated by Marguerite Wolff (Oxford: Clarendon Press, 1936).

33 Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford: Oxford University Press, 1997): 74–77 and 103–6; Quentin Skinner, *Liberty before Liberalism* (Cambridge: Cambridge Uni-

negating later contributions, it should be noted that Schulz had already succinctly argued,[34]

> Thus, the individual was not free when he was a slave, a whole nation was not free when at its head was an absolute monarch or when it was subject to a foreign yoke. Where there was no "master" in this sense the Romans as individuals or as a people were free, however the degree of *libertas* might vary.

Cicero turns this negative approach into a positive one in *De re publica*: he has Scipio Africanus describe the free republic as *res populi*, i.e., a matter of the people.[35] This *genetivus possessivus* (*populi*) is borrowed from the terminology of property law. One could, therefore, also translate the frequently quoted phrase as 'The government is a thing that belongs to the people'. The possible connection between the rhetoric of freedom and the terminology of property law becomes even more evident when one encounters Scipio's subsequent characterization of the republic: he asserts that, within it, everything (*omnia*) belongs to the people.[36] It is no coincidence that *res publica* is a private law term as well. In that context, it describes things that are accessible to all people and can therefore be used by all.[37] Metaphorically, then, one could say that in a free republic, the people belong to themselves and are, therefore, their own masters.

The Ciceronian construction thus sounds seductively like Locke's formulation that the free man has "property in his own person". Indeed, this is precisely the con-

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versity Press, 1998); cfr. Valentina Arena, "Libertas and Virtus of the Citizen in Cicero's De Re Publica," *Scripta Classica Israelica* 26 (2007): 29–30, 52.

34 Schulz, *Principles*: 140–41; Schulz, *Principles*: 95: 'So ist der einzelne unfrei, wenn er Sklave ist, ein ganzes Volk, wenn an seiner Spitze ein absoluter Monarch steht, oder wenn es dem Dominat eines fremden Staats unterworfen ist. Fehlt aber der "Herr" in diesem Sinne, so ist für den Römer der einzelne wie die Volksgesamtheit frei, so verschieden groß auch das Maß der libertas sein mag.'

35 Cicero, *De re publica* 1, 39: 'Est igitur, inquit Africanus, res publica res populi, [. . .].' 41: '[. . .] omnis res publica, quae ut dixi populi res est, [. . .].' Transl. in Marcus Tullius Cicero, *On the Republic. On the Laws*, trans. Clinton Walker Keyes, Loeb Classical Library 213 (Cambridge, MA: Harvard University Press, 1959): 41: 'Well, then, a commonwealth is the property of a people'; '. . . every commonwealth, which, as I said, is the "property of a people"'. An extensive study on this topos has been published by Claudia Moatti, *Res publica. Histoire romaine de la chose publique* (Paris: Fayard, 2018); Moatti, Claudia, "The Notion of Res publica and Its Conflicting Meanings at the End of the Roman Republic," in *Libertas and Res Publica in the Roman Republic. Ideas of Freedom and Roman Politics*, ed. Catalina Balmaceda (Leiden: Brill, 2020): 118–37.

36 Cicero, *De re publica* 1,42: 'Illa autem est civitas popularis – sic enim appellant – in qua in populo sunt omnia.' Somehow different ("all the power") is the Engl. transl. by Loeb and Keyes: 'But a popular government (for so it is called) exists when all the power is in the hands of the people.'

37 Cfr. Maria Gabriella Zoz, *Riflessioni in tema di res publicae* (Turin: Giapichelli, 1999); Martin Schermaier, "Private Rechte an res communes?" in *Carmina iuris. Mélanges en l'honneur de Michel Humbert*, eds. Emmanuelle Chevreau, David Kremer, and Aude Laquerrière-Lacroix (Paris: De Boccard, 2012): 773–92.

clusion Arena draws in her reading of the Roman concept of freedom. After referencing Florentinus' definition *(Digest* 1,5,4 pr.),[38] she asserts, 'It follows that, according to the *Digest*, one is free when he is under his own *dominium*'.[39] This conclusion may seem obvious, but it is wrong.

First, it should be noted that Cicero's borrowings from private property law do not go beyond the attribution of a thing to a person. He does not fill out his definition with considerations of how an owner may deal with his things. Florentinus' *quod cuique facere libet*, in turn, has nothing to do with the *dominatio* of others. *Dominiatio* and *libertas* touch each other in political discourses (including in Cicero) but not in private law. After all, there are also persons described as *alieni iuris*, i.e., those who are subject to domination even though they are free (*liber*). With *dominium*, again, only the right to demand a thing from another with the *rei vindicatio* is enshrined. We do not find a definition of property in the legal sources because Roman property is conceived procedurally, not materially, i.e., not from the powers it grants.

Conversely, it is true that one is not free if one belongs to the *dominium* of another. This is shown by Cicero's characterization of the *res publica* as well as the Roman jurists' description of the status of a slave.[40] However, the idea of *dominium in oneself* is alien to Roman thought. The lack of an independent conception of ownership is made clear by the structure of the classical trial of freedom, the *status quaestio* in the context of the *vindicatio* in *libertatem*: it is true that freedom (of the supposed slave) and property (of the master) are opposed here, and indeed the trial follows the structure of the (old) *rei vindicatio*, which was created so that one could pursue one's own cause. However, the *adsertor libertatis*, who appears on behalf of the slave, does not claim that the latter has property in himself but asserts his status as a freeman.[41] When a Roman jurist wants to express that someone is "his own master", he speaks of *sui iuris esse*.[42] This expression can be taken quite literally: To be *sui iuris* means that all legal relationships concerning this person are borne and regulated by him or her. A *sui iuris* person is not mediatized in legal relations by a *dominus*, a guardian, or a *pater familias*.

In light of this background and the developments outlined in the next section, one can conclude that the *dominium in se ipsum* only became a description of personal freedom through the justification of "dominion" by a new concept of the will that emerged in moral theology, which at the same time captured the private-law con-

38 Cfr. above at n. 23.

39 Arena, "Libertas": 15.

40 Cfr. *Digest* 1, 5, 4, 2 (Flor. 9 inst.): 'Servitus est constitutio iuris gentium, qua quis dominio alieno contra naturam subicitur.' Engl. transl., Watson: 'Slavery is an institution of the jus gentium, whereby someone is against nature made subject to the ownership of another.'

41 In detail Miriam Indra, *Status quaestio. Studien zum Freiheitsprozess im klassischen römischen Recht* (Berlin: Duncker & Humblot, 2011).

42 Cfr. David Johnston, *Roman Law in Context* (Cambridge: Cambridge University Press, 2012): 30–52.

cept of property. The one who can decide of his own free will whether and how to act thereby dominates himself and the things he brings into his possession. Through the convergence in reasoning, "dominion" and "property" come together here and become interchangeable in content.

Ancient philosophy, when speaking of "dominion" over oneself, used an image that is as simple as it is obvious: he alone, who does not have to obey that which is foreign, commands himself. However, in the history of ideas, this image became a theoretical topos only when the command to perform a certain action is recharged with the concept of free will, which makes man responsible before God. Only then do the concepts arrange themselves in the way Locke presents them to us: freedom establishes property, and this, in turn, characterizes the freedom of the person. The stirrings of a Lockean conception of "free will" are evidenced in the philosophy of the Middle and Late Stoa. However, even the Stoa did not achieve a concept of the will that was free of all determination and teleology. This was only achieved in the Church Fathers' doctrine of attribution.

2.3 Freedom in the Church Fathers

The Stoic concept of freedom comes to the fore in early Christian theology even more clearly than it does in the works of Florentinus. Like the Stoa, Christian thinkers are confronted with the problem of how human freedom is possible in an order created by God. However, theology approaches this paradox differently than Stoic philosophy.[43]

Paul formulates his concept of freedom in a rather traditional way: like Cicero's idea (*Paradoxa Stoicorum* 34), it is turned inward and is thus not conceived as freedom of action. Instead, Paul proclaims a freedom in Christ, a freedom from sin and the law, but not a freedom to shape the external world. Vaucher has recently made this point clear regarding early Christianity's attitude toward slavery.[44] Paul's freedom is soteriologically based; it understands Christ's redemptive death as a renewal of liberation from Egyptian servitude. Thus, Paul is not concerned with freedom of will in the Stoic sense.

The early Church Fathers, in contrast, start with the Stoic conception and the Aristotelian doctrine of *prohaíresis* in their efforts to substantiate human freedom in the order of creation. Irenaeus of Lyon (d. *ca.* 200) is probably the first to consistently succeed in this task by positing a gradation of divine and human will.[45] According to Ire-

43 On the differences between Stoic and early Christian concepts of freedom esp. Fürst, *Freiheit*: 139–86, esp. 161–86.

44 Daniel Vaucher, *Sklaverei in Norm und Praxis. Die frühchristlichen Kirchenordnungen* (Hildesheim: Georg Olms Verlag, 2017).

45 Cfr. Walter Warnach, "Freiheit (II)," in *Historisches Wörterbuch der Philosohpie*, ed. Joachim Ritter, vol. 2 (Basel: Schwabe, 1972): 1077; Fürst, *Freiheit*: 152–61 argues that Justin Martyr was the first to link freedom and decision in the concept of *prohaíresis eleúthera*.

naeus, God created man in his own image, thus endowing him with free will. Human will cannot reach beyond creation, but because it is free, man is also free to decide for or against God's order. In this, Irenaeus sees the core of human freedom. At this point, Origen takes up the proverbial baton and defines sin as a decision of the free human will against God (and thus against the good).[46] In both Irenaeus and Origen, however, human freedom stands within the dialectic of good and evil, light and darkness, being and non-being. The concepts and arguments brought forward by the theologians are motivated to exonerate God's creation from evil.[47] Thus, it is not yet coordinated with the grace of God on the one hand and the redemptive act of Christ on the other.

The notion of the reconciliation of free human will with divine omniscience arrives on the theological stage in the works of Augustine of Hippo. According to him, man has voluntarily turned away from God (in Adam's Fall) and therefore needs grace and redemption. In his earthly life, the sinful man is indeed unfree, but through the grace of God, he can decide for good and against evil. Therefore, even after the Fall, man has a free decision (*liberum arbitrium*) about his actions.[48] This *liberum arbitrium* seems closely related to what Epictetus called "free decision",[49] but in Augustine, it is – unlike in Epictetus – the basis for a moral judgment. Actions are not good or evil *per se*, but their moral quality results from the volition of the acting subject. Augustine's understanding of the will is similar to the Aristotelian theory of action, in which the choice of what is reasonable (*prohaíresis*) determines imputation. In Augustine, however, the freedom to decide which action is right and suitable is joined in the *liberum arbitrium* by the free choice to choose the wrong action despite knowing better. The decision for the wrong option, i.e., the evil, is, in each case, a turning away (*aversio*)[50] from God. The *prohaíresis*, the reasonable choice of the means to achieve an end, thus receives in the *liberum arbitrium* a kind of controlling instance, which examines whether it responds to God's grace or not.

Evaluating this Augustinian doctrine from a theological standpoint is beyond my competence.[51] Nevertheless, it is widely acknowledged that his doctrine subsequently became the basis of Christian moral theology in scholasticism.[52] The philosophy of

46 On him extensivly Fürst, *Freiheit*: 187–290.

47 Cfr. Fürst, *Freiheit*: 169–75 (concerning Tertullian); Warnach, "Freiheit (II)": 1081.

48 Cfr. *in extenso* Frede, *Free Will*: 167–170; in addition, Warnach, "Freiheit (II)": 1081–82.

49 Vgl. Frede, *Free Will*: 168–69.

50 Augustine, *De civitate dei:* 12, 6; cfr. Warnbach, "Freiheit (II)": 1081.

51 Still important is Albrecht Dihle, *The Theory of Will in Classical Antiquity* (Berkeley: University of California Press, 1982): 123–44.

52 Concerning Early Scholasticism Otto Hermann Pesch, "Freiheit (III)," in *Historisches Wörterbuch der Philosophie*, vol. 2, ed. Joachim Ritter (Basel: Schwabe, 1972): 1083–84; concerning High Scholasticism, Thomas Hoffmann, *Free Will and the Rebel Angels in Medieval Philosophy* (Cambridge: California University Press, 2020): esp. 11–160.

Thomas Aquinas, to name a prominent example, utilizes the Augustinian perspective as a core concept of moral philosophy,[53] though there is a vivid dispute to what extent *liberum arbitrium* is determined by God's creation in the latter's works.[54] Since then and until today, it is common to define freedom as freedom of action, as freedom "to do something", or as agency. Thus, it is not only our modern concept of freedom that has its roots in this concept of agency. Agency, or freedom to do something, is also the basis of important legal institutions, including both property and slavery. The arrival of freedom of action on the stage of conceptual history now brings me to the second focus of my paper: medieval discourses on freedom.

3 From Thomas Aquinas to Spanish Scholasticism

3.1 The Christian Doctrine of Imputation

The construction of *liberum arbitrium* did not solve all the theological problems about the freedom of the sinful man. Is *liberum arbitrium* a freedom to sin? Or is it a freedom to turn to God? In his reference to Aristotle's doctrine of action, Thomas succeeded in separating the question of imputation (i.e., the doctrine of sin) from the doctrine of grace, thus mobilizing the *liberum arbitrium* only for the doctrine of sin. As is known, Martin Luther tried to reverse this separation.[55] Nevertheless, Protestant jurisprudence has held onto the Thomistic terminology and systematics.

Back to Thomas: *voluntas* and *liberum arbitrium* belong to the same *potentia*, but they differ in their function when it comes to the attribution of actions: *voluntas* chooses an action to bring about a certain success, *liberum arbitrium* gauges whether the

53 Dorothée Welp, *Willensfreiheit bei Thomas von Aquin* (Freiburg: Universitätsverlag Freiburg, 1979); Eleonore Stump, "Aquina's Account of Freedom: Intellect and Will," in *Was ist Philosophie im Mittelalter? Qu'est-ce que la philosophie au moyen âge? What is Philosophy in the Middle Ages?* eds. Jan A. Aertsen and Andreas Speer (Berlin: De Gruyter, 1998): 1034–44; Jamie Anne Spiering, "'Liber est causa sui': Thomas Aquinas and the Maxim 'The Free is the Cause of itself'," *The Review of Metaphysics* 65 (2011): 351–76; Luise A. Mitchell, "Free to Be Human: Thomas Aquinas's Discussion of Liberum Arbitrium," *New Blackfriars* 96 (2015): 22–42.

54 Brian Shanley, "Divine Causation and Human Freedom in Aquinas," *American Catholic Philosophical Quarterly* 72 (1998): 99–122; Lawrence Dewan, "St. Thomas and the Causes of Free Choice," *Acta Philosophica* 8 (1999): 87–96; Tobias Hoffmann and Cyrille Michon, "Aquinas on Free Will and Intellectual Determinism," *Philosopher's Imprint* 17 (2017): 1–36; Steven A. Long, Roger W. Nutt, and Thomas J. White, eds., *Thomism and Predestination. Principles and Disputations* (Ave Maria: Ave Maria University Press, 2016).

55 Briefly on this Pesch, "Freiheit (III)": 1087; more detailed Hans Vorster, *Das Freiheitsverständnis bei Thomas von Aquin und Martin Luther* (Göttingen: Vandenhoeck & Ruprecht, 1965); Matthew Knell, *Sin, Grace, and Free Will: A Historical Survey of Christian Thought*, vol. 2, *From Anselm to the Reformation* (Cambridge: James Clarke & Co., 2018): 158–79 and 180–217.

action corresponds to the good (= God's will). Apart from this differentiation, Thomas can rely entirely on Aristotle's theory of action and join him in distinguishing between recognizing (*intelligere*), deliberating (*ratiocinari*), and choosing (*velle*).[56] Only the *velle*, the natural will, is complemented by the *liberum arbitrium* (*eligere*). Sometimes Aquinas combines both aspects of the will and speaks only of *libera voluntas*; other scholastics distinguish between *voluntas naturalis* and *voluntas eligentiae.*[57]

We need not concern ourselves with the individual terminological differences here. What is crucial is that this terminological differentiation lays a solid foundation for a Christian doctrine of imputation. It determines the medieval and modern doctrine of sin and is the *leitmotif* of medieval jurisprudence of confession. Through the Age of Enlightenment, which replaced the concept of "sin" with that of "crime", it still essentially determines modern criminal law theory.[58]

The emphasis on the doctrine of action in Thomistic hamartiology can also be interpreted as the culmination of a tendency towards regulation and control of the lives of believers that has persisted since late antiquity. Although the *liberum arbitrium* leaves the judgement between good or evil to the individual, the doctrine of action creates a dogmatic framework for judicially reviewing this judgement in confession, thus before the *forum internum*. Therefore, I could also have given my contribution the title: "Freedom as a pretence for control."

3.2 Free Will and Freedom

However, I am more interested in the anthropological embedding of free will, which eventually becomes the pivotal point of a new, ultimately enlightened understanding of freedom. The development of this conception is evidenced by the Thomistic assertion, *liberum sit quod sui causa est,*[59] borrowed from Aristotle, for whom it is a rule of metaphysics. Thomas, however, does not relate it to man's existence but to his freedom of action: 'The free is not the cause of itself in being, but the cause of itself in acting.'[60] Man is free because he can freely choose the goal and purpose of his action. In short, as an agent, he is free. Thomas does not say: 'I act (or I will); therefore, I am.'

56 Summa theologica I, qu. 83 art. 4 resp.

57 On that, see Tilman Anselm Ramelow, "Der Begriff des Willens in seiner Entwicklung von Boethius bis Kant," *Archiv für Begriffsgeschichte* 40 (2004): 42–43 (concerning Bonaventura); Anselm Ramelow, "Wille (II)," in *Historisches Wörterbuch der Philosophie*, vol. 12, eds. Joachim Ritter, Karlfried Gründer, and Gottfried Gabriel (Basel: Schwabe, 2005): 772; but see already Johannes Verweyen, *Das Problem der Willensfreiheit in der Scholastik. Auf Grund der Quellen dargestellt und kritisch gewürdigt* (Bonn: C. Winter, 1909).

58 See, for example, Pascal Gläser, *Zurechnung bei Thomas von Aquin: eine historisch-systematische Untersuchung mit Bezug auf das aktuelle deutsche Strafrecht* (Munich: Alber 2005).

59 Thomas, *Summa Theologica*: I qu. 83 art. 1 ad 3: 'Free is what has its cause in itself.'

60 Spiering, "Liber est causa sui": 352.

Man owes his existence to God's creation; his being has its *causa* in God. Likewise, the freedom of his will flows from the same source. That said, divinely prompted free will enables man to freely conduct his earthly life. To this extent, he is *causa* to himself. Thus, man is his own master, which alone makes him responsible to God.

This Thomistic construct sounds similar to that of Cicero, but in its metaphysical justification, it goes beyond the thought of the Roman philosopher. To be *causa* of oneself is an attribute of God, the creator, who is not himself created. Thomas transposes this image of the unmoved mover to the human being capable of sin: he is not predetermined by anything in his decisions and wills, is entirely free, and for that very reason, responsible. If he were not himself the *causa* of his will, his actions and wills could not be imputed to him as sin: that is why man is not simply master of himself but of his actions.[61]

Nevertheless, free will constitutes man in his humanity. Since man can freely decide on his actions, Thomas calls him *dominus sui actus*, the master of his actions.[62] This concept, which Thomas shares with Bonaventura[63] (it is impossible to say which of the two was the first to formulate it), has two meanings that are deliberately not delineated from one another in the scholastic discussion: one meaning, which constitutes its anthropological-philosophical aspects, is that man is his own master and therefore does not have to follow any orders except those derived from natural law and legitimate public laws.[64] Incidentally, we can see from this outline that Locke built on Thomas. The other meaning of *dominus sui actus* derives from Roman law sources, where *dominus* does not only mean "master" but also includes the concept of an "owner". Bonaventura expressly refers to these dual meanings. Indeed, he applies both *imperium* and *dominium* to his definition of man's mastery of his actions.[65]

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61 Herein is found the theological reason why man can acquire slaves but not enslave himself; cfr. at n. 10.

62 For example, Thomas, *Summa Theologica*: I qu. 29 art. 1 (resp.): *dominium actus sui* as a characteristic of *persona*.

63 Bonaventura, *Commentaria in lib. II Sententiarum Petri Lombardi*: dist. 25, art. 1, qu. 1, ed. Adolphe Charles Peltier, Opera omnia Sancti Bonaventurae 3 (Paris: Luis Vivès, 1865): 200–201.

64 Cf. Thomas Aquinas, *De perfectione spiritualis vitae*: cap. 11 lin. 116–19: 'Nihil autem est homini amabilius libertate propriae voluntatis. Per hanc enim homo est et aliorum dominus, per hanc aliis uti vel frui potest, per hanc etiam suis actibus dominatur.' ('Nothing is dearer to any man than the freedom of his will, whereby he is lord of others, can use what he pleases, can enjoy what he wills, and is master of his own actions;' this and all other translations of texts of Aquinas are taken from https://aquinas.cc/ [accessed 04.12.2023]).

65 Cf. Bonaventure, *Commentaria in lib. II Sententiarum Petri Lombardi*: dist. 25, art. 1, qu. 1 (my emphasis): 'Illa autem potentia dominium habet ex libertate respectu objecti, quae non est arctata ad aliquod genus appetibilis, sed nata est omnia appetibilia appetere, et omnia fungibilia respuere. [. . .] Nam voluntas in rationabilibus non solum compescit manum exteriorem, vel pedem, sed etiam compescit seipsam et refraenat, incipiens odire frequenter quod prius diligebat. Et hoc ex sui ipsius *imperio et dominio*.' ('This has the facility to domination, with regard to an object, because of the liberty, which is not restrained to desirable things, but has been given to desire the desirable and to spurn the

Considering these definitional complexities, one might ask, how can we imagine man as the "owner" of his actions? A jurist would never formulate a question in this way. As previously suggested, in Roman law, ownership can only be imagined regarding external and corporal things. Nevertheless, Thomas and perhaps Bonaventura, also use the legal meaning of *dominium* to justify why people acquire ownership of worldly goods (as does Locke some four hundred years later). The Roman *occupatio*, the appropriation of ownerless things, thus acquires an anthropological basis: ownership of one's action is extended to the thing seized and therefore constitutes the agent as its owner. Starting from freedom of action, the High Scholastics thus arrive at a justification for the acquisition of private property.[66]

3.3 Corresponding Concepts: Free Will, Property, and Freedom

Whether or not private property can be justified theologically has been discussed by theologians since the third century.[67] We do not need to rehash this discussion in detail here because it leads us away from our subject. However, one point is still important for us to consider. Namely, that since the late thirteenth century, there has again been a fundamental dispute about whether Jesus had private property, whether Christians are allowed to have private property and whether the Church should organize itself without property. In the so-called "Poverty Controversy", fought mainly from the early fourteenth century (under Pope John XXII) onwards, both theological and legal arguments have been deployed for and against propertylessness. Strict proponents of the Franciscan movement, on the one hand, strove to define the concept of property as narrowly as possible in order to avoid the need to construe diverse notions of property and trust as prohibited. John XXII, on the other hand, argued that every right that conveys the use and yield of a thing should be classified as property. In his *opus nonaginta dierum,* William of Ockham sought to refute the pope's argument. There, Ockham defines property according to two criteria: property only exists

profitable things. [. . .] Because will rational beings not only tempers hand or foot, but as well tempers and bridles itself and thus it starts to hate what it desired before. And from that one has sovereignity and property of one's own.').

66 For more details see Martin Schermaier, "Dominus actuum suorum. Die willenstheoretische Begründung des Eigentums und das römische Recht," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Romanistische Abteilung* 134 (2017): 49–105, esp. 61–76.

67 Martin Schermaier, "Habebant omnia communia. Überlegungen zum Gemeineigentum in Philosophie, Theologie und Recht," in *De rebus divinis et humanis. Essays in honour of Jan Hallebeek*, eds. Harry Dondorp, Martin Schermaier, and Boudewijn Sirks (Göttingen: Vandenhoeck & Ruprecht, 201): 241–63; still useful because of its rich material are Otto Schilling, *Reichtum und Eigentum in der Altkirchlichen Literatur. Ein Beitrag zur sozialen Frage* (Freiburg: Herder Verlag, 1908); Paul Christophe, *L'usage Chrétien du droit de propriété dans l'écriture de la tradition patristique* (Paris: P. Lethielleux, 1963); Charles Avila, *Ownership: Early Christian Teaching* (London: Sheed and Ward, 1983).

if (first) the entitled person can reclaim the thing from anyone and (second) he can do with it whatever he wants.[68]

Ockham's second criterion is new, at least regarding Roman law. Yet, it is not entirely new from a theological perspective. The Church Fathers already condemned wealth (in connection with the parable of the rich young man[69]) solely if the owner attached his heart to a thing.[70] For Ockham, however, it is not the heart, but – more precisely – the will that is decisive: the *voluntas* of the owner turns possessions into sinful property. Free will thus not only explains why someone acquires property, but conversely, property entails the owner's power and discretion to deal with the thing he owns as he wills. In this way, the acquisition and content of property are both described in terms of a will theory.

There is still another connection between will and freedom, which becomes apparent when one considers the ownership of human beings by other human beings or institutions. According to Roman law, a slave is the property of his *dominus*. Under Ockham's new definition of property, this right means that the owner can use a slave as he pleases. If one applies this definition to contemporary (i.e., late medieval) dependency relationships, they cannot be classified as slavery: a master cannot do as he pleases with his vassals, nor with bondsmen or serfs, nor with apprentices or domestic workers. Therefore, they cannot be considered slaves, even if they are still called *servi* or *ancillae* in legal language.

It is hardly a coincidence that the first jurist to adopt Ockham's definition of *dominium*, Bartolus de Saxoferrato, is also the first jurist to decisively state that slavery does not exist among Christians.[71] However, in his statement, he does not refer to the *dominium in se ipsum* but to a text by the classical jurist Ulpian (*Digest* 49,15,24), in which the latter explains who was considered a prisoner of war and could therefore be enslaved. Prisoners of war (and thus slaves) would only be made in the case of war by foreign powers against the Roman people. Bartolus translates this principle into the circumstances of his time: in the politically fragmented Europe of the fourteenth century, he equates Roman citizenship to membership in the Roman Church.[72] In wars between Christian rulers, Bartolus sees it as a matter of customary law that no prisoners of war should be taken in order to enslave them.[73] Therefore, according to Bartolus, Christians could not be enslaved in Christian countries.

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68 Cfr. Schermaier, "Dominus actuum suorum": 72–76.

69 Mark 10:17–26; Matthew 19:16–27; Luke 18:18–27.

70 On this Schermaier, "Habebant omnia communia": esp. 249–50 (with further references).

71 Bartolus de Saxoferrato, *Commentaria super secunda Digesti Novi*, ad D. 49, 15, 24 (Turin: Nicolaus Bevilaqua, 1574): fol. 227 v.–228 r.; on this Thomas Rüfner, "Die Rezeption des römischen Sklavenrechts im Gelehrten Recht des Mittelalters," in *Sklaverei und Freilassung im Römischen Recht. Symposium für Hans Josef Wieling zum 70. Geburtstag*, ed. Thomas Finkenauer (Berlin: Springer, 2006): 201–21, 214–19.

72 Cfr. Bartolus, *Commentaria*: ad D. 49, 15, 24, n. 3–6 (fol. 228 r.).

73 Bartolus, *Commentaria*: ad D. 49, 15, 24, n. 16 (fol. 228 r.): 'Certe de iure gentium antiquis moribus introducto deberet esse ius captivitatis et postliminii [. . .] sed secundum mores moderni temporis

It remains speculative to assert that this rule is linked to the notion that property is based on a specific theory of will. Bartolus does not establish such a link himself. Nevertheless, the following circumstances suggest that there is a connection.

a) Firstly, private property and slavery have constituted formative social institutions since the time of the Church Fathers. In theological terms, these institutions are not natural states but came into the world through the Fall of man and are permitted to continue by God under certain restrictions until the Last Judgement. Here it is advisable to consider Locke once again. Like earlier thinkers, he continues to deal with property and slavery together.[74]

b) Secondly, a conceptual link between property and slavery can be observed not only in Ockham's definition but also from the legal construction of *dominium*: as his master's property, a slave cannot simultaneously be *dominus sui actus.* The master's property also covers the slave's actions. Yet, because every Christian is personally responsible before God, he must remain *dominus sui actus*. Christians being slaves of other Christians would eliminate or at least restrict this principle of personal responsibility.

c) Finally, as one might imagine based on the last point, Bartolus expends significant energy in his argument that, since the enslavement of a Roman by Romans was already prohibited by Roman law, through membership in the Roman Church, this prohibition is extended to all who share faith in Jesus Christ, regardless of national origin and across national borders.

Christian thinkers in Bartolus' time had at hand all the arguments needed to conclude that, based upon the theoretical relationship between free will and man's self-rule, slavery should be rejected, at least among Christians. Indeed, the *dominium in se ipsum* would be the perfect legal argument to support the position that no one can be the property of another person. Anyone who accepts the *dominium in se ipsum* as a legal maxim must exclude slavery among Christians. Every Christian is, per definition, *dominus* of himself. This early theory of self-ownership constituted a narrative that has survived, barely interrupted, to our days: slavery exists only where a person becomes the property of another person, thus an object of his *dominium*. According to this definition, other forms of dependency, even those of extreme asymmetrical nature, are not slavery.[75] Slavery has thus become not only a social or legal concept but

consuetudinis antiquitus observate inter Christianos quantum ad personas hominum non observamus iura captivitatis et postliminii nec venduntur nec habentur servi captivi.' ('For sure, according to ancient mores the law of captivity and postliminium had been introduced [. . .] but according to the mores of modern times we do not, among Christians, adhere to the rights of captivity and its reversion as observed in antique costumes and captive slaves are neither sold nor kept').

74 Ch. 4 and 5 in his Second Treatise.

75 See also Richard J. Helmholz, "The Law of Slavery and the European Ius Commune," in *The Legal Understanding of Slavery. From the Historical to the Contemporary*, ed. Jean Allain (Oxford: Oxford University Press, 2012): 17–39; according to Helmholz, the concept of *servus* recedes into the background because the different semi-freemen had to be treated differently in different contexts.

an ideological one: what slavery is depends on the range and scope of freedom and property.

4 *Dominium in se ipsum* as a Source of Fundamental Rights

That which modern readers might propose as a conjecture was self-evident in the moral-theological discussion of Bartolus' time. Yet, as we try to wrap our minds around the discourse of another period, we can conclude without further ado that generations of engagement with the *dominiatio sui actus* lead to the conclusion that everyone is his own master, *sui dominus*. As argued by Thomas, for example, 'homo constituitur dominus sui ipsius per liberum arbitrium':[76] free will establishes ownership of oneself.[77] In recent decades, there has been intensive research on the idea of property of oneself, its preconditions and, above all, its consequences for philosophical and legal discussions. Some see it as the foundation of subjective rights and, thus, the basis for the modern concept of human dignity. The works of Brian Tierney[78] and Annabel Brett[79] are worth mentioning here. That said, we do not need to enter into this discussion in order to shed light on the consequences of *dominium in se ipsum* for the discourse on freedom.

4.1 Legal Implications of *dominium in se ipsum*

I only want to give a few examples of how the concept was used and how it might have contributed to the development of the modern notion of human dignity. Thomas Aquinas referred to the *dominium in se ipsum* as the area for which man is responsible because of his free will. If man transgresses God's commandments while acting upon such responsibility, he sins. However, subsequent generations of theologians un-

76 Thomas, *Summa Theologica* II–II 64 art. 5 ad 3: 'Man is made master of himself through his free-will.' There it says further: 'et ideo licite potest homo de seipso disponere quantum ad ea quae pertinent ad hanc vitam, quae hominis libero arbitrio regitur.' ('wherefore he can lawfully dispose of himself as to those matters which pertain to this life which is ruled by man's free-will').

77 Thomas, *Summa Theologica* I–II qu. 1, art. 2; ii–II, 1 u. 66 art. 1; idem, *summa contra Gentiles* 3, 81 and 3, 111 (this and further references in Brian Tierney, "Dominium of Self and Natural Rights before Locke and After," in *Transformations in Medieval and Early-Modern Rights Discourse*, eds. Virpi Mäkinen and Petter Korkmans (Dordrecht: Springer, 2006): 173–200, 180.

78 Brian Tierney, *The Idea of Natural Rights: Studies on Natural Rights, Natural Law and Church Law, 1150–1625* (Grand Rapids: William B. Eerdmans Publishing, 1997).

79 Annabel S. Brett, *Liberty, Right and Nature. Individual Rights in Later Scholastic Thought* (Cambridge: Cambridge University Press, 1997).

derstood the *dominium in se ipsum* as a subjective right of man founded in natural law. They, therefore, proceeded differently than Thomas: instead, they endeavoured to measure the content and scope of *dominium* by considering how far such ownership extends without becoming sin. Thus, "ownership of oneself" is no longer merely a metaphor for the free human will but is equated with a right to one's own body.[80] The link between free will and self-ownership can be seen, for example, in the way Henry of Ghent discusses the classical question[81] of whether a person condemned to death is allowed to escape.[82] Although Henry does not speak of the *dominium* in Thomistic terms, that is, in reference to *proprietas* of one's own body or *potestas*, he concludes that the condemned person, as the owner of their body, has a greater right to it than the *iudex saecularis,* who only has some kind of limited right to it:

> To understand this, one has to know that on a certain thing, one might have power or a right in a double sense: one concerns property on the substance of a thing, and the other concerns the use by treating the thing in a certain way. The secular judge has by no means more power or right in the first sense on the body of the condemned than he has on his soul. But he only has (power) in the second sense, which consists in three forms: to capture the body, to enchain or imprison it, or to put it to death. Only a devout soul (a soul under God) has power as regards property in the substance of the body, and therefore he is bound to guard his right, without (making use of) another's wrong.[83]

The condemned person's "ownership" of his body and the punitive power of the state are described here in the terminology of Roman property law. The judge has only the right to deal with the body of the condemned person in a certain way. Henry classes such a right as a right *in rem*, like an *usus* or an *ususfructus*. Just as the owner is not allowed to deprive the usufructuary of the thing, the condemned person is not allowed to escape. Only if the judge neglects the condemned person, for example, by

80 Matthias Kaufmann, "Welches Eigentum gehört zum Menschenrecht auf Freiheit?" in *Freiheit als Rechtsbegriff*, eds. Matthias Kaufmann and Joachim Renzikowski (Berlin: Duncker & Humblot, 2016): 115–34 does not sharply distinguish both aspects (the legal and the thelogical) on *dominium in se ipsum*.

81 'The problem is as old as Socrates [. . .]', says Tierney, in *Natural Rights*: 80 and Brian Tierney, "Natural Rights in the Thirteenth Century: A Quaestio of Henry of Ghent," *Speculum* 67 (1992): 58–68, 60.

82 Henricus de Gandavo, *Queastiones quodlibetales*, Quodlibetum IX, qu. 26 ('Utrum condemnatus morti licite possit abire, si tempus et locum habeat'), in *Henrici de Gandavo opera omnia*, vol. 13, ed. Raymond Macken (Leuven: Leuven University Press, 1965): 306–9, https://drive.google.com/file/d/1aGvC4Jzoo1QKdhgF1z37_3n-riWubdCx/view [accessed 25.03.2024); on this in detail Tierney, *Natural Rights*: 83–89 and Tierney, "A Quaestio of Henry of Ghent": 62–66.

83 'Ad cuius intellectum sciendum est quod supra rem aliquam dupliciter haberi potest potestas sive ius: una quoad proprietatem in substantia rei, alia quoad usum in actione aliqua exercenda circa rem. Primam potestatem aut ius nullatenus habet iudex saecularis super corpus damnati plus quam super animam illius, sed secundam tantum, quae consistit in tribus, scilicet in corpus capiendo, in vinculando sive incarcerando, et in occidendo. Potestatem autem quoad proprietatem in substantia corporis sola anima habet sub Deo, et tenetur ius suum in hoc custodire absque iniuria alterius.'

not imprisoning or guarding him, does the condemned person have a right to flee. This consideration clearly shows that, by the thirteenth century, the *dominium in se ipsum* had become a right *in rem* to one's own body.

The example discussed by Henry of Ghent seems far-fetched, perhaps even absurd to us, when it comes to describing a man's right to his own life. By contrast, the example given by Konrad Summenhart, a theologian and canonist from Tübingen of the late fifteenth century,[84] is much more practical. His most famous work is *De contractibus*, about contracts. Summenhart attempts to base his understanding of contract law of his time on moral-theological doctrine. In other words, he examines canon and Roman law to see whether it is correct from a moral-theological perspective.[85] Of course, he also assumes that free will establishes man's ownership of himself.[86] Therefore, he discusses (among other things) whether a person can grant someone a claim to surrender his own body. In his view, a contract of employment concluded for an indefinite period is paradigmatic for such a claim. Such a contract would be similar to slavery, though selling oneself into slavery is impossible[87] under natural law. In the end, however, Summenhart considers an employment contract for an indefinite period or a lifetime to be valid. The arguments put forward in favour of this are rather pragmatic: if such agreements were invalid, a series of employment relations, whether in the church and monasteries or the profane sphere, could not be filled.

Summenhart's explanations are valuable to us in two ways: on the one hand, they represent one of the earliest attempts to define dependent labour in legal terms and to justify it from a moral-theological perspective. On the other hand, all this is done under the banner of man's free self-determination; it is therefore described as a (partial) problem of the inalienable freedom of man, the *dominium in se ipsum.*

Later theologians, especially those of so-called Spanish Scholasticism, continued this discourse. Well-known[88] is the work of Balthasar Gómez de Amescúa, the *Tracta-*

84 On Summenhart, see Helmut Feld, "Summenhart, Konrad," in *Neue Deutsche Biographie (NDB)*, vol. 25, ed. Maximilian Lanzinner (Berlin: Duncker & Humblot, 2013): 705–6; Jussi Varkemaa, *Conrad Summenhart's Theory of Individual Rights* (Leiden: Brill, 2011).

85 The "moral transformation" of contract law is not – as Decock assumes – the achievement of the Second (or "Spanish") Scholasticism, but started already in late medieval jurisprudence and theology; cfr. Wim Decock, *Theologians and Contract Law. The Moral Transformation of the Ius Commune (ca. 1500–1650)* (Leiden: Martinus Nihoff Publishers 2013).

86 Cf. Konrad Summenhart, *De contractibus licitis vel illicitis tractatus*, tract. 1, quaest. 1) Venice: Franciscus Zilettus, 1580): 5–6; an interesting circular argument: *anima* belongs to itself, body belongs (property = right) to the soul; freedom is a right as well, and one that entitles to act (with reference to I. 1,1).

87 Summenhart, *De contractibus*, tract. IV, qu. 74, p. 335–38; on that Tierney, "Dominium of self": 183–85.

88 Especially since the publication of Maria Sole Testuzza, *Ius corporis, quasi ius de corpore disponendi. Il Tractatus de potestate in se ipsum di Baltasar Gómez de Amescúa* (Milan: Giuffré, 2016).

tus de potestate in se ipsum, which was published at the beginning of the seventeenth century (1604)[89]. This treatise discusses all imaginable circumstances in which a person could give up his freedom. The vast majority (such as suicide, self-mutilation, and self-sale into slavery) are considered sinful and unlawful. Others (such as a permanent employment contract or prostitution) are accepted under certain conditions. However, Gómez de Amescúa, also questions whether one may sell one's name or one's honour.

It is obvious that scholastic theology thus initiates a discussion that anticipates our modern discourse on fundamental rights both in public ("human rights") and in private law ("personal rights"). Indeed, the scholastic foundations of modern human rights theory might be the most important aspect of the theological discourse on freedom. Two brief examples will make this linkage clear. By the sixteenth century, the rule *puella est domina sui corporis* argued in support of the assertion that an unmarried woman could have intercourse if she pleased. Neither her father nor anyone else has control over her body. Although the woman sins, she is legally entitled to have sex.[90] Furthermore, today's heavily disputed question about compulsory vaccination was already discussed in late scholastic literature.[91] Within the scholastic corpus, coercive medical treatment might offend personal liberty, but it is legally arguable if the common welfare requires such treatment.

4.2 Not Only Christians

All these examples of personal freedom are discussed in the sources under the phrase *dominium in se ipsum*. However, within the texts surveyed thus far, personal liberty is not yet addressed as a universal right. This changed significantly at the beginning of the sixteenth century when the "New World" came into the view of theologians and jurists. With the "discovery" of new continents, the question arose as to whether the indigenous people were to be treated like Christians or like infidels (such as Muslims). Debates on this issue included the question of whether they could be enslaved. In 1511, the Dominicans of the Convent of Santo Domingo had already spoken out against their enslavement in the *encomienda* system.[92] They argued that the Amerindians were endowed with reason and were, therefore, just as human as the Spaniards.

89 Baltasar Gómez de Amescúa, *Tractatus de potestate in se ipsum* (Palermo: Erasmus Simonis, 1604).

90 On this cfr. Sven K. Knebel, "'Puella est domina sui corporis.' Sexuelle Selbstbestimmung in der Theologie um 1600," in *Freiburger Zeitschrift für Philosophie und Theologie* 61 (2014): 141–79.

91 Cfr. Jan-Luca Helbig, "So wahr dir Gott helfe. Die Impfpflicht im Lichte der spanischen Scholastik," in *Frankfurter Allgemeine Zeitung (FAZ)*, 15.12.2021, no. 292: 5.

92 Furthermore, see Tilman Repgen, "Die gleiche Menschennatur. Einige Annäherungen an die Gleichheit im Recht," in *Von formaler zu materialer Gleichheit. Vergleichende Perspektiven aus Geschichte, Kranz der Disziplinen und Theorie*, eds. Stefan Grundmann and Jan Thiessen (Tübingen:

Similar arguments were brought forward by Bartolomé de Las Casas (1484 / 85–1566)[93] and, a few years later, by Francisco de Vitoria (1483–1546). They argued that the Amerindians are rational beings and, therefore, able to have property in land and goods, not because they are Christians but because they are humans. Both de Las Casas and de Vitoria refuted the traditional (Aristotelian) position espoused by Juan Ginés de Sepúlveda (1490–1573). De Sepúlveda argued that the Amerindians were natural-born slaves, while his interlocutors declared that they were free irrespective of whether they were *fideles* (believers) or not.

Let us have a look at de Las Casas' later arguments in the *Principia Quaedam*:[94]

> From this principle we deduce, 1: the infidels are entitled to ownership on things. This is proved by the fact, that God made other creatures which are inferior to man, without distinction for every rational creature and for the help of all peoples [. . .] and he did not distinguish between believers and non-believers. This is why we must not distinguish either.[95]
>
> From this second principle we deduce, 1: even the infidels have ownership (on things) and jurisdiction on men as far as the duty to provide advice affords. This is proved: because every man, believer or non-believer, is a rational and social creature, and therefore society (or rather to live in society) is natural for all men.[96]
>
> All men, all things, all the land, all jurisdictions and all regimes are presumably free, if there is no proof for the contrary. This is proved: because from the very beginning of rational beings all are born free.[97]

Mohr Siebeck, 2021): 31–66, esp. 38–45, with further references, e.g., to Michael Sievernich, "Anfänge prophetischer Theologie. Antonio de Montesinos Predigt (1511) und ihre Folgen," in *Conquista und Evangelisation. 500 Jahre Orden in Lateinamerika*, ed. Michael Sievernich (Mainz: Matthias-Grünewald-Verlag, 1992): 77–98.

93 Cfr. in general Marianne Mahn-Lot, *Bartolomé de Las Casas et le droit des Indiens* (Paris: Payot, 1982); André Saint-Lu, *Las Casas indigéniste: études sur la vie et l'œuvre du défenseur des Indiens* (Paris: Éd. L'Harmattan, 1982).

94 de Las Casas, *Principia quaedam ex quibus procedendum est in disputatione ad manifestandam et defendendam iusticiam Indorum* (Sevilla: Sebastianus Trugillus, 1546?); furthermore, see Patrick Huser, *Vernunft und Herrschaft. Die kanonischen Rechtsquellen als Grundlage natur- und völkerrechtlicher Argumentation im zweiten Prinzip des Traktates Principia quaedam des Bartolomé de Las Casas* (Münster: LIT Verlag, 2011): esp. 69–94.

95 de Las Casas, *Principia*, f. A IIr (Princ. 1): 'Ex hoc principio sequitur. I. Apud infideles iuste esse rerum dominia. Probatur quia indifferenter pro omni rationali creatura et in ministerium cunctis gentibus fecit deus alias creaturas homine inferiores [. . .] nec distinxit inter fideles vel infideles: ergo nec nos distinguere debemus.'

96 de Las Casas, *Principia*, f. A IIIIr (Princ. 2): 'Ex hoc secundo principio sequitur. I. Apud infideles sunt etiam dominia et iurisdictiones super homines in quantum importat officium consulendi. Probatur: quia omnis homo tam infidelis quam fidelis est animal rationale et sociale et perconsequens societas seu viuere in societate est omnibus hominibus naturale.'

97 de Las Casas, *Principia*, f. A IIIIv (Princ. 3): 'Omnis homo, omnis res, omnis terra, omnis iurisdictio, et omne regimen [. . .] presumuntur libera, nisi contrarium probetur. Probatur: quia ab origine creature rationalis, omnes liberi nascebantur [. . .].'

In these texts, de Las Casas concedes to all people, believers and non-believers alike, that according to God's will and the order of natural law, they can own property and are free to do so. For him, however, freedom and property do not depend on each other – as they did in the doctrine of High Scholasticism – but are independent rights of every human being. All are free because God created them free; all can acquire ownership of the goods of this world because God has entrusted the earth to all people. This assertion by de Las Casas can be justified via reference to the Stoic doctrine of natural law as well as from the theology of the Church Fathers. The moral-theological approach, which based ownership of oneself on free will and the ability to acquire ownership of external goods, retreats before the arguments of the sixteenth-century bishop of Chiapas.

In an early work by de Las Casas,[98] the arguments that he later refined in *Principia Quaedam* still sounded somewhat different:

> We have to consider that the one is deemed to be a free man, who is master of his will, according to Aristotle [. . .]. Hence, they have the free possibility to dispose of their own people and things, as they want.[99]

Here, freedom is still understood – following Aristotle and Thomas – as the freedom to act. However, even at this early stage, de Las Casas no longer refers to the scholastic freedom of will when he speaks of freedom. Rather, it is – similar to ancient philosophy – freedom of action *par excellence*.

This "secular turn", as I would like to call it, is not sporadically recognized in the relevant literature. Only a few authors suspect de Las Casas to diverge (at least partially) from scholastic moral theology.[100] Those who elide the differences between antique philosophy and Roman law on the one hand and scholastic philosophy on the other are not able to realize that de Las Casas did not keep up with the antique concepts but returned to them diverging from the will theory of late antique and medieval theology.[101] But de Las Casas was not the one and only to separate *dominium in se*

98 Bartholomé de Las Casas, *Explicatio quaestionis: utrum reges vel principes jure aliquo vel titulo, et salva conscientia, cives ac subditos a regia corona alienare et alterius domini particularis ditioni subjicere possint*, ed. Wolfgang Griesstetter (Jena: Johannes Gollner, 1678): 8, § 1 n. 4.

99 'Est autem considerandum, quòd ille dicitur liber homo, qui est sui arbitrij secundum Aristot. I. Metaph.l.fin.ff.de lib.hom.exhib. Vnde habent facultatem liberè, de personis proprijs et rebus disponendis, prout volunt.'

100 E.g., Rolando Pérez, "Las Casas' Articulatio of the Indian's Moral Agency. Looking Back at Las Casas through Fichte," *Ethnic Studies Review* 43 (2020): 77–93.

101 As, for example, Thomas Francis Xavier Varacalli, "The Thomism of Bartolomé de Las Casas and the Indians of the New World" (PhD diss., Louisiana State University, 2016), https://digitalcommons.lsu.edu/cgi/viewcontent.cgi?article=2663&context=gradschool_dissertations [accessed 25.03.2024]: esp. 141–46; Manuel Méndez Alonzo, "Between Thomism and Roman Civil Law: The Eclectic Concept of Liberty of Bartolomé de Las Casas and his Theoretical Defence of Native Americans during the Sixteenth Century," *Ars and Humanitas* (2017): 281–92.

ipsum from the capacity to discern right and evil. As previously referenced, a comparable approach can also be found in Francisco de Vitoria (1485–1546). De Vitoria was one of the first theologians who tried to justify the right of indigenous peoples to their land with moral-theological and legal arguments. In his *relectio de Indis*,[102] he argued that the Amerindians themselves were the owners of their land because they, too, were *domini sui actus*.[103] De Vitoria based this *dominium* on the *liberum arbitrium*, which was due to all rational creatures. Behind this argument lies the debate about whether heretics or sinners could also be owners, which was a question relevant to the formation of a theological basis for *dominium in se ipsum*. De Vitoria's point, however, is that whether someone can be an owner according to divine or human law is not a matter of orthodoxy or freedom from sin. For him, the theological question is whether someone can use his body rationally.[104]

That the Amerindians are also rational is inferred by de Vitoria from the organization of their community.[105] Nevertheless, what is the basis of the *liberum arbitrium* of the Amerindians, which makes them owners of themselves? As his interlocutors regularly point out, the Amerindians know neither God nor divine law, which is embodied in the Christian tradition. Vitoria reshapes the blank space created by this question into a detailed justification for his conviction that natural law can also be followed by those who do not know its divine origin.[106] Vitoria did not deny that the *lex naturalis* was

102 Francisco de Vitoria, *De Indis, sive de iure belli Hispanorum in barbaraos*, ed. Johann Georg Simon (Cologne: Augustus Boetius, 1696); repr. in *Franciscus de Victoria, De Indis et de iure belli relectiones being Parts of Relectiones Theologicae XII*, ed. Ernest Nys (Washington: Carnegie Institution: Washington, 1917), https://babel.hathitrust.org/cgi/pt?id=mdp.39015039506772&view=1up&seq=284&skin=2021 [accessed 25.03.2024].

103 On this already Anselm Spindler, "Der Handlungsbegriff als Grundbegriff der praktischen Philosophie. Francisco de Vitorias Thomas-Rezeption und ihre Wirkung auf die Relectio de Indis," in *Francisco de Vitorias "De Indis" in interdisziplinärer Perspektive*, eds. Norbert Brieskorn and Gideon Stiening (Stuttgart: Frommann-Holzboog 2011): 61–95.

104 Cfr. de Vitoria, *De Indis*: sect. 1, qu. 5–7 (p. 317–23).

105 de Vitoria, *De Indis*: sect. 1, qu. 23 (p. 333): 'Nec [. . .] ex hac parte impediuntur barbari ne sint veri domini. Probatur, Qvia secundum rei veritatem non sunt amentes, sed habent pro suo modo usum rationis. Patet, Qvia habent ordinem aliquem in suis rebus, postquam habent civitates, quae ordine constant, et habent matrimonia distincta, magistratus dominos, leges, opificia, commutationes, quae omnia requirunt usum rationis: item religionis speciem: item non errant in rebus, quae aliîs sunt evidentes quod est indicium usus rationis.' – transl. by John Pawley Bate, p. 127: 'The Indian aborigines are not barred on this ground from the exercise of true dominion. This is proved from the fact that the true state of the case is that they are not of unsound mind, but have, according to their kind, the use or reason. This is clear, because there is a certain method in their affairs, fort hey have polities which are orderly arranged and they have definite marriage and magistrates, overlords, laws, and workshops, and a system of exchange, all of which call for the use of reason; they also have a kind of religion. Further, they make no error in matters which are self-evident to others; this is witness to their use of reason.'

106 In detail, Anselm Spindler, "Der Handlungsbegriff als Grundbegriff der praktischen Philosophie": 89–90.

founded in God's creation, but according to him, even those who have not heard of God can distinguish between good and evil. Natural law reveals itself to every living being endowed with *anima rationalis*. Within de Vitoria's thought, this acknowledgement provides a secular framework for the *liberum arbitrium*. It is not faith in God but man's reason that reveals the natural order. The turn toward humanity's rational capacity, rather than being Christian as a foundation for self-ownership and freedom, marks an essential step from the concept of a divine natural law to one arising from the sociality of man.

Had Summenhart and other predecessors of the Spanish scholastics known about the New World and not written in a world divided between members of different faiths, this secular-natural law approach might have emerged earlier.[107] However, there is little point in speculating about alternative possibilities in the historical formation of concepts here. Only the encounter with people who had not yet heard of the Christian God nor rejected him like the Muslims or heretics led the theologians to a new justification of freedom based on natural law.

Vitoria says little about the freedom of the Amerindians. Since they were owners of themselves and, therefore, also owned their land, it was obvious to him that they were not slaves. Elsewhere he writes,[108]

> Again, this is the difference between freemen and slaves [. . .] that masters exploit slaves for their own good and not for the good of the slaves, while freemen do not exist in the interest of others, but in their own interest.

This argument that free men act in their own interest, not for that of others, is rather general. It expresses what we have already assumed for Bartolus: he who is the owner (of himself) cannot be the property of another. Here, too, the indirect reasoning that we know from medieval philosophy still echoes: external freedom (i.e., not being a slave) seems to be a reflex of internal freedom. Yet, several points remain unclear. Specifically, one might ask, if a person sells himself, does he lose the *dominium* over himself, and is he, therefore, no longer responsible for his actions? There seemed to be only two ways out of this dilemma: either one ruled out life-long enslavement altogether,[109] or one looked for a separation of *dominium proprietatis* and *dominium actionis,* i.e., a conceptual separation between ownership of property and ownership of action.[110]

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107 Cfr. Repgen, "Die gleiche Menschennatur": 49 (concerning Wycliff).

108 De Vitoria, *De iure belli*: 428–29: 'Item in hoc differunt liberi à servis [. . .], quòd domini utuntur servis ad propriam utilitatem non servorum: liberi autem non sunt propter alios, sed propter se.' Transl. by John Pawley Bate: 170. On this aspect of the discourse, see Merio Scattola, "Das Ganze und die Teile. Menschheit und Völker in der naturrechtlichen Kriegslehre von Francisco de Vitoria," in *Francisco de Vitorias 'de indis' in interdisziplinärer Perspektive*, eds. Norbert Brieskorn and Gideon Stiening (Stuttgart: Frommann-Holzboog, 2011): 100.

109 So did the Dominican de Soto, *De iustitia et iure*: 296, lib. 4, quaest. 2, art. 2.

110 This was the solution of the Jesuit Ludovicus de Molina, *De iustitia et iure opera omnia*, vol. 1 (Geneva: Marcus Michael Bousquet, 1733): 111–12, sect. 38, esp. n. 5; on that Danaë Simmermacher, *Eigen-*

Only de Las Casas turns *libertas* outwards and thus returns to a distinction according to *status*, which was also present in Stoic philosophy and late-classical Roman law. With him, freedom is no longer freedom of will and a consequence of the *dominium in se ipsum*. Rather, it is a freedom founded in creation, which belongs to everyone from birth.

5 Some Conclusions

This marks the end of our short journey through the medieval history of ideas. The goal of our trek was not to explore the concept of freedom in general but to grapple with the differences between the way the concept of freedom was constructed in late antique and medieval philosophy. Both pre-Christian and Christian philosophy used the concept of *dominium in se ipsum* to figurate human freedom. But only Christian theology founded such *dominium* on the concept of free will as defined by the Church Fathers, especially St Augustine. Therefore, we can conclude that "freedom" in the high and late middle ages was grounded primarily in the inner freedom of men as freedom of will. In the early modern period, with the Late Scholastics, freedom once again became an innate right – just as pre-Christian philosophy, especially ancient Stoicism, and even some Church Fathers had advocated. Thus, some representatives of Late Scholastic theology can be seen as ancestors of Enlightenment thought. As we can see in Locke, modern philosophers did not abandon the concept of *dominium in se ipsum*, but they no longer used it as a signum for freedom from domination. They referred back to two distinct concepts of freedom: the freedom to act as distinguished from freedom from domination. The former is an innate right, the latter a prerequisite of moral imputation.

Despite this evolution in thought, the construction of freedom as *dominium in se ipsum* had a lasting impact on modern discourses. On the one hand, it gave rise to the formulation of personal rights, especially the right to self-determination. On the other hand, it changed the terminologies of freedom and slavery. From the concept of *dominium*, which was based on the theory of will, it was concluded that slaves were mere objects of their master's will and that their owners could deal with them arbitrarily. Compared to Roman law, this represents a dramatic tightening of the legal situation of slaves: they are not only property of their owners but totally subjected to their will. Conversely, it was argued that Europe did not know slavery because all Christians had a *dominium in se ipsum*. The "secular turn" initiated by de Las Casas and Vitoria did not abrogate such terms and arguments. Instead, it opened the discourse to an argument which had taken a back seat since the times of the Church Fathers: liberty

tum als ein subjektives Recht bei Luis de Molina (1535–1600). Dominium und Sklaverei in De Iustitia et Iure (Berlin: De Gruyter 2018): 205–10.

is an innate right. Until then, moral theology did not emphasize this argument. Though God's creation knew neither individual property nor slavery, *ius gentium* conceded the existence of both institutions after the Fall. Therefore, slavery was not condemned at all but remained a provisional facility.

In modern literature, de Las Casas is famous for having been an advocate for the freedom of the Amerindians. Little attention is paid to the way his arguments partly diverged from contemporary philosophy and theology, thus laying the groundwork for modern discourses on human rights. Nevertheless, we should not overlook the fact that de Las Casas did not apply his arguments universally. Indeed, in his early works, he was among those who proposed the enslavement of African natives to alleviate the labour shortage in the New World, which was presumably exacerbated by his proposals about the freedom of the indigenous peoples.[111] This mixture of ideas could have contributed to the catastrophe of the transatlantic slave trade. Europeans, on the other hand, for another three hundred years lulled themselves into a complacent peace of mind because they themselves knew no slavery.

If we now return our attention to John Locke, we will see that although he adopted a secular concept of natural law similar to that found in Late Scholasticism, he otherwise stood on the firm foundation of the *dominium in se ipsum*. The only novelty: he wrote in English.

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111 More sophisticated is Lawrence Clayton, "Bartolomé de Las Casas and the African Slave Trade," *History Compass* 7 (2009): 1526–41.

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3. Research Lenses

3.3. Norms, Institutions, Practices

Martin Schermaier. "Terms of Dependency in Post-Roman Law Codes," in *Norms of Dependency in Late Antique and Early Medieval Societies: Contextualising Roman Legal Terminology*, ed. Martin Schermaier, Julia Winnebeck and Matthias Becher (Berlin: De Gruyter, 2025): 67–90.

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Terms of Dependency in Post-Roman Law Codes

'Terms of dependency' sounds a bit defensive when we are concerned with 'norms of dependency'. My examination of late and post-Roman law collections will look at the terms that these collections assign to certain forms of dependency. Only in a second step will I inquire about their normative content. By 'post-Roman law codes' I mean those collections and law codes that emerged in the fifth and sixth centuries in the area covering the western half of the Roman empire. First, I will outline which law collections or compilations of legal texts we know of in the early medieval west. In doing so, I will also show which primary sources they contain or build on. In a second step, I will examine some particularly illustrative terms that indicate dependency relationships.

1 Post-Roman Law Codes

To speak of 'law codes' is imprecise. These texts are not strictly speaking 'codifications'.[1] They are in part compilations of older written law, in part records or collections of customary law. Although these law codes were legislative acts of the kings in the post-Roman *regna*, they did not create new law on a regular basis.[2] They can be distinguished in three ways:

a) First, by the addressees of the texts. The so-called *leges Romanae* were addressed to the Roman population, that is to say those people who already lived under Roman law. It is worth mentioning that in the post-Roman kingdoms (*regna*) which were set up within the boundaries of the former empire, Romans continued to live under

1 On the difference between 'compilation' and 'codification' (albeit in early modern examples), see Gunter Wesener, "Kodifikationen und Kompilationen. Reformprogramme und Landrechtsentwürfe des 17. und 18. Jahrhunderts," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Romanistische Abteilung* 127 (2010): 202–44.

2 Cf. Patrick Wormald, *Legal Culture and the Early Medieval West* (London: The Hambledon Press, 1999) (early medieval law codes were not so much 'written and codified laws' – *lex scripta* – as signs of the oral (royal) proclamation of the laws – the *verbum regis*; this was the constitutive act to which the written texts bore witness). On this discussion see Karl Ubl, "Das Edikt Theoderichs des Großen. Konzepte der Kodifikation in den post-römischen Königreichen," in *Theoderich der Große und das gotische Königreich in Italien*, ed. Hans-Ulrich Wiemer (Berlin: De Gruyter, 2020): 223–38.

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Roman law. This was common practice in antiquity, and had also been practiced by the Roman emperors.[3] But the *Constitutio Antoniniana* of 212 AD conferred Roman citizenship on almost all inhabitants of the empire. This meant that, from the fifth century onwards, immigrating *gentes* encountered a rather homogenous population living under Roman law.[4] On the other hand most of the rulers in the post-Roman *regna* saw themselves as legitimate successors of the Roman emperors. Both aspects favoured special compilations of Roman law for the Roman inhabitants, similar to the *Codex Theodosianus* enacted by Theodosius I and Valentinian III in 438.[5] Among those collections were the *lex Romana Visigothorum* and the *lex Romana Burgundionum*, which were compiled and published in the early sixth century.[6]

In addition to those compilations there were collections of laws that only applied to the non-Roman population (which I will label 'Germans'[7]). Among these are the *lex Burgundionum* and the Frankish *lex Salica*. Finally, some legal collections addressed Germans and Romans alike. The oldest examples, and indeed the oldest post-Roman

3 On this subject see Ernst Schönbauer, "Studien zum Personalitätsprinzip im antiken Rechte," in *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Romanistische Abteilung* 49 (1929): 345–403; the general observation by Karl Ubl ('Rom hatte von allen Barbaren, egal ob laeti oder dediticii, stets verlangt, sich römischem Recht unterzuordnen') is therefore incorrect; cf. Karl Ubl, *Sinnstiftungen eines Rechtsbuchs. Die Lex Salica im Frankenreich* (Ostfildern: Jan Thorbecke, 2017): 94.

4 Cf. Stefan Esders, "Roman Law as an Identity Marker in Post-Roman Gaul (5th–9th Centuries)," in *Transformations of Romanness in the Early Middle Ages: Regions and Identities*, ed. Walter Pohl, Clemens Gantner, Cinzia Grifoni and Marianne Pollheimer-Mohaupt (Berlin: De Gruyter, 2018): 325–44.

5 Cf. Theodor Mommsen and Paulus Meyer, eds., *Theodosiani libri XVI cum constitutionibus Sirmondianis et leges novellae ad Theodosianum pertinentes* (Berlin: Weidmann, 1905 [repr. 1954 and 1970]); an English translation has been produced by Clyde Pharr, *The Theodosian Code. And Novels. And the Sirmondian Constitutions. A Translation with Commentary, Glossary, and Bibliography* (Princeton: Princeton University Press, 1952). On the Code itself cf. Jill Harries and Ian Wood, *The Theodosian Code. Studies in the Imperial Law of Late Antiquity* (London: Duckworth, 1993), and Adriaan J. Boudewijn Sirks, *The Theodosian Code. A Study* (Friedrichsdorf: Éditions Tortuga, 2007).

6 Detlef Liebs, "Geltung kraft Konsenses oder kraft königlichem Befehl? Die lex Romana unter den Westgoten, Burgundern und Franken," in *Recht und Konsens im frühen Mittelalter*, ed. Verena Epp and Christoph H.F. Meyer (Ostfildern: Jan Thorbecke, 2017): 64–71 with regard to the *lex Romana Visigothorum*.

7 Cf. Walter Pohl, "Vom Nutzen des Germanenbegriffs zwischen Antike und Mittelalter: Eine forschungsgeschichtliche Perspektive," in *Akkulturation. Probleme der germanisch-romanischen Kultursynthese in Spätantike und frühem Mittelalter*, ed. Dieter Hägermann, Wolfgang Haubrichs and Jörg Jarnut (Berlin: De Gruyter, 2004): 18–34, and Noel Lenski, "Germanic Law and the Practice of Slaveholding in the Post-Roman West," in this volume, p. 91–130; but see also Jörg Jarnut, "Germanisch. Plädoyer für die Abschaffung eines obsoleten Zentralbegriffes der Frühmittelalterforschung," in *Die Suche nach den Ursprüngen. Von den Bedeutungen des frühen Mittelalters*, ed. Walter Pohl (Vienna: Verlag der österreichischen Akademie der Wissenschaften, 2004): 107–13, and in *Leges – Gentes – Regna. Zur Rolle von germanischen Rechtsgewohnheiten und lateinischer Schrifttradition bei der Ausbildung der frühmittelalterlichen Rechtskultur*, ed. Gerhard Dilcher and Eva-Marie Distler (Berlin: Erich Schmidt, 2006): 69–77.

law codes, are the Visigothic *Codex Euricianus,* which dates to the second half of the fifth century, and the Ostrogothic *Edictum Theoderici* from around 500.

b) The law codes can be further distinguished according to the way in which they were compiled. The *leges Romanae*, above all the *lex Romana Visigothorum*, were composed of late Roman law collections (e.g. the *Codex Theodosianus*) and excerpts from Roman legal writings. This corresponded to their intention to record the law that applied to Romans on the basis of the Roman legal sources available in the west. Conversely, however, we cannot exclude the possibility that the law books intended for non-Romans – or for both Germans and Romans – also drew on Roman sources. Both the Visigothic *Codex Euricianus* and the Ostrogothic *Edictum Theoderici* did not simply reproduce Roman legal texts, although many provisions were closely based on such. The extent to which they reproduced Roman law depended on two main factors. This was, firstly, the degree to which society was already shaped by Roman culture and habits, and, secondly, on the legal experts who compiled the law codes. The *lex Salica*, by contrast, kept a distinct distance from Roman law.

c) The post-Roman law codes can also be distinguished in a third respect,[8] namely according to whether they belonged to the first or the second generation of post-Roman legislation. The first generation comprised those codes or compilations that could only draw on written Roman law, while 'Germanic' law had yet to be written down. As mentioned above (b), the first contact with written Roman law by no means implied that the barbarian codes or collections were exclusively based on the former. Rather, the reason laws were written down was primarily due to the Roman model. Laws were in competition before courts and public officials. Written law – unlike customary law, which was oral in character – did not require additional proof. Written law was also an essential identification marker for a group, a tribe, or an empire:[9] it symbolised the uniformity of order. And finally, by issuing law codes the Germanic rulers placed themselves in the tradition of the Roman provincial governors, who could issue edicts; or even that of the emperors, who issued laws that were valid throughout the empire. In the law books of the first generation, the rulers imitated the Roman model in terms of content; they addressed their people and the territory ruled by themselves and by their laws. These law codes thus reflected the collapse of Roman rule.[10]

8 A similar, albeit not identical, classification has been proposed by Hermann Nehlsen, *Sklavenrecht zwischen Antike und Mittelalter. Germanisches und römisches Recht in den germanischen Rechtsaufzeichnungen* (Göttingen: Musterschmidt, 1972): 61.

9 Cf. again Stefan Esders, "Roman Law as an Identity Marker" (n. 4): 327–32; similarly Patrick Wormald, "The Leges Barbarorum: Law and Ethnicity in the Post-Roman West," in *Regna and Gentes. The Relationship between Late Antique and Early Medieval Peoples and Kingdoms in the Transformation of the Roman World*, ed. Hans-Werner Goetz, Jörg Jarnut and Walter Pohl (Leiden: Brill, 2003): 21–54.

10 See for the *lex Salica* Ubl, *Lex Salica* (n. 3): 92–97.

This first generation of law books includes the Visigothic *Codex Euricianus* or *Edictum Eurici regis*[11] (475/76) as well as the Ostrogothic *Edictum Theoderici* (around 500)[12] and without a doubt also the Frankish *lex Salica*, in its earliest version attributed to king Clovis I (*recensio Chlodovea*, c. 507/511[13]). The *lex Burgundionum* (a collection of laws and decrees of the early Burgundian kings, from 517) also belongs to this category. Two examples for law books which were intended to create a uniform and comprehensible body of law for the Romanic population are the *lex Romana Visigothorum* (507) and the *lex Romana Burgundionum* (c. 520).

Among the second generation of legal books I count those that originated in reaction, imitation or continuation of older post-Roman law codes. These include the Visigothic *Liber Iudiciorum* (often referred to as *lex Visigothorum*, 653),[14] which, although it does not reject Roman models in either form or content, is a standalone legal book based on older Visigothic models. The second generation certainly includes the *lex Baiuvariorum* (before 756),[15] the *lex Alamanorum* (around 730?),[16] and the *lex Ribuaria* (623/633). The legal books that emerged from the Carolingian legal reforms, such as the *lex Saxonum* (802) or the *lex Thuringorum* (802/803), may be considered a third generation of legal books, which would also include the *lex Romana Curiensis* (around 765) which seems to be an epitome of the *lex Romana Visigothorum*.[17]

11 The latter title has been proposed by Detlef Liebs, *Römische Jurisprudenz in Gallien (2. bis 8. Jh.)* (Berlin: Duncker & Humblot, 2002): 158; Detlef Liebs, "Geltung kraft Konsenses" (n. 6): 65.

12 It is still debated if the *edictum* is of Ostrogothic or Visigothic origin, cf. Giuglio Vismara, *Edictum Theoderici* (Milano: Giuffré, 1967), on the one hand, and on the other Hermann Nehlsen, Review of *Edictum Theoderici*, by Giuglio Vismara, *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Romanistische Abteilung* 86 (1969): 246–60. See now also e.g. Rainer Jakobi, "Zur Verfasserschaft des Edictum Theoderici," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Romanistische Abteilung* 139 (2022): 359–62.

13 Ubl, *Lex Salica* (n. 3): 96, argues for an earlier origin (475–486/7); more in detail below at 2c.

14 See most recently Michael J. Kelly, "A Visigothic Literary Guide to Institutional Authority and Self Interest," in *The Visigothic Kingdom. The Negotiation of Power in Post-Roman Iberia*, ed. Sabine Panzram and Paulo Pachá (Amsterdam: Amsterdam University Press, 2020): 257–72, and Michael J. Kelly, *Isidore of Seville and the Liber Iudiciorum. The Struggle for the Past in the Visigothic Kingdom* (Leiden: Brill, 2021).

15 Cf. Peter Landau, *Die Lex Baiuvariorum. Entstehungszeit, Entstehungsort und Charakter von Bayerns ältester Rechts- und Geschichtsquelle* (Munich: Verlag der Bayerischen Akademie der Wissenschaften, 2004); Roman Deutinger, *Lex Baioariorum. Das Recht der Bayern* (Regensburg: Pustet, 2017).

16 Both age and authenticity of the *lex* (not of the *pactus Alemannorum*) are disputed, cf. Clausdieter Schott, "Die Entstehung und Überlieferung von Pactus und Lex Alamannorum," in *Recht und Kultur im frühmittelalterlichen Alemannien. Rechtsgeschichte, Archäologie und Geschichte des 7. und 8. Jahrhunderts*, ed. Sebastian Brather (Berlin: De Gruyter, 2017): 139–51; Steffen Patzold, "Die 'Lex Alamannorum' – eine Fälschung von Mönchen der Reichenau?" in *Recht und Kultur im frühmittelalterlichen Alemannien* (as above): 153–68.

17 Cf. Harald Siems, "Zur Lex Romana Curiensis," in *Schrift, Schriftgebrauch und Textsorten im frühmittelalterlichen Churrätien*, ed. Heidi Eisenhut et al. (Basel: Schwabe, 2008): 109–36.

For my purposes, the first generation law codes are of particular interest, as we can expect the confrontation of traditional forms of dependency and Roman legal terminology to be most evident in them. To inquire into changes in the social structure of the new *regna*, however, the law codes of the second or third generation are undoubtedly also instructive.

2 Visigothic Law, Ostrogothic Law and the Frankish *lex Salica*

For an overview over what those legal works covered and how each of them phrased the norms it regulated, I chose four law codes which I will here present briefly. A fifth code will illustrate a long-term development in structuring forms of dependency.

a. Of the oldest code cited here, the *Codex Euricianus*, we only know fragments from a palimpsest held in Paris;[18] some other sections can be reconstructed from later versions of the *Codex*. This legal text was divided into several hundred chapters that regulated procedural, civil and criminal law topics in equal measure. It is written in a Latin closely modelled on the late classical Roman legal language. In terms of content, too, there are sometimes considerable similarities to Roman law. For example, in cap. 277, which deals with the distinction between remunerated and gratuitous depositing (*commendatio*), the code applies the Roman principle of utility (*utilitas*),[19] i.e. it differentiates the depositary's liability according to whether or not he has received money for safekeeping.[20] Also striking are the clichéd uses of Roman criteria to justify or to limit liability. The liability of the remunerated depositary is measured by *culpa* and *negligentia,*[21] while *ruina*, *incendium* and *naufragium*, as in the Roman sources, absolve the debtor. These three events (disaster, fire and shipwreck) are the typical cases of *vis maior*, *force majeure*, cited by the Roman jurists.[22] The relevant text of the *codex Euricianus*[23] also corresponds in terms of subject matter with a late antique col-

18 Paris Lat. 12161; on the editing history see Hermann Nehlsen, "Codex Euricianus," in *Reallexikon der Germanischen Altertumskunde*, vol. 5 (Berlin: De Gruyter, 1984): 42–47, https://www.degruyter.com/database/GAO/entry/RGA_973/html [accessed 24.08.2023].

19 Unsurpassed is Dieter Nörr's "Die Entwicklung des Utilitätsgedankens im römischen Haftungsrecht," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Romanistische Abteilung* 73 (1956): 68–119.

20 Cod. Euric. cap. 278, cited according to the edition of Karl Zeumer, ed., *Leges Visigothorum. Monumenta Germaniae Historica, sectio I: Legum Nationum Germanicarum*, vol. 1 (Hannover and Leipzig: Hahn, 1902): 6 (online: https://www.dmgh.de/mgh_ll_nat_germ_1/index.htm#page/(V)/mode/1up [accessed 15.03.2024]).

21 Ibid.; Cod. Euric. cap. 281 (MGH LL nat. Germ. 1.8).

22 For example in D. 2.13.6.9 (Ulp. 4 ad ed.); D. 47.9.1 pr. (Ulp. 56 ad ed.).

23 Cod. Euric. cap. 282 (MGH LL nat. Germ. 1.9).

lection called *Pauli Sententiae,*[24] a version of texts attributed to the celebrated Roman lawyer Julius Paulus that were probably compiled for teaching purposes.[25] Such similarities can be found not only with the *Pauli Sententiae,*[26] but also with fragments recorded later in Justinian's Digests or Codex, or other late antique collections. Zeumer attempted to identify these sources in his edition published in the *Monumenta Germaniae Historia.*[27]

In addition, the code also contains original regulations, such as the provisions on the limitation of claims arising from ownership of land. A thirty-year limitation period applied to almost all claims, the only exception being a fifty-year period which was to apply to the division of land between Goths and Romans and to the reclamation of fugitive slaves.[28] This number seems to derive from the Biblical Jubilee (Hebr. *yovel*), while the limitation period of thirty years was obviously inherited from late Roman law.[29] All in all, the Codex testifies to an independent regulatory interest, even though in many areas it depended on Roman law – both in terms of language and content.

b. Of a completely different format is the *lex Romana Visigothorum*, which Alaric II commissioned for the Roman people living under Visigothic rule, and which came into force in 506 or 507. It is a compilation of late classical *leges* or parts of law collections with some jurisprudential writings which frequently circulated in the Roman west. Its core component is the *Codex Theodosianus*, a collection of Roman imperial laws from the time of Constantine onwards issued by Theodosius II and Valentinian III in 438. In post-Roman law codes the *lex Romana Visigothorum* is therefore sometimes referred to as the *Theodosiani corpus*, i.e. it is effectively identified with Theodosianus. However, the *lex Romana Visigothorum* also contains later (post-Theodosian)

24 I.e. Paul. Sent. 2.4.2.

25 On the *Pauli Sententiae* cf. Detlef Liebs, *Römische Jurisprudenz in Africa: mit Studien zu den pseudopaulinischen Sentenzen*, 2nd ed. (Berlin: Duncker & Humblot, 2005).

26 E.g. Cod. Euric. Cap. 299 (prohibition of selling one's own children, MGH LL nat. Germ. 1.15), compare with Paul. sent. 5.1.1; generally on this subject see Detlef Liebs, "Die Rolle der Paulussentenzen bei der Ermittlung des römischen Rechts," in *Hermeneutik der Quellentexte des römischen Rechts*, ed. Martin Avernarius (Baden-Baden: Nomos, 2008): 157–75.

27 Above in n. 20.

28 Cod. Euric. cap. 277 (MGH LL nat. Germ. 1.5); on this subject see Stefan Esders, "Prescriptive Limitations on Judicial Action in the Liber iudiciorum: The title De quinquagenarii et tricennalis temporis intentione as a Testimony to (Almost) Three Centuries of Visigothic Possessory and Political History," in *Visigothic Law from Antiquity to Modernity: Essays on the Liber Iudiciorum*, ed. Damián Fernández and Noel Lenski (forthcoming, 2025).

29 Esp. Cod. Iust. 7.39.3 (Theod.); cf. Harry Dondorp, "Limitation and Prescription in Justinian's Corpus Iuris Civilis," in *Limitation and Prescription. A Comparative Legal History*, ed. Harry Dondort, David Ibbetson and Eltjo J.H. Schrage (Berlin: Duncker & Humblot, 2019): 44–67 (esp. 63–65); for more detail see section 4b below.

imperial laws and some from the *Codex* of Gregorianus (dating probably to 291) and Hermogenianus (295). Moreover, it contains the so-called *Gai(i) epitome*, a shortened and partly vulgarised form of the *Gaii institutiones*,[30] as well as excerpts from the *Pauli sententiae*. With the exception of the texts from the *Gai epitome*, all fragments of the *lex Romana Visigothorum* were given a contemporary '*interpretatio*,' which often simply restated its content, but sometimes also provided explanations and additions. Due to its excerpts of classical legal writings the *lex Romana Visigothorum* is an important testimony to the simplifying tendencies of late Roman law – the 'vulgarisation' of Roman law, as Ernst Levy called it.[31] For my purposes, it is important that the imperial decrees contained in the *Codex Theodosianus* reveal a diversification of the status of dependents. There were no longer only *servi* and *coloni* – as in late classical law – but also other groups of dependents for whom it is difficult to judge whether they were counted among the free or the unfree. We will take a closer look at this later. The *lex Romana Visigothorum* is significant in that it offers a snapshot of a legal situation that had been in effect in the western provinces of the empire at the time the Goths took control.

That this legal situation gradually changed under the rule of the Goths (as well as in other parts of post-Roman Europe under the rule of the Burgundians, Franks or Lombards) is shown in particular by the new version of Visigothic law, the so-called *Liber Iudiciorum*,[32] which was issued in the seventh century by King Reccesvinth (653–672)[33] and divided into twelve books. It contained parts of the old law (the so-called *Codex Euricianus*), but replaced the *leges Romanae*, which were superseded by it. Reccesvinth even criminalised[34] the use of Roman law, which he called the law of *alien(a)e gentis*, and allowed its use at most for legal training (*ad exercitiam*).[35]

c. The Ostrogothic *edictum Theoderici*,[36] issued around 500, was a sort of counterpart to the *Codex Euricianus*. From a legal-political point of view, it is remarkable that the

30 Still worth reading is Gian Gualberto Archi, *L'Epitome Gai. Studio sul tardo diritto Romano in Occidente* (Milano: Giuffré, 1937).

31 Ernst Levy, *West Roman Vulgar Law. The Law of Property* (Philadelphia: American Philosophical Society, 1951); Ernst Levy, *Weströmisches Vulgarrecht: Das Obligationenrecht* (Weimar: Böhlau, 1956).

32 See the edition by Karl Zeumer, ed., *Leges Visigothorum. Monumenta Germaniae Historica, sectio I: Legum Nationum Germanicarum*, vol. 1 (Hannover: Hahn, 1902): 33–456, https://www.dmgh.de/mgh_ll_nat_germ_1/index.htm#page/(V)/mode/1up [accessed 15.03.2024].

33 According to Liebs, "Geltung kraft Konsenses" (n. 6): 71, in the year of 654.

34 Lex Visig. 2.1.10 and 1 (MGH LL nat. Germ. 1.58–59).

35 Cf. Lex Visig. 2.1.10 (MGH LL nat. Germ. 1.58); cf. also Liebs, "Geltung kraft Konsenses" (n. 6): 71.

36 In general see Giulio Vismara, *Edictum Theoderici* (Milano: Giuffré, 1967); Sean D.W. Laffery, *Law and Society in the Age of Theoderic the Great* (Cambridge: Cambridge University Press, 2013); Orazio Licandro, *Edictum Theoderici. Un misterioso caso librario del Cinquecento* (Rome: L'Erma di Bretschneider, 2013); Sebastian Schmidt-Hofner and Hans-Ulrich Wiemer, "Die Politik der Form: Das Edictum Theoderici, das Prätorische Edikt und die Semantiken königlicher Rechtsetzung im postimperialen Westen," *Chiron* 52 (2022): 335–412.

Ostrogothic king Theoderic the Great only issued 'edicts' (as it says in the preamble) and not – like Euricianus – a collection of laws as the Roman emperors (Theodosius/Valentinian) had done. The collection is considerably slimmer than the *Codex Euricianus*; it contains only 154 chapters, most of which are rather short. The arrangement of the chapters seems to be random; occasionally different rules seem to be linked by association. Criminal law predominates, along with procedural law, but some civil law and a few canonical points are also regulated. In some cases, the Roman references are easily recognisable. Friedrich Bluhme noted them in the footnotes of his 1870 edition for the MGH.[37] Predominant are those Roman sources on which the *Codex Euricianus* also drew, and which are prominently preserved in the *lex Romana Visigothorum*: the *Pauli sententiae*, the *Gai epitome* and the *Codex Theodosianus*. Occasionally, however, the *edictum* also seems to quote from classical legal literature.[38]

d. The *lex Salica* clearly differs from both the *Codex Euricianus* and the *edictum Theoderici*. It contains almost exclusively provisions of criminal and procedural law, none of which seem to have been taken directly from Roman sources – although the *lex Salica* widely adopted Roman legal terminology. The *lex Salica* was written for the Franks and, according to prevailing scholarly opinion, was enacted by the Merovingian king Clovis I between 507 and 511. Karl Ubl recently argued for an earlier origin, naming the decade from 475 to 486,[39] when the Franks, after the collapse of the Roman regime, sought to distance themselves from Roman culture and to recall their own cultural roots. In any case, the *lex Salica* is the law code that is at the greatest remove from the Roman legal tradition.[40] Its historical core, which has been handed down in numerous manuscripts, does not go back before the time of Clovis I; even Ubl assumes that the oldest recorded version was the one composed by Clovis.[41] There is some disagreement as to whether the *lex Salica*, following the ancient principle of personality, applied only to Franks or to Romans as well. Stefan Esders assumed the latter,[42] while Liebs, pointing to the widespread use of the *lex Romana Visigothorum* in the Frankish Empire,[43] disagreed.

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37 Friedrich Bluhme, ed., Edictum Theoderici Regis ex Petri Pithoei editione repetitum adnotatione indicibusque instruxit, *Monumenta Germaniae Historia, legum tom. V* (Hannover: Hahn, 1875–1879): 145–68.

38 E.g. Ed. Theodor. cap. 128 I similar to D. 9.4.33 (Pomponius 14 ad Sab.); cap. 136 seems to repeat D. 41.1.7.12 (Gaius 2 rer. cottidianarum).

39 Ubl, *Lex Salica* (n. 3): 92–97, esp. 96.

40 Ubl, *Lex Salica* (n. 3): 67: "Schon auf den ersten Blick zeigt sich somit die große Distanz zur römischen Jurisprudenz". He therefore considers it (68) 'ein Werk sui generis'.

41 Ubl, *Lex Salica* (n. 3): 109.

42 Stefan Esders, *Römische Rechtstradition und merowingisches Königtum. Zum Rechtscharakter politischer Herrschaft in Burgund im 6. und 7. Jahrhundert* (Göttingen: Vandenhoeck & Ruprecht, 1997): 157.

43 Liebs, "Geltung kraft Konsenses" (n. 6): 76–77.

Liebs referred to a capitulary of the Merovingian king Chlotarius II[44] which states, *inter Romanus negutia causarum romanis legebus praecepemus terminari* – 'We order that transactions concluded between Romans be decided according to Roman laws.'[45] A very similar provision can be found at the beginning of the *lex Burgundionum*, which did follow the principle of personality.[46] However, this question is hardly relevant for the interpretation of the social hierarchies reflected in the code. Characteristic of the *lex Salica* is the subordination of the Romans to the Franks, which is expressed particularly in the fact that only half the wergild was to be paid for killing or injuring a Roman. But more on this later.[47] It should be noted here, however, that with the exception of a few provisions on family and inheritance law, the *lex Salica* contains almost exclusively criminal law. This criminal law was largely based on the so-called *compositio* (a system of settlements or fines), i.e. criminal offences were to be fined with a specified amount of money. Other forms of punishment like extradition, exile, forfeiture of property or execution occurr only rarely.

3 Terms of Dependency in the *lex Romana Visigothorum*

If we had expected insights into post Roman dependencies from juxtaposing social hierarchies of the Germanic *regna* with Roman legal terminology, the findings are, at first glance, disappointing. While the *lex Romana Visigothorum* reflects the social structures of late Roman society in the west, the *lex Salica* only tells us that slaves and freemen were strictly differentiated. The *lex Salica* gives almost no insights into the gradation of dependencies. One might hope for more information from the *Codex Euricianus* and the *Edictum Theoderici* – after all, they are legal books that sought to regulate Germanic conditions with the help of Roman law. But here, again, we are disappointed: there is nothing more than the Roman triad of *ingenui* (freeborn), *servi*/*mancipia* and *coloni*. Nevertheless, it is worth taking a closer look at the individual rules because they indicate in various respects that social relations changed under Germanic rule.

It is advisable to start with a closer look at the *lex Romana Visigothorum*, because it provides us with the historical starting point for later developments. It was based on the well-known Roman division of people into free and slaves. The so-called *Gai*

44 Cf. Alfred Boretius, ed., *Monumenta Germaniae Historica, legum sectio II: Capitularia Regum Francorum*, vol. 1 (Hannover: Hahn 1883): 18, arranged in the time of Chlothar II (584–628).

45 Praec. Chlotharii II, c. 4 (= MGH Capit. 1.19).

46 Lex Gundobada 1.8; ed. Ludwig Rudolf de Salis, "Leges Burgundionum," in *Monumenta Germaniae Historica, legum sectio I: Legum nationum Germanicarum* II 1 (Hannover: Hahn, 1902): 32.

47 Below, at 4c.

epitome (Gai. epit. 1 pr.) in the *lex Romana Visigothorum* pointed to the text on which it was modelled (Gai. inst. 1.9–10):

> *Gaii institutionum liber primus dicit omnes homines aut liberos esse aut servos, sed ex his ipsis, qui liberi sunt, alios esse ingenous alios libertinos.*
>
> The first book of the Institutions of Gaius states that all people are either free or slaves, and among those who are free, some are born free and others have been manumitted.

This was wholly in line with the legal situation in the classical period: within the slave status there was no further gradation;[48] only among the free were there differences in legal capacity. In classical law, however, the distinction between *ingenui* and *liberti* did not remain unchanged; rather, according to the *lex Aelia Sentia*, the legal status of freedmen or -women depended on their age, on the type of manumission and on whether they had committed criminal offences as slaves.[49] In the latter case, they would only acquire the status of *dediticii*, of those subjugated in war.[50] As such, they could neither acquire the *civitas* nor the ability to inherit or bequeath. All other freedpeople also acquired the citizenship upon manumission – unless they were below thirty years of age, or there had been no formal act of release, in which case they acquired the status of *Latini* – i.e. not citizenship, but a status that was largely equal to that of free persons under civil law.[51]

This distinction lost its frame of reference for *ingenui* as early as 212 AD, when Caracalla (= Severus Antoninus) granted *civitas* to all free inhabitants of the empire. However, as the *lex Romana Visigothorum* shows, the gradation of full freedom, Latin freedom and the status of *dediticius* continued to be significant for freedpeople. Other late Roman legal acts also testify to this gradation. In the *lex Romana Visigothorum*, however, it was shortened and had somewhat evolved: Latins were now also incapable of inheriting, although they could at least acquire by *fideicommissa* (i.e. informal entails). Nor was there any mention of the numerous cases in which Latins could acquire full citizenship. The *lex Aelia Sentia* was no longer mentioned at all in the *Gai epitome*. Conversely, the owner's power over life or death of his slave, which was still

48 That is, no further gradation in terms of the legal status was concerned; but see now Martin Schermaier, ed., *The Position of Roman Slaves. Social Realities and Legal Differences*, Dependency and Slavery Studies 6 (Berlin: De Gruyter, 2023); Edward E. Cohen, *Roman Inequality. Affluent Slaves, Businesswomen, Legal Fictions* (Oxford: Oxford University Press, 2023).

49 On this subject see in general William Warwick Buckland, *The Roman Law of Slavery. The Condition of the Slave in Private Law from Augustus to Justinian* (Cambridge: Cambridge University Press, 1908): 533–51; Max Kaser, *Das Römische Privatrecht*, vol. 2, *Die nachklassischen Entwicklungen*, 2nd ed. (Munich: C.H. Beck, 1975): 121.

50 See Gai. inst. 1.14–15.

51 Gai. inst. 1.13; 1.16–17; 1.28–32; cf. Egbert Koops, "Masters and Freedmen: Junian Latins and the Struggle for Citizenship," in *Integration in Rome and in the Roman World*, ed. Gerda de Kleijn and Stéphane Benoist (Leiden: Brill, 2014): 105–26.

recorded in the classical text of Gaius (inst. 1.52–53), had been explicitly excluded in the *Gai epitome* (Gai. epit. 3.1):

> *occidendi tamen servos suos domini licentiam non habebunt, nisi forte servus, dum pro culpae modo caeditur, casu forsitan moriatur.*
>
> Owners are not allowed to kill their slaves, unless a slave chanced to die after having been beaten for his delinquency.

This was in line with Constantinian legislation as found in Cod. Theod. 9.12.1–2 (a. 319), and therefore also in the *lex Romana Visigothorum*.[52] The *Gai epitome* explicitly stated that only public courts could impose capital punishment on slaves.

Even other rules introduced to improve the legal position of slaves since Constantine are reflected in the *lex Romana Visigothorum*. Noxal liability, according to which a slave who had harmed another person could be handed over to the injured party, was replaced by judicial punishment of the slave himself.[53] In general, the personal liability of slaves became more prominent in tort law. In the case of sale or inheritance, slaves could not be separated from their family members (in case a parent or child was sold) or from their spouse (Cod. Theod. 2.25.1). Certain forms of punishment of slaves (such as branding) were now prohibited (Cod. Theod. 9.40.2). Acquiring liberty by *usucapio* became possible after twenty years of living in freedom (Cod. Theod. 4.8.9). Furthermore, slaves were rewarded with freedom for reporting certain crimes.[54] Formal manumission was facilitated by the disappearance of the old *manumissio vindicta* and the recognition of manumission before the provincial presbyter or *in ecclesiam* as fully valid.[55]

The *coloni*, the agricultural workers who were tied to the soil, were not formally regarded as *servi*, but as free. Nevertheless, their legal status was in many respects the same as that of the *servi*. Cod. Theod. 5.19.1 is significant in this respect: it referred to the landowner as *patronus*, but in the accompanying *interpretatio* (derived from the *lex Romana Visigothorum*) he was already called *dominus*. *Coloni* belonged to the *proprietas* (Cod. Theod. 5.18.1.2) of the landowner and were compared to 'freemen' (*ingenui*).[56] However, they were considered capable of owning property, so they could become owners of land or were considered owners of their crops.[57] Furthermore, they could marry among themselves or even a free woman.[58] However, they were bound to the land and so could not leave it. Those who attempted to escape were pun-

52 See also Paul. sent. 5.23.6; and see Kaser, *Das römische Privatrecht*, vol. 2 (n. 49): 126.

53 Paul. sent. 5.4.22; cf. Kaser, *Das Römische Privatrecht*, vol. 2 (n. 49): 431.

54 For references see Buckland, *Roman Law of Slavery* (n. 49): 598–602; Kaser, *Das römische Privatrecht*, vol. 2 (n. 49): 132.

55 Gai. epit. 1.4 (*in fine*): *aut testamento aut in ecclesia aut ante consulem manumittantur* [. . .].

56 Nov. Valent. 31.6 (with *interpretatio*); Kaser, *Das römische Privatrecht*, vol. 2 (n. 49): 147.

57 Rich evidence in Kaser, *Das römische Privatrecht*, vol. 2 (n. 49): 147 n. 42.

58 Cod. Theod. 12.19.1; on this (and similar texts) see Elemér Pólay, *Die Sklavenehe und das römische Recht* (Szeged: University "Attila József", 1967): 49–50; Kaser, *Das römische Privatrecht*, vol. 2 (n. 49): 147.

ished like slaves.[59] *Coloni* could only be sold together with the land, not – like slaves – as individuals. The landowner could free them under certain circumstances, but a *colonus* could also acquire the freedom of the land by *usucapio.*[60]

Compared to what it had been in the third or fourth century, the position of *servi* and *coloni* had thus become more similar by the fifth century; the position of slaves improved, that of the *coloni* deteriorated somewhat.[61] In the *Codex Euricianus* (cap. 291–92), for example, slaves were granted the same status as *coloni*, in that they themselves were the owners of their *peculium*. These and other improvements were probably not a sign of a change in social attitudes towards slavery, but the result of a dogmatic simplification.[62]

The complex classical construction, which had contrasted the property of the *dominus* with the power of disposition of the *servus*, was no longer followed in the post-classical period in the Roman west. The actual impression that the slave could independently determine what happened to the *peculium* determined how he was legally classified. Similar abridgements can be found in the rules of descent. According to Roman law, a child always followed the status of the mother. The child of a slave also became a slave if the mother knew the slave status of the father[63] or if the master of the mother disapproved of the union.[64] These and similar exceptions probably led the legislator of the *lex Romana Burgundionum* to reverse the principle and always have the child follow the 'inferior line' (*linea deterior*).[65]

Before we go into more detail on later adaptations, we should note some terminology for persons of diminished freedom, namely terminology found in the *Codex*

59 Cod Theod. 5.17.1; on punishment for those who sheltered them cf. Cod. Theod. 10.12.2.3.

60 References in Kaser, *Das römische Privatrecht*, vol. 2 (n. 49): 149.

61 In general see Luis A. Garcia Moreno, "From coloni to servi: A History of the Peasantry in Visigothic Spain," *Klio* 83 (2001): 198–212; Noel Lenski, "Slavery among the Visigoths," in *Slavery in the Late Antique World, 150–700 CE*, ed. Chris L. de Wet, Maijastina Kahlos and Ville Vuolanto (Cambridge: Cambridge University Press, 2022): 251–80; Boudewijn Sirks, "The Colonate in the Later Roman Empire," *Tijdschrift voor Rechtsgeschiedenis* 90 (2022): 129–47. Less informative is Hannah Basta, "Slaves, Coloni, and Status Confusion in the Late Roman Empire," *Journal of the National Collegiate Honors Council* (2017): 47–58; more comprehensive is Oliver Schipp, *Den Kolonat neu denken. Zur Aktualität eines Forschungsproblems* (Heidelberg: Propylaeum, 2023): 125–53, https://books.ub.uni-heidelberg.de/propylaeum/catalog/book/1190 [accessed 15.03.2023].

62 Kaser, *Das römische Privatrecht*, vol. 2 (n. 49): 127 n. 37, speaks of a 'laienmäßigen Anschauung' ('amateurish attitude').

63 Gai. inst. 1.86.

64 Gai. inst. 1.91.

65 LRB 37,5 (ed. FIRA II 744): *Inter ingenuum vero et ancillam, sive servum et ingenuam, sicut consensus contubernia facere possunt, ita nuptiae non vocantur, et qui ex his nati fuerint, deteriorem lineam secuti dominis adquiruntur.* ('[A union] between a freeborn man and a slave woman, or between a slave man and a freeborn woman can with their consent only give rise to a *contubernium* and is therefore not called a marriage, and those who are born from such a union follow the inferior line and therefore belong to the *dominus*.').

Theodosianus or in the *Gai epitome*. First of all, there is the term *originarius* or *originaria*; this presumably refers to *coloni*.[66] *Origo* refers to a person's place of origin;[67] this implies his or her connection to a piece of land or to a dominion. The *inquilinus*, the 'inhabitant', was probably also a *colonus*. In addition to these familiar examples, there are new ones, such as *mercennarius*.[68] In classical law, this denoted a freeman or a slave who worked for a third party for a salary. In the *lex Romana Visigothorum* the *mercennarius* was free, but because of his work he occupied a slave-like position.[69] When the *codex Theodosianus* speaks of *dediticii*,[70] *laeti*[71] or *foederati*,[72] it regularly refers to settled strangers who were mercenary soldiers in the Roman army or settled as *coloni*.[73]

A new form of private dependency emerged in the relationship of a freeman to his *actor* or *procurator*. Whereas under classical law these could be free or freed, they were now regularly regarded as administrators who depended on the principal, and who – like slaves or *coloni* – could be sanctioned with corporal punishment. Moreover, their own property was treated like the *peculium* of a slave or *colonus*: it was not accessible to third parties until the master's claims had been satisfied. In late Roman sources such administrators are called *institores*. In classical law, this signified someone acting in the capacity of a manager, who could be either a slave or a freedman. In the *Pauli sententiae*, *institor* is counted among the *ministeria urbana*, i.e. among the tasks that could be carried out by an urban slave – comparable to the work of a *cellarius*, *cubicularius*, *coquus* or *tonsor*. The fact that this does not simply refer to professions, but to slaves engaged in certain activities, becomes clear from the context: the *sententiae* enumerate what a testator meant by *servus* when he bequeathed him.

66 Cf. Cam Grey, "Contextualizing Colonatus: The Origo of the Late Roman Empire," *Journal of Roman Studies* 97 (2007): 155–75, esp. 170–74.

67 See in general Dieter Nörr, "Origo," in *Paulys Realencyclopädie der classischen Alterumswissenschaft*, vol. supplementum 10 (Stuttgart: J.B. Metzler, 1965): 433–73; Dieter Nörr, "Origo. Studien zur Orts-, Stadt- und Reichszugehörigkeit in der Antike," *Tijdschrift voor Rechtsgeschiedenis TR* 31 (1963): 525–600.

68 Paul. sent. 2.8.3 (*interpretatio*); for further references see Alfons Bürge, "Der mercennarius und die Lohnarbeit," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Romanistische Abteilung* 107 (1990): 80–136, esp. 131–34.

69 Cf. Paul. sent. 2.18.1; on this subject see Francesco de Robertis, *Lavoro e lavoratori nel mondo romano* (Bari: Adriatica editrice, 1963): 143–47; critical Dieter Nörr, "Zur sozialen und rechtlichen Bewertung der freien Arbeit in Rom," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Romanistische Abteilung* 82 (1965): 67–105, esp. 86–87 and 103–5.

70 E.g. Cod. Theod. 7.13.16.

71 Cod. Theod. 7.20.10; 7.12.12 pr.; 13.11.10; on the last text cfr. the contribution of Esders, n. 26 (in this volume).

72 Cod. Theod. 7.13.16.

73 See Kaser, *Das Römische Privatrecht*, vol. 2 (n. 49): 122.

4 Terms of Dependency in the Non-Roman Law Codes

4.1 Visigoths

If one compares this to the rest of Visigothic law, to the *Codex Euricianus* and the more recent *lex Visigothorum* (or *Liber Iudiciorum*), one is surprised to find that they frequently speak of *servus*, *mancipium* or *ancilla*, but never of *colonus* or *originarius*. Nehlsen even suggested that *servus*, along with *iudex*, is the most frequently used legal term in the *codex Euricianus* and the *liber iudiciorum*.[74] But why does *colonus* not appear at all? Nehlsen assumed that by the time of the Visigoths at the latest, the *coloni* had sunk 'auf die Stufe der *servi*' ('to the level of *servi*').[75] However, if one considers the late Roman variety of semi-freemen that the *lex Romana Visigothorum* has to offer, another assumption is more likely: from the point of view of the Visigoths (and perhaps also other Germanic tribes), all semi-freemen were unfree, i.e. *servi* in Roman terminology. Hence, they were collectively referred to as *servi*. Rio is right in saying (without advocating this thesis) that it is impossible in most cases to infer with certainty a status of a given *servus* from the description in the early medieval sources.[76] This does not mean that the Visigothic sources do not mention different occupations of *servi*, such as *stabularii* (grooms), *argentarii* (moneyers) or *coqui* (cooks).[77] But such functional descriptions did not indicate gradations of social or legal statuses.

However, from the fragments of the *codex Euricianus* we do learn of two new forms of diminished freedom, that of the *buccellarius* (cap. 310) and of the *saionis* (cap. 311). Both, one suspects, are arms-bearing clients of a patron; but we do not know any details about how this client-patron relationship was organised.

The *Liber Iudiciorum* provides more distinctions. In numerous places it adds a descriptive attribute to the simple *servus*. He may be *idoneus* or *rusticus* (or *vilior* or *inferior*). Verlinden[78] and, following him, Rio,[79] assume that the *servus idoneus* was a domestic slave, while *rusticus* or *vilis* denoted 'farmhands and unfree tenants'. Nehlsen, on the other hand, thinks that the terminology does not serve to distinguish between where and how the slave was employed, but referred to the type of service he

74 Nehlsen, *Sklavenrecht* (n. 8): 165.
75 Nehlsen, *Sklavenrecht* (n. 8): 167.
76 Alice Rio, *Slavery after Rome, 500–1100* (Oxford: Oxford University Press, 2017): 15: '[I]t is almost impossible to tell what exactly the word *servus* was intended to describe when it is found in an early medieval text without further contextual information.'
77 Cf. Lenski, "Slavery among the Visigoths" (n. 61): 257–58 and 268.
78 Charles Verlinden, *L'esclavage dans l'Europe médiévale*, vol. 1, *Péninsule ibérique, France* (Bruges: de Tempel, 1955): 80–81.
79 Rio, *Slavery after Rome* (n. 76): 145.

performed.[80] However, the two are not necessarily mutually exclusive: in classical Latin, too, the 'country man' (*rusticus*) was typically the uneducated man. Conversely, uneducated slaves would have been regularly employed as 'farmhands' by their owners. The degree of social gradation is interesting: the criminal law of the *Liber Iudiciorum* distinguished between *idoneus* and *vilis*, applying this to both perpetrator and victim: if a freeman cut the hair of a *servus idoneus* against his will, the penalty was a fine of ten solidi and one hundred lashes. If he did the same to a *servus rusticanus*, he only had to pay the fine.[81] A *servus idoneus* who violated the honour of a freeman was punished with forty lashes, a *servus vilior* with fifty.[82]

The legal position of slaves in general even improved in the *Liber Iudiciorum* compared to the *lex Romana Visigothorum*. For the Visigoths, slaves were not only capable of bearing arms,[83] but also of taking legal action, particularly in tort law.[84] Slaves suffered some restrictions with regard to their capacity for owning property; they were only partially granted the power of disposal if they had a *peculium*.[85] However, the protection of slaves under criminal law is interesting. The older Visigothic law followed Roman law in that injury to a slave could be prosecuted as either damage to property or as *iniuria*, thus entitling the injured *dominus* to a claim for damages according to the severity of the injury. In addition, a *compositio vulneris* was imposed.[86] The *Liber Iudiciorum* as edited by Reccesvinth (in the mid-seventh century) replaced these provisions with a system of *compositio* in which a slave was generally assigned half the value of a free man.[87] A comparable differentiation was applied to the offender: a slave who injured a free man or another slave was punished more severely than a free man. According to a *lex* of Chindasvinth,[88] this resulted in the following system of *compositio*:[89]

> LVis. 6.4.1: *Si ingenuus ingenuum quolibet hictu in capite percusserit, pro libore det solidos V, pro cute rupta solidos X, pro plaga usque ad ossum solidos XX, pro osso fracto solidos C. Quod si ingenuus hoc in servo alieno conmiserit, medietatem superioris conpositionis exolvat. Si vero servus in*

80 Nehlsen, *Sklavenrecht* (n. 8): 179–82, esp. 181; in the same sense Lenski, "Slavery among the Visigoths" (n. 61): 258.
81 Lex Visig. 6.4.3; see Nehlsen, *Sklavenrecht* (n. 8): 180.
82 Lex Visig. 6.4.7.
83 Lex Visig. 9.2.9; Nehlsen, *Sklavenrecht* (n. 8): 171.
84 Lex Visig. 2.2.9; Nehlsen, *Sklavenrecht* (n. 8): 170–71.
85 See Nehlsen, *Sklavenrecht* (n. 8): 169–70.
86 Vgl. Lex Visig. 6.4.9 and 11.
87 An interesting parallel can be found in the Twelve Tables (about 450 B.C.): XII tab. 8.3 = Paulus Coll. 2.5.5: *manu fustive si os fregit libero, CCC, servo, CL poenam subit sesteriorum* ('if someone with his hand or a stick breaks the bone of a free man, he has to pay a fine of 300 [sesterces], if a slave's, 150 sesterces'). The *Collatio legum Mosaicarum et Romanarum* (Coll.), in which that provision is quoted, was compiled around 400 AD.
88 Cf. Nehlsen, *Sklavenrecht* (n. 8): 173 and 208–9.
89 Ed. Zeumer, MGH (n. 32): 263.

servo hoc fecerit, tertiam eisudem conpositionies adinpleat et L flagella suscipiat. Si autem servus ingenuum vulneraverit, ita componat, sicut cum ingenuus servum vulneraverit alienum, et LXX flagella suscipiat. Si vero dominus noluerit pro servo conponere, servus tradatur pro crimine.

If a freeborn man strikes the head of another freeborn man he has to pay five solidi for causing a swelling, ten solidi for an open wound (lit.: for broken skin), twenty for a blow that goes to the bone, one hundred for a cranial fracture. If a freeborn man inflicts such an injury to a slave, half of the previous compensation is due. But if a slave harms another slave in this way, he has to pay a third of this amount and is to be given fifty lashes. If a slave injures a freeborn man, compensation is due as when a freeborn man injures another's slave, and (in addition) he is to be given seventy lashes. If the owner refuses to pay compensation for his slave, he has to give up the slave (to the injured party) because of the crime.

If we leave aside the possibility of noxal liability, which is mentioned in the last sentence, what we have here is a system of punishment that comes close to the late Roman distinction between *honestiores* and *humiliores*:[90] those of lower class were punished more severely than those of higher class, and if the latter violated the law, their higher class in turn justified lighter punishments. In this respect, the contrast between *ingenui* and *servi* no longer seems to be a difference in status, but in class. This accords with Chindasvinth's rule that one who killed a foreign slave was prosecuted for *homicidium* and must expect life-long banishment.[91] Killing or injuring a slave was therefore no longer mere damage to property.

4.2 Ostrogoths

The slave law of the *Edictum Theoderici* shows similar, albeit less pronounced, tendencies, but it does distinguish terminologically between *servi* or *mancipia* and *coloni* or *originarii*. Sometimes a distinction was also made between *manicipia rustica* and *famuli urbani*. Legally, however, these distinctions were meaningless: the Edict treated slaves and *coloni* in the same way. This might therefore have been a different way of expressing what I assume was done in Visigothic law, namely that *coloni* and slaves were considered equally unfree. The fact that the terminological distinction was maintained reflects the fidelity to Roman legal language, which is particularly evident in the *Edictum*. *Coloni* could easily be separated from the plot of land and sold,[92] and according to Cassiodorus' testimony much use was made of this.[93]

Unlike in Visigothic law, the position of slaves in the Edict remained unchanged compared to late Roman legislation. Although slaves were considered to be the own-

90 On this subject see Rolf Rilinger, *Humiliores – Honestiores: Zu einer sozialen Dichotomie im Strafrecht der römischen Kaiserzeit* (Munich: Oldenbourg, 1988).

91 Lex Visig. 9.2.9; Nehlsen, *Sklavenrecht* (n. 8): 172–73.

92 Ed. Theodor. 142; on this see Nehlsen, *Sklavenrecht* (n. 8): 125–26.

93 Cass. Var. 8.33.4 and 5.16.2; on both texts Nehlsen, *Sklavenrecht* (n. 8): 126–27.

ers of their *peculia*, they were entitled neither to bear arms nor to litigate, nor could they enter into marriage other than a *contubernium*.[94] The latter also applied to *coloni*. In fact, relevant provisions of the *Edictum* regularly mentioned *servi* and *coloni* side by side. If a slave or a *colonus* committed an offence, Roman noxal liability applied; even the principle of *noxa caput sequitur* appears in the *Edictum* (cap. 120). In a few criminal offences (such as robbery), the handing over of the slave to the injured party was replaced by their being handed over to the public authority for the purpose of torture and/or punishment.[95] Capital crimes, arson and relations of a male slave or a *colonus* with a free woman were subject to the state's penal power anyway.

Apart from *servi* and *coloni* (for whom, as mentioned, sometimes different nomenclature applied), the Edict mentions *curiales* and *collegiati* in the same breath as *servi*. Ed. Theodor. 69 runs,

> *Quisquis curialem, aut collegiatum, aut servum, per triginta annos possederit, qui nullam patriae suae conlationem subisse monstratur, eos praediorum dominis iubemus adquiri* [. . .].
>
> Whosoever possesses a *curialis*, or a *collegiatus*, or a slave for thirty years, who cannot be shown to be a member of an association of his hometown, we order that such a one is to become the property of the landowner.

So a *curialis* or *collegiatus* could, after thirty years, be acquired by means of prescription just like a slave. That sounds odd. The provision was related to the so-called *longissimi temporis praescriptio*, according to which all claims and rights could become time-barred after thirty years. The idea of a general limitation of claims went back to Constantine I,[96] the limitation period of thirty years (in case of hitherto unlimited claims) had been introduced by Theodosius II in 424.[97] The limitation of claims resulted in previous owners not being able to claim back their property after the period (of thirty years) had expired. This put unauthorized possessors into an unchallengeable position: the limitation of claims led to a kind of acquisitive prescription on things. However, the fact that even the rights to another person could be acquired after thirty years was new. Valentinian III (in 365)[98] still insisted that slaves or *coloni*

94 On *contubernium* and slave marriage in Roman law see Marcel Simonis, *Cum servis nullum est conubium. Untersuchungen zu den eheähnlichen Verbindungen von Sklaven im westlichen Mittelmeerraum des Römischen Reiches* (Hildesheim: Olms, 2017); esp. on the relevant Ostrogothic provisions see Christoph D. Müller, *Das Recht der Ehevoraussetzungen in den Leges der Goten, Burgunder und Franken unter besonderer Berücksichtigung des römischen Vulgarrechts* (Berlin: Duncker & Humblot, 2015): 104–10.

95 Ed. Theodor. 109; in detail Nehlsen, *Sklavenrecht* (n. 8): 135–40.

96 Mentioned in P.Columb. 181/82, published in: Vincenzo Arangio-Ruiz, "Negotia," in *Fontes iuris romani Antjustiniani*, vol. 3, ed. Salavatore Riccobono et al. (Florence: Barbèra 1968): 318–28, and in Cod. Iust. 7.39.2 (a. 365). See Dondorp, "Limitation and Prescription" (n. 29): 64–65 with further references.

97 Cod. Theod. 4.14.1 (a. 424) = C. 7.39.3; the text of this constitution has been translated into English by Dondorp, "Limitation and Prescription" (n. 29): 63.

98 Cod. Iust. 7.39.1.

could not be acquired by way of prescription. But in 419, Theodosius II allowed the acquisition by prescription of another's *colonus* after thirty years.[99] What was behind the new regulation of the *Edictum Theoderici*?

Apparently, the provision was a kind of prescription of *curiales* and *collegiati*. *Curiales* were free members of a community who were liable for the community's tax revenue.[100] *Collegati* were members of professional associations (*corpora*),[101] of 'guilds'. The provision in the *Edictum* goes back to a constitution of the Roman emperor Majorian from 458 (which begins with the words: *curiales nervos esse rei publicae* [. . .] *nullus ignorat*).[102] With this, Majoran wanted to prevent *curiales* from being lost to their *civitas* when they entered into a marriage with *coloni* and thus risked forfeiting their freedom.[103] The *civitas* was able to reclaim them from the landowner (together with their wives) within a period of thirty years after such a marriage.

This public interest on the part of the city community transformed the edict into a private-law provision and also reversed the perspective: after thirty years, a landowner could not only acquire foreign (fugitive?) slaves, but also *curiales* and members of a *collegium*. The statement regarding the acquisition of *curiales*, who had been free until then, was only a consequence of Majoran's constitution: if the city did not reclaim the *curialis*, he became a *colonus* of the landowner. But the fact that the Edict equated this process with the acquisition of a slave shows that *curiales* and *collegiati* were now also counted among the unfree, or at least among the lesser free, if one assumes that Ostrogothic law also parted with the institutional separation of slaves and free according to status.

4.3 *Lex Salica*

The slave law of the *lex Salica* leads us into another world, which is most closely comparable to that of the Roman empire. In the *lex Salica* in its oldest version (of Clovis I), a slave was almost exclusively a *servus* and an *ancilla*, rarely a *mancipium*. By contrast Title X of the *lex* (in its earlier versions) separates *servi* and *ancillae* on the one hand from *mancipia* on the other.[104] They were largely without rights: they had no

99 Cod. Theod. 5.6.3; confirmed in Nov. Valent. 27.6 (a. 449).

100 In general see Kaser, *Das römische Privatrecht*, vol. 2 (n. 49): 150; more specific on *curialis* (in Roman times) see Charles H. Coster, "Synesius, a curialis of the Time of the Emperor Arcadius," *Byzantion* 15 (1940–41): 10–38; Alexander Baumann, *Freiheitsbeschränkungen der Dekurionen in der Spätantike* (Hildesheim: Georg Olms, 2014).

101 Kaser, *Das römische Privatrecht*, vol. 2 (n. 49): 150, 153–56.

102 Nov. Maior. 7 (esp. §§ 1–2).

103 Cf. Nov. Valent. 31.5; on this subject see Elemér Pólay, *Die Sklavenehe und das römische Recht* (Szeged: University "Attila József", 1967): 56–57.

104 Lex Sal. (A) 10, ed. Karl August Eckhardt, "Pactus legis Salicae," in *Monumenta Germaniae Historica, legum sectio I: Legum nationum Germanicarum IV 1* (Hannover: Hahn, 1962): 50–55. I follow the

property and could not enter into marriage; their master could treat them as he pleased and even kill them. In the event a slave was abducted or murdered, the perpetrator had to compensate the *dominus* for the value of the slave and, in addition, pay a fine of 35 solidi (or 1400 denarii); this was the fine also due for the theft of an ox or a horse.[105] There is no mention of *coloni* in the *lex Salica*; only in later Frankish sources do *servi casati* appear,[106] who apparently occupied a role similar to that of the Roman *coloni* but who may have had a distinct legal status.[107] It is more likely that the Roman *coloni* were now called *romani tributarii*.[108]

It remains unclear who the *laeti* or *liti* in the *lex Salica* were. Stefan Esders discusses this question in detail in this volume.[109] They were either freedmen who were given a piece of land to cultivate, or foreigners who (like the *laeti* of the *Codex Theodosianus*) served as retinue; they were certainly obliged to military service.

The Frankish wergild is a useful instrument for reconstructing the social hierarchy. At first, the *lex Salica* shows a clear division between *servi* and *ingenui*. Other than in the *Liber Iudiciorum*,[110] the killing of *servi* was treated under the heading of theft and damage to property. The *dominus* could claim *compositio* for the killing or theft of his slaves, but this did not match the wergild due for killing or injuring a free man. *Servi* seemed to be regarded as assets owned by their *dominus* and were thus treated as livestock. This is best shown in cap. 10.1, whereby the theft of *servi* is treated equal to the theft of oxen or horses:[111] the offender had to pay 35 solidi. In later versions of the *lex*, the killing or manumission of another's slave was punished in the same way.[112] Other provisions confirmed this in the case of manumission,[113] but not in the case of the theft and subsequent sale of another's person's slave (*expoliatio*). In that case the *lex* differentiated according to the

edition of Eckhardt, though it has been thoroughly criticised, lastly by Magali Coumert, *La Loi Salique. Retour aus manuscrits* (Turnhout: Brepols Publishers, 2023).

105 Lex Sal. (A): 35.1–2 (MGH LL nat. Germ. 4.1.128–29).

106 Cf. Nehlsen, *Sklavenrecht* (n. 8): 270; for further references see Margarete Weidemann, "Spätantike Traditionen in der Wirtschaftsführung frühmittelalterlicher Grundherrschaften," in *Von der Spätantike zum frühen Mittelalter: Kontinuitäten und Brüche, Konzeptionen und Befunde*, ed. Theo Kölzer and Rudolf Schieffer (Ostfildern: Patmos, 2009): 287–318, 302.

107 On antique foundations of *servi casati* cf. Weidemann, "Spätantike Traditionen" (n. 106): esp. 301–5; on the differences between *coloni* and *servi* (*casati*) see Hans-Werner Goetz, "Serfdom and the Beginnings of a 'Seigneurial System' in the Carolingian Period: A Survey of the Evidence," *Early Medieval Europe* 2 (1993): 29–51, esp. 47–48.

108 Oliver Schipp, *Der weströmische Kolonat von Konstantin bis zu den Karolingern (332 bis 861)* (Hamburg: Kovac, 2009): 373; Oliver Schipp, *Den Kolonat neu denken* (n. 61): 145.

109 Stefan Esders, "Laeti and liti. Legal Status, Military Lands and the Changing Nature of Dependency from Late Antique Gaul to the Carolingian Empire," in this volume, at p. 131–153.

110 Above, at 4.1.

111 Lex Sal. (A) 10.1 (MGH LL nat. Germ. 4.1.51–52); similar is Lex Sal. (A) 41.1 (MGH LL nat. Germ. 4.1.182–83).

112 Lex Sal. (C), (H), (K) 10.3 (MGH LL nat. Germ. 4.1.53).

113 Lex Sal. (A) 26.2 (MGH LL nat. Germ. 4.1.96–97).

slave's value:[114] if it amounted to more than 45 dinars, the robber was punished with a fine of thirty solidi; if it was less, he had to pay 15 solidi. It is obvious from all these provisions that Frankish slaves had a significantly lower standing than their Visigothic or Ostrogothic counterparts.

Interestingly, the theft of another's *laetus* was punished with a fine of thirty-five solidi,[115] whereas theft of a slave could be fined with thirty solidi.[116] That indicates a similar or only slightly higher social position of *laeti*. The difference was much bigger in the case another person's *laetus* was manumitted. In that case, the spurious manumitter was bound to pay one hundred solidi[117] – instead of 35 solidi which were due for the manumission of another's slave.[118] Nevertheless, the differentiation between *servi* and *laeti* is not entirely clear. Both are likewise ascribed as slaves to the parents of an *ingenuus*, if they killed him.[119] And the *lex Salica* assumed that even *servi* had enough money to pay a fine, such as the *compositio,* in the case a slave had intercourse with another person's *ancilla*.[120] The clearest difference between *servi* and *laeti* seems to be the wergild for the latter which was half of that of a free man. But this wergild for a *laetus* is never expressly quantified. Only cap. 42.4 asserts that in the special case of a person being killed by a member of his household (*a contuberniis*),[121] the amount for a *laetus* was to be half that to be paid for the killing of an *ingenuus*.[122] With reference to cap. 42.1 this was one hundred solidi. Because the *laetus* was mentioned together with a *Romanus*, it seems possible that a *laetus* might have been a member of a royal entourage, which is mentioned in cap. 42.2. In that case, the wergild for a *laetus* would amount to an astounding 900 solidi. Such an assertion is difficult to reconcile with another provision, namely that the manumission of another's *laetus* also incurred a fine of one hundred solidi.[123] Even if we assume that the wergild for a *laetus* never exceeded one hundred solidi, how could we explain that a *laetus* fought side by side with *ingenui* and *Romani* and at the same time could be manumitted? At any rate, from the point of view of the *dominus*, killing or manumission of his *laetus* were equally unpleasant: therefore in both cases the wergild (one hundred solidi) was due.

The hierarchy of early Frankish society may have been even more complex than the division into *ingenui*, *servi* and *laeti* might indicate. A point of reference is the

114 Lex Sal. (A): 35.2 (MGH LL nat. Germ. 4.1.128–29).
115 Lex Sal. (A): 35.5 (4) (MGH LL nat. Germ. 4.1.130–31).
116 Cf. above, at n. 114.
117 Lex Sal. (A) 26.1 (MGH LL nat. Germ. 4.1.96–97).
118 Cf. above, n. 113.
119 Lex Sal. (A): 35.8 (5) (MGH LL nat. Germ. 4.1.130–31); on this subject see Nehlsen, *Sklavenrecht* (n. 8): 290–302.
120 Lex Sal. (A) 25.5 (7) (MGH LL nat. Germ. 4.1.94–95).
121 Presumably soldiers who shared a tent or cabin.
122 Lex Sal. (A) 42.4 (MGH LL nat. Germ. 4.1.163–65).
123 Lex Sal. (A) 26.1 (MGH LL nat. Germ. 4.1.96–97).

wergild due for a free Frankish man (or for a foreigner who lived under Frankish law),[124] for whose death 200 solidi had to be paid.[125] If (as *convivus regis*) he belonged to the king's retinue, 600 solidi were due. A *Romanus*, on the other hand, was worth only one hundred solidi; three hundred if he was a *convivus regis*. The sum of one hundred solidi for a killed *Romanus* was even reduced down to 62 solidi if he had not been a *possessor* (i.e. someone who owned land) but a *tributarius* (i.e. someone who had to pay royalties to the landowner).[126] It has been debated at length why the *lex Salica* downgraded freeborn *Romani* vis-à-vis free Franks.[127] Did that really indicate an inferior social position? Karl Ubl, following Marc Bloch,[128] argued that the higher wergild was intended as an incentive for Romans to submit to Frankish law and the Frankish king.[129] Patrick Wormald therefore described the higher wergild as a tool for 'ethnic engineering'.[130]

The *lex Salica* is undoubtedly the most 'Germanic' of the early medieval law codes, but it provides comparably rich information about gradations of freedom beyond the dichotomy of *servi* and *ingenui*. At first glance it preserved the Roman division into free and slaves, but on closer inspection it shows a variety of unfree and half-free classes. The poor position of the *servi* in Frankish law (compared to Visigothic and Ostrogothic law) is difficult to explain. Perhaps it had to do with the smallholder structure of Frankish farming economy which did not require large numbers of trained domestic slaves. Perhaps it was due to the low degree of Romanisation of this society. The difference could also be explained by the use of the term *servus* in the different societies: if the Franks used the term only for those who stood at the lowest rank of their social order and the Visigoths used it for dependent people in general, the differences become comprehensible without necessitating us to assume totally different social structures in the various *regna*. The *lex Salica* has indeed a broader set of terms for dependency relationships than the law codes of the Goths.

5 Conclusion

We can at any rate make one observation about the transition from late Roman to early medieval slavery: the confrontation of non-Roman societies with Roman law lead to different results in the law codes. While the *lex Salica* apparently preserved

124 Cf. Lex Sal. (A) 14.2–3 (MGH LL nat. Germ. 4.1.64–65).
125 On the following provisions, cf. Lex Salica (A) 41 (MGH LL nat. Germ. 4.1.154–61).
126 Compare Lex Sal. (A) 41.9 (6) to Lex Sal. (A) 41.10 (7); both in (MGH LL nat. Germ. 4.1.156–57).
127 Cf. Ubl, *Lex Salica* (n. 3): 74–76.
128 Marc Bloch, "Un pseudo-problème: le Romanus des lois franques," *Revue historique du droit français et étranger* 25 (1946–47): 1–10.
129 Ubl, *Lex Salica* (n. 3): 75.
130 Wormald, "The Leges Barbarorum" (n. 9): 32.

the contrast of slave and free, the Gothic law books dissolved it. In them, being a slave was no longer a marker of status but of class. Slaves were not simply unfree, but less free or half-free. However, it remains unclear whether and how many other types of less-than-free persons there were in the various law codes here considered, besides *servi* (and – if mentioned – *coloni*). We saw differentiations within the slave class in Visigothic law, and Ostrogothic law at least mentioned *curiales* and *collegiati*. But was that all?

Some provisions in the *lex Salica* hint at a more versatile social structure. On the one hand there are the mysterious *laeti*, on the other we have two classes of Romans: those who owned land, and those who had to pay tribute. Beyond that we may assume that the Franks used different forms of manumission which produced additional forms of semi-free statuses. An indication is the manumission *ante regem*, which is mentioned in cap. 26.[131] This act of manumission echoed the Roman claim on *ingenuitas*[132] which was adjudicated in the *cognitio extra ordinem*, i.e. before the court of the emperor, or the *natalium restitutio* by an act of clemency.[133] This would explain why even *laeti* remained under a kind of patronage[134] until they were awarded *ingenuitas*. It would also be a clear indication that minor forms of manumission existed in Frankish law.

The latter finding is confirmed by Frankish glosses to the *lex Romana Visigothorum*, which indicate that Frankish jurists differentiated between several classes within the Roman population, beyond the dichotomy of *Romanus possessor* and *tributarius*. Apparently, it was usual in the territories where the *lex Romana Visigothorum* applied to let the manumitting *dominus* choose whether he wanted to make his slave a free Frank or a Roman. This may have had various legal consequences, but it certainly reduced the wergild in the event of injury or death. Recently discovered Frankish glosses[135] in a manuscript of the *lex Romana Visigothorum* (Paris, BN lat. 4416),[136] which comment on Gai. epit. 1, show that the master had the opportunity to differentiate: if he manumitted the slave as a Roman, he could also choose whether to make him a Roman citizen (*cives*), a Latin or a *dediticius*. Depending on this, the wergild varied: for a citizen it was forty solidi (one hundred if he owned land), for a Latin thirty-five, and for a *dediticius* only twenty.[137] We also know this gradation from for-

131 Lex Sal. (A) 26 (MGH LL nat. Germ. 4.1.96–97).

132 Cf. D. 40.14 (*si ingenuus esse dicetur*) and C. 7.14 (*de ingenuis manumissis*); on this subject see Buckland, *Roman Law of Slavery* (n. 49): 672–75; Max Kaser and Karl Hackl, *Das Römische Zivilprozessrecht*, 2nd ed. (Munich: C.H. Beck, 1996): 457.

133 Cf. D. 40.11 (*de natalibus restituendis*); cf. Kaser, *Das römische Privatrecht*, vol. 2 (n. 49): 141–42.

134 Similar, but using a different argument, Stefan Esders, "Laeti and liti" (n. 109): at n. 74.

135 By Karl Ubl, cf. Detlef Liebs, "Vier Arten von Römern unter den Franken im 6. bis 8. Jh.," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Romanistische Abteilung* 133 (2016): 459 first n., 462.

136 Liebs, "Vier Arten von Römern" (n. 135): 459–68; Dominik Trump, "Die Tironiana der Handschrift Paris, Bibliothèque Nationale, lat. 4416," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Romanistische Abteilung* 135 (2018): 607–18.

137 Liebs, "Vier Arten von Römern" (n. 135): 462.

mulary practice. Although it had fallen into disuse in late Roman law and was completely abolished by Justinian, it lived on in post-Roman law codes, indicating a rather fine-grained hierarchisation of those societies.

This last observation goes beyond our present task, i.e. to enquire into the terms of dependency in post-Roman law codes. But it fits well into the picture provided by the *lex Salica*: the codes adopted both the Roman terms and the Roman institutions of dependency, and either juxtaposed them with their own social hierarchy (*lex Salica*) or merged the two (*codex Euricianus*; *edictum Theoderici*). Unsurprisingly, this alternativity coincided with the decision either to compile a code for both Romans and Goths (*codex Euricianus*; *edictum Theoderici*) or one that only applied to Franks (*lex Salica*). Apart from this, *servus* became a blanket term for dependent people in all law codes. Though the *lex Salica* contains a wide variety of dependency relationships, with *servi* and *ancillae* occupying the lowest social rank, we cannot deduce that they were wholly without rights. As in other cases, the meaning and relevance of legal terms derived from their application in practice.

3. Research Lenses

3.3. Norms, Institutions, Practices

Wolfram Kinzig. "'I Abjure Satan, his Pomp, and his Service': Exchanging Religious Dependencies in the Early Church," in *Control, Coercion, and Constraint: The Role of Religion in Overcoming and Creating Structures of Dependency*, ed. Wolfram Kinzig and Barbara Loose (Berlin: De Gruyter, 2025): 45–64.

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Wolfram Kinzig

'I Abjure Satan, his Pomp, and his Service': Exchanging Religious Dependencies in the Early Church

1 A Piece of Ecclesial Gossip

In a letter from 428 or 429 CE, Augustine (354–430), bishop of the North African port Hippo Regius, told his friend Alypius, bishop of Thagaste (some sixty miles south of Hippo), a piece of ecclesial gossip.[1] The protagonist of the story, which Augustine had only heard second-hand, was a certain Dioscorus, the chief physician (*archiater*) of an unknown location.[2] Dioscorus must have enjoyed a considerable reputation as a doctor because Augustine did not feel it necessary to provide further biographical information about him. Dioscorus was a kind man but a fierce critic of Christianity. Thus, it came as a great surprise that when his daughter fell seriously ill, Dioscorus prayed to Christ and vowed to become a Christian should she be saved. His prayers were answered, and his daughter recovered. Yet, the good doctor reneged on his vow. As a result, he was afflicted by a temporary loss of sight, which he interpreted as a divine punishment for breaking his promise. Here is the central sequence of the story in Augustine's own words:

> He cried out and confessed [*confitens*] and vowed again that he would fulfil what he had vowed [*voverat*] if light be returned to him. It returned; he fulfilled [his vow], and still the hand [of the Lord] was raised. He had not committed the creed [*symbolum*] to memory, or perhaps had refused to commit it, and made the excuse that he was unable. God saw. Immediately after all the ceremonies of his reception [*post festa omnia receptionis suae*], he was undone by a paralysis in many, indeed almost all, his members. Then, being warned by a dream, he confessed in writing

1 Augustine, *Epistula 227* (FaFo § 636i). The date is uncertain. In the title and the explicit of the letter Alypius is called an old man (*senex*). This may, however, also be an honorific title; cf. André Mandouze, *Prosopographie chrétienne du Bas-Empire*, vol. 1 (Paris: Éditions du C.N.R.S., 1982): 53, 64, s.v. 'Alypius'. The letter is also discussed by Todd S. Berzon, "Between Presence and Perfection: The Protean Creed of Early Christianity," *Journal of Early Christian Studies* 29 (2021): 593–96, but his conclusions are very different from mine.

2 Cf. J.R. Martindale, *Prosopography of the Later Roman Empire (PLRE)*, vol. 2 (Cambridge: Cambridge University Press, 1980): 367, s.v. 'Dioscurus 3' (cf. also PLRE, vol. 1: 261, s.v. 'Dioscorus 2'); Mandouze, *Prosopographie chrétienne*: 279, s.v. 'Dioscorus 1'. It is unlikely that Dioscorus was *archiater* in Hippo. In that case, Augustine would no doubt have known the story first-hand.

Note: In what follows FaFo refers to the source texts collected in Wolfram Kinzig, *Faith in Formulae: A Collection of Early Christian Creeds and Creed-Related Texts*, 4 vols., Oxford Early Christian Texts (Oxford: Oxford University Press 2017). Dr Maria Munkholt Christensen and Nathalie Kröger have kindly proofread this article.

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> that he had been told that this had happened because he had not recited the creed [*quod symbolum non reddiderit*].
>
> After that confession [*post illam confessionem*], the use of all his members was restored to him, excepting only the tongue; nevertheless, he, being still under the same affliction, disclosed in writing that he had nonetheless learnt the creed [*symbolum*] and still retained it in his memory; and so that frivolity which, as you know, blemished his natural kindness and made him exceedingly profane when he mocked Christians, was altogether destroyed in him.

Unfortunately, the sources do not tell us what exactly happened *before* Dioscorus turned to Christ in prayer. The famous physician must have tried several cures which may have involved certain pagan rituals but which, in the end, remained unsuccessful. He may then have resorted to praying, perhaps, first to some local deity, again to no avail. At this point, he may have realized that his gods were, ultimately, less potent than he had assumed, and in his distress he turned to the God of the Christians and took a vow, or, in more modern words, he struck a deal: he promised to become a Christian and, in return, expected his daughter to be cured by divine intervention. Dioscorus' behaviour was by no means eccentric. He continued to operate within the parameters of Roman religion, which were based on the principle *do ut des*, i.e., I promise the gods veneration if they do something for me in return.[3] Dioscorus' actions appeared to bring about the long-expected success. Indeed, his daughter recovered.

But Dioscorus tried to cheat God. Although he had taken a vow and was, therefore, committed to honouring his obligations,[4] he tried to withdraw. The repercussions of his decision were severe: he was twice struck by illness. After first going blind, Dioscorus decided to register for the catechumenate. However, in the end, he hesitated to go through with the preparatory rites for baptism. One part of the catechumenate was the *traditio* and *redditio symboli*. At some point before the date of baptism (usually Easter), the bishop 'handed over', that is, explained, the creed (*symbolum*) to the candidates for baptism and asked them to memorize it. Then, some days later, the candidates had to solemnly 'give it back', that is, recite it in the presence of the bishop. Here, at the *redditio*, Dioscorus had managed to withdraw from the recitation of the creed. He may have pretended some illness, shyness, or poor memory – in any case, he had obviously been excused. We do not know why Dioscorus sought such a recusal. It may have been due to the stubbornness of an elderly man, or the decision

3 Cf. Kurt Latte, *Römische Religionsgeschichte*, Handbuch der Altertumswissenschaft 5.4 (1967; repr. of 2nd ed., Munich: C.H. Beck, 1992): 46–47; Karl Hoheisel, "Do ut des," in *Handbuch religionswissenschaftlicher Grundbegriffe*, vol. 2, eds. Hubert Cancik, Burkhard Gladigow, Matthias Laubscher, and Karl H. Kohl (Stuttgart: Kohlhammer, 1990): 229; Jörg Rüpke, *Religion of the Romans* (Cambridge: Polity Press, 2007): 149.

4 Cf. Bernhard Kötting and Bernhard Kaiser, "Gelübde," in *Reallexikon für Antike und Christentum*, vol. 9 (Stuttgart: Hiersemann, 1976): 1078–80; Jörg Rüpke, *On Roman Religion: Lived Religion and the Individual in Ancient Rome*, Townsend Lectures / Cornell Studies in Classical Philology (Ithaca: Cornell University Press, 2016): 121–24.

may have been based on fear of what would happen to him if he gave up the traditional worship which his forefathers had practised for centuries and which, in his view, had guaranteed his professional success. Be that as it may, in the end, Dioscorus seems to have been baptized.[5]

But then something happened which made him change his mind once again. His daughter's cure may have triggered this conversion process, but ultimately it was accelerated by the series of illnesses that struck Dioscorus. After having suffered a stroke, and as the result of a dream, Dioscorus finally understood that the traditional gods no longer determined his fate. Instead, the Christian God had taken over. Thus, a new system of religious dependency was established. In the end, unable to speak, Dioscorus performed the *redditio* in writing.[6]

2 Preparation for Baptism in the Early Church

Whatever the details of this story (and I will come back to some aspects of it later), it makes clear that the ancient Mediterranean world operated within a system of dependencies that transcended the empirical realm. The social order that structured society and in which most people lived as members of the lower classes or even slaves in a situation of utter dependency on the goodwill of their masters or owners[7] was embedded in a broader hierarchy. This structure also included the realm that was believed to exist beyond what could be perceived by human bodily senses and which could only be accessed by those endowed with a philosophical intellect, if at all.

This metaphysical realm encompassed the gods and all other spiritual beings, including angels, demons, and the devil. The visible world was generally considered subordinate to the will and actions of these supernatural beings. In early Christianity, it was thought that humans could extract themselves from the power of the devil and the traditional gods (who were considered evil demons) via a system of rites that had

5 At least, this is what the words *post festa omnia receptionis suae* suggest.

6 Apparently, after having suffered a stroke subsequent to his baptism, he first disclosed that he had not taken part in the *redditio symboli*. He then partly recovered from his illness but remained unable to speak. Only then does he appear to have written down the creed. Augustine does not say whether Dioscorus' health was fully restored in the end. It is equally unclear whether the words *post illam confessionem* imply some kind of formal penitential act.

7 According to recent estimates, 90 percent of Roman society was unable to afford a slave (and were hence considered of lowly status), whereas slaves constituted just under 10 percent of the imperial population. Cf. Kyle Harper, *Slavery in the Roman World AD 275–475* (Cambridge: Cambridge University Press, 2011): 24–25, 58–60.

legal implications. Through these rites, Christians could forsake all other supernatural allegiances and place themselves under the sole authority of Christ. It is this change of allegiance and replacement of one relationship of dependency with another that I want to explore in this article.

Ultimately, conversion to Christ was, of course, sealed by baptism itself. Yet, the submersion of the convert in water was only the end of a longer process known as the catechumenate. I do not want to explain the system of the catechumenate here as its details are quite complicated. Instead, I will briefly sketch its fundamental structure and then deal with two aspects in greater detail.[8]

By the end of the second century, Christian initiation was a three-stage process: the first stage was called "conversion", or "turning about". The technical term ἐπιστροφή (*epistrophé*; Latin: *conuersio*) already indicates that conversion implied a fundamental change in the convert's life. Conversion denotes the turning away from a person's old life and the adoption of a new moral code. Converts to Christianity were expected to control their sexual lives, display a certain self-control as regards food and drink, promote social cohesion and social justice through almsgiving, and, finally, avoid all acts and rites associated with their former gods and beliefs. Once the convert sought to enter the Christian community, he became a catechumen. At this stage, he was taught for a certain period about the central beliefs and tenets of Christianity. Finally, he or she was baptized and was thus, at last, fully incorporated into the Christian congregation.

Before they could be baptized, the catechumens had to undergo an examination and, if they passed it, were repeatedly exorcized so that they were cleansed of all evil spirits. The clergy had to make absolutely sure that no demons remained in the baptizands and that they were pure enough to receive baptism. These exorcisms were accompanied by the two rites of ἀπόταξις / ἀποταγή (*apótaxis / apotagé*, renunciation) and σύνταξις / συνταγή (*sýntaxis / syntagé*, engagement) and / or *traditio / redditio symboli* (handing over and recitation of the creed). I will focus on these two rites in what follows. They symbolize or even enact the change of religious allegiance to which I referred in the title of my paper.

8 For what follows cf. Wolfram Kinzig and Martin Wallraff, "Das Christentum des dritten Jahrhunderts zwischen Anspruch und Wirklichkeit," in *Das Christentum I: Von den Anfängen bis zur Konstantinischen Wende*, ed. Dieter Zeller, Die Religionen der Menschheit 1 (Stuttgart: Kohlhammer, 2002): 339–52.

3 The Rite of apótaxis / apotagé and sýntaxis / syntagé

In order to explain what the rite of *apótaxis* (or *apotagé*) and *sýntaxis* (or *syntagé*) was about,[9] I turn to one of the most influential theologians of the fifth century, Theodore, bishop of Mopsuestia in Cilicia (bishop 392/3–428 CE).[10] A series of *Catechetical Homilies* has come down to us in Syriac translation in which Theodore explains the creed, the Lord's Prayer, baptism, and the Eucharist. In what follows, I will focus on the rites that precede baptism.

According to Theodore's description (which is also found in the works of many other Christian authors of the period), the world is dominated by two competing systems of dependency, one headed by Christ (who is ultimately victorious) and the other by the devil. Satan had laid a claim on humankind ever since the Fall of Adam. In his sermon, Theodore stages a veritable courtroom drama: Satan's ownership of humankind had been challenged by his slaves, i.e., humans. He takes his case to the divine court. In response, humankind defends itself against its devilish accuser as follows:

> But it is necessary that a judgment should be given for us against the Tyrant, who is fighting the case against us, that is to say, Satan, who is always envious of our deliverance and salvation. He shows here also the same ill will towards us and tries and endeavours to file suit against us as if we had no right to be outside his ownership. He pleads that from ancient times and from our being in legal succession to the head of our race we belong to him by right.[11]

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9 Fundamental discussion in Hans Kirsten, *Die Taufabsage: Eine Untersuchung zu Gestalt und Geschichte der Taufe nach den altkirchlichen Taufliturgien* (Berlin: Evangelische Verlagsanstalt, 1960): passim, esp. 76–81, 124–33; Alois Stenzel, *Die Taufe: Eine genetische Erklärung der Taufliturgie*, Forschungen zur Geschichte der Theologie und des innerkirchlichen Lebens 7–8 (Innsbruck: Rauch, 1958): 98–108; Henry A. Kelly, *The Devil at Baptism: Ritual, Theology, and Drama* (Ithaca: Cornell University Press, 1985). In addition, cf. Wolfram Kinzig, trans., *Asterius: Psalmenhomilien*, 2 vols., Bibliothek der griechischen Literatur 56–57 (Stuttgart: Hiersemann, 2002): 465, n. 13.

10 For what follows, cf. also Kelly, *The Devil at Baptism:* 148–51; Nathan Witkamp, *Tradition and Innovation: Baptismal Rite and Mystagogy in Theodore of Mopsuestia and Narsai of Nisibis*, Supplements to Vigiliae Christianae 149 (Leiden: Brill, 2018): 182–216.

11 Theodore of Mopsuestia, *Homilia catechetica 12*: 18 (trans. Alphonse Mingana, *Commentary of Theodore of Mopsuestia on the Lord's Prayer and on the Sacraments of Baptism and the Eucharist*, Woodbrooke Studies 6 [Cambridge: W. Heffer & Sons, 1933]: 27; altered). In what follows, the translations in Mingana, *Commentary of Theodore of Mopsuestia* were revised according to Raymond Tonneau and Robert Devreesse, *Les homélies catéchétiques de Théodore de Mopsueste: Reproduction phototypique du ms. Mingana syr. 561 (Selly Oak Colleges' Library, Birmingham)*, Studi e Testi 145 (Vatican City: Biblioteca Apostolica Vaticana, 1949) and Peter Bruns, *Theodor von Mopsuestia: Katechetische Homilien*, 2 vols., Fontes Christiani 17 (Freiburg: Herder Verlag, 1994).

Theodore then gives the floor to the accuser, who recapitulates the story of the Fall of Adam and God's pronouncement against Adam in Genesis 3:18–19, which entitled Satan to ownership of Adam and all his descendants. Satan concludes:

> From the fact that by his own will he [Adam] chose my lordship you clearly belong to me, as I am the prince of the powers of the air and of the spirit, but now I work in the children of disobedience [cf. Ephesians 2:2]. How, then, is it possible that this man, who from the beginning and from the time of his forefathers belongs to me – as a just death sentence was passed against him in this mortal world, where he still is and where I hold sway over him – should be taken away from this world and from this way of life, and consequently from my lordship also, which he himself chose willingly? And should he now become immortal, a thing which is higher than his nature? And should he be seen in the life and occupations of the abode of heaven? This does not pertain to humans or to beings who have this (human) nature, who are different from those who are endowed with a higher nature.[12]

Humankind, therefore, is forced to show and establish the title it possesses:

> [. . .] that originally we did not belong to Satan and to our forefathers, but to God who created us while we were not and made us in his own image [cf. Genesis 1:27], and that it was through the iniquity and the wickedness of the Tyrant and through our own negligence that we were driven towards evil. Therefore, we lost also the honour and greatness of the [divine] image, and because of our malice we further received the punishment of death.[13]

Finally, it was Christ who, through his death, came to humankind's rescue by abolishing human sin and transgressions.

In the end, after having listened to both sides, God issues a sentence:

> He condemned the Tyrant for the ill will of which he had made use against him [Christ] and against all our race, and pronounced judgment against him. Therefore, he raised Christ our Lord from the dead and made him immortal and immutable, and took him to heaven. And he vouchsafed to all the [human] race the joy of [his] gifts so that no room might be left to the Slanderer from which to inflict injuries on us.[14]

The rite of *apótaxis* (renunciation) and *sýntaxis* (engagement) encompassed the moment when the individual believer could transition from the tyranny of the devil to the merciful reign of Christ. Here, the candidates for baptism formally declared their change of ownership from Satan to Christ. The words of this rite varied in the Greek Church,[15] but its basic formula looked like this:

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12 Theodore of Mopsuestia, *Homilia catechetica 12:* 18 (trans. Mingana, *Commentary of Theodore of Mopsuestia:* 27–28; altered).

13 Theodore of Mopsuestia, *Homilia catechetica 12*: 19 (trans. Mingana, *Commentary of Theodore of Mopsuestia:* 28; altered).

14 Theodore of Mopsuestia, *Homilia catechetica 12*: 20 (trans. Mingana *Commentary of Theodore of Mopsuestia:* 29; altered).

15 Cf. Kirsten, *Die Taufabsage*: 39–51.

Ἀποτάσσομαί σοι, Σατανᾶ, καὶ τῇ πομπῇ σου καὶ τῇ λατρείᾳ σου,
καὶ συντάσσομαί σοι, Χριστέ.

I abjure you (*apotássomai*), Satan, and all your pomp and your (worship) service,
and I engage myself (*syntássomai*), Christ, to you.[16]

The verb *apotássomai* is often translated into English as 'I renounce' and understood as an expression of abstention or even of asceticism.[17] However, other semantic nuances were also attached to this term and, therefore, to the rite of that name. In papyri, *apotássomai* is used in a legal context to designate withdrawal from legal obligations proceeding from a contract.[18] In contracts and other documents, the term was also used as part of a formula that indicated the renunciation of legal support.[19] Finally,

16 John Chrysostom, *Catecheses baptismales (Taufkatechesen)*, 2 vols., ed. and trans. Reiner Kaczynski, Fontes Christiani 6.1–6.2 (Freiburg: Herder 1992): 23.

17 This is, of course, correct and recalls Luke 14:33, where Christ tells the crowds travelling with him: 'So therefore, none of you can become my disciple if you do not renounce (*apotássetai*) all your possessions.' Therefore, *apótaxis* was translated into Latin as *abrenuntiatio* and hence into English as "renunciation". Regarding the history of the verb, cf. Kirsten, *Die Taufabsage:* 76–78; Gerhard Delling "τάσσω κτλ," in *Theologisches Wörterbuch zum Neuen Testament*, vol. 8 (Stuttgart: Kohlhammer, 1969): 33–34.

18 P. Oxy. 6 904 (fifth c.; Bernard Grenfell and Arthur S. Hunt, eds. and trans., *The Oxyrhynchus Papyri*, part 6 [London: Egypt Exploration Society, 1908]: 242): A certain Flavius sends a petition to the governor (*praeses*) of the Thebaid. He has acted as a substitute for Philoxenus, who holds the post of police official (*riparius*) in Oxyrhynchus. However, Flavius feels unfairly treated by Philoxenus and asks the governor to be released from his duties. ll. 7–9: 'Accordingly I make my entreaties to your highness that I should be released from so grievous an office, and that the original holder should be compelled to finish it either himself or through some other person, as I renounce (ἀποταξαμένου / *apotaxaménou*) it, being unable to endure any longer an office so severe and onerous [. . .]' (trans. Grenfell and Hunt, *The Oxyrhynchus Papyri:* 242–43). As regards this papyrus, cf. also Alexander H. Macnaghten, "Local Administration in Egypt under Roman Rule, Fourth to Sixth Centuries AD: The Element of Corruption" (PhD diss., University of St Andrews, 1993): 185; https://papyri.info/ddbdp/p.oxy;6;904 = TM 35311; https://www.trismegistos.org/text/35311 [accessed 03.09.2021].

19 In several papyri, a formula like ἀποτάττομαι πάσῃ βοηθείᾳ νόμων ('I renounce all legal help / support') is used. Cf. (in roughly chronological order):

BGU 17 2685, l. 30 (585 CE), https://papyri.info/ddbdp/bgu;17;2685 = TM 69756, https://www.trismegistos.org/text/69756 [accessed 03.09.2021];

P. Oxy. 83 5395, l. 6 (592/602 CE), https://papyri.info/ddbdp/p.oxy;83;5395 = TM 786169, https://www.trismegistos.org/text/786169 [accessed 03.09.2021];

SB 18 13585, l. 4 (sixth/seventh c.), https://papyri.info/ddbdp/sb;18;13585 = TM 35167, https://www.trismegistos.org/text/35167 [accessed 03.09.2021];

SB 6 9151, l. 3 (*c.* 600 CE), https://papyri.info/ddbdp/sb;6;9151 = TM 17861, https://www.trismegistos.org/text/17861 [accessed 03.09.2021];

SPP 20 218, l. 36 (624 CE?), https://papyri.info/ddbdp/stud.pal;20;218 = TM 18752, https://www.trismegistos.org/text/18752 [accessed 03.09.2021];

SB 18 13173, l. 96–7 (629/644 CE?), https://papyri.info/ddbdp/sb;18;13173 = TM 18404, https://www.trismegistos.org/text/18404 [accessed 03.09.2021];

apotássomai and *syntássomai* could indicate withdrawal from or submission to someone's command. It could also be employed upon leaving or joining either a group of troops or, more specifically, a commander's entourage (τάξις / *táxis*).[20] Hence the terminology used here could also evoke both juridical and military associations.

The idea of a change of allegiance and its legal consequences may also be indicated in the use of the much-discussed term πομπή / *pompa*.[21] According to the explanations given by the Church Fathers from Tertullian onwards, the *pompa diaboli* (devil's pomp) is simply everything that early Christians considered sinful and associated with the devil. In particular, they used the term to denote the theatre and the circus, pagan cults and their festivals, inappropriate songs and music, and other licentious or cult-related behaviours. Nevertheless, πομπή / *pompa* originally designated a procession associated with a cult or an escort, such as that which followed the emperor, some other important magistrate, or parades conducted for other purposes.[22] The candidates for baptism may always have associated this nuance with their act of abjuration. For them, leaving Satan also meant leaving his retinue and joining the cohort of Christ, who was superior to the prince of darkness.[23]

A series of outward gestures and signs accompanied the recitation of the formula by the candidates. Theodore described the candidates when he wrote that they stood barefoot on sackcloth. They then removed their outer garments and thus ended up standing there in their underwear. Once stripped, they stretched out their hands towards God and looked towards heaven as if to pray. Finally, they genuflected while keeping the rest of their body erect and said the formula of *apótaxis* and *syntaxis.* In Theodore's congregation, the formula was recited in a comparatively extended version:

P. Paramone 18, l. 29 (incomplete) (641 CE?), https://papyri.info/ddbdp/p.paramone;;18 = TM 78713, https://www.trismegistos.org/text/78713 [accessed 03.09.2021];

SB 6 8988, ll. 46–7 (647 CE), https://papyri.info/ddbdp/sb;6;8988 = TM 17841, https://www.trismegistos.org/text/17841 [accessed 03.09.2021];

P. Herm. 35, l. 9 (seventh c.), https://papyri.info/ddbdp/p.herm;;35 = TM 39260, https://www.trismegistos.org/text/39260 [accessed 03.09.2021].

The use of ἀποτάττομαι in the papyri would require further investigation.

20 Cf. Hugo Rahner, "Pompa diaboli: Ein Beitrag zur Bedeutungsgeschichte des Wortes πομπή – *pompa* in der urchristlichen Taufliturgie," *Zeitschrift für katholische Theologie* 55 (1931): 248–55, largely followed by Franz Bömer, "Pompa," in *Paulys Realencyclopädie der classischen Altertumswissenschaft*, vol. 21.2, ed. Georg Wissowa (Stuttgart: J.B. Metzler, 1952): col. 1992–93. For criticism, cf. Jan Waszink "Pompa Diaboli," *Vigiliae Christianae* 1 (1947); Kirsten, *Die Taufabsage:* 77, n. 11.

21 Cf., in general, esp. Bömer, "Pompa."

22 As regards the use of the lexeme cf. Bömer, "Pompa": col. 1879–92. In general, cf. John F. Baldovin and Susanne Heydasch-Lehmann, "Prozession," in *Reallexikon für Antike und Christentum*, vol. 28 (Stuttgart: Hiersemann, 2017).

23 Cf. esp. Bömer, "Pompa": col. 1990–93.

> I abjure Satan and all his angels and all his works and all his service and all his earthly deception; and I engage myself and believe and am baptized in the name of the Father and of the Son and of the Holy Spirit.

Then the priest, clad in shining robes, signed the candidates on their forehead with chrism and said: 'So-and-so is sealed in the name of the Father and of the Son and of the Holy Spirit'. Finally, the godfathers spread an *orarium*, i.e., a linen stole, on the crown of their heads, raised them, and made them stand erect.[24]

Theodore offered an extensive explanation for each element of this rite. In this context, his comments on the words of *apótaxis* and *sýntaxis* are the most relevant:

> This is the reason why you say: 'I abjure Satan.' Formerly, even if you wished it, you did not dare to make use of these words, because you were afraid of his servitude, but as you have, by a divine decree, received freedom from him through the exorcisms, you proclaim and abjure him with confidence and by your own words, and this is the reason why you say 'I abjure Satan.'

Through the *apótaxis,* the converts renounced their association with Satan and withdrew from 'that cruel and ancient contract, which resulted in the calamitous servitude to him', under which they lived. The new Christians could do this because Christ had freed them from the yoke of the Tyrant, delivered them from his servitude, and granted them a share in his merciful gifts.[25]

On the surface, Theodore's explanations may look like a sort of freedom discourse. Indeed, in many baptismal homilies – building upon the New Testament[26] – liberation from the devil and sin was described as liberation from slavery.[27] However,

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24 Theodore of Mopsuestia, *Homilia catechetica 13*: synopsis (tr. Mingana, *Commentary of Theodore of Mopsuestia:* 34–35; altered).

25 Theodore of Mopsuestia, *Homilia catechetica 13*: 5 (Mingana, *Commentary of Theodore of Mopsuestia:* 37–38; altered).

26 Cf. e.g. Galatians 4:3–7; Hebrews 2:14–15.

27 Cf. e.g., Chrysostom, *Catecheses baptismales 3.2*: 27, 29; *3.3*: 3; *3.4*: 22. Cf. also Basil of Seleucia, *Homilia paschalis* 3. Sometimes the enslavement by the devil is seen as being replaced by adoption through Christ (cf. Romans 8:15; Galatians 4:1–7); cf., e.g., Pseudo-Hippolytus, *Sermo in sancta theophania* 10: 'For he who comes down in faith to the laver of regeneration, renounces the devil, and joins himself to Christ; who denies the enemy and makes the confession that Christ is God; who puts off the slavery and puts on the adoption, – he comes up from the baptism brilliant as the sun [cf. Matthew 17:2], flashing forth the beams of righteousness, and, which is indeed the chief thing, he returns a son of God and joint-heir with Christ [cf. Romans 8:17]' (trans. in Philip Schaff et al., eds. and trans., *Ante-Nicene Fathers. Fathers of the Third Century: Hippolytus, Cyprian, Caius, Novatian, Appendix*, vol. 5 [Grand Rapid, MI: Christian Classics Ethereal Library, 1885]: 237; altered). On this passage (which was pointed out to me by Dr Maria Munkholt Christensen), cf. also Everett Ferguson, *Baptism in the Early Church: History, Theology, and Liturgy in the First Five Centuries* (Grand Rapids: Eerdmans, 2009): 334–35. As regards the liberation from Satanic debt bondage, cf. the examples in Kinzig, trans., *Asterius: Psalmenhomilien*, vol. 1: 118, n. 70; and Arkandiy Avdokhin, "(Il)Legal Freedom: Christ as Liberator from Satanic Debt Bondage in Greek Homilies and Hymns of Late Antiquity," in *Slavery in the Late Antique*

this does not, in any way, imply that newly baptized Christians were thought to have thenceforth enjoyed some kind of legal, social, or moral autonomy. On the contrary, in all ancient Christian writings, freedom from the devil meant service to Christ, which consisted in adopting the moral conduct prescribed by the new Master and laid down in the New Testament.[28] Theodore concludes his section on the *apótaxis* and *sýntaxis* by asserting:

> As when you say 'I abjure [Satan]' and keep entirely away from him you indicate never to revert to him nor to wish to associate yourself with him anymore, so also when you say 'I engage myself' you show that you will remain steadfastly with God, that you will henceforth be unshakeably with him, that you will never separate yourself in any way from him. And you will consider it most precious to be and to live with him and to lead a life that is in harmony with his laws.[29]

Both relationships, the old one with Satan and the new one with Christ, are regulated by contracts obliging one partner to serve the other. Through the *apótaxis,* one of these contracts is dissolved, and through the *sýntaxis,* a new one is established.[30] Neither of the contracts were believed to have been concluded between equal partners. Instead, both the old contract with Satan and the new with Christ are understood as contracts regulating a relationship of asymmetrical dependency in the strongest sense

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World, 150–700 CE, eds. Chris L. de Wet, Maijastina Kahlos, and Ville Vuolanto (Cambridge: Cambridge University Press, 2022): esp. 73–86.

28 Cf. also Avdokhin, "(Il)Legal Freedom": 82.

29 Theodore of Mopsuestia, *Homilia catechetica 13*: 13 (Minganga, *Commentary of Theodore of Mopsuestia:* 44; altered).

30 In a baptismal catechesis, John Chrysostom also emphasizes the legal aspect of the *apótaxis* / *sýntaxis* but phrases it slightly differently (*Catechesis baptismalis 3.2*: 17): 'Now let me speak of the mysteries themselves and of the contracts (συνθηκῶν / *synthekôn*) which will be made between yourselves and the Master. In worldly affairs, whenever someone wishes to entrust his business to anyone, a written contract (γραμματεῖα / *grammateîa*) must be completed between the trustee and his client. The same thing holds true now, when the Master is going to entrust to you not mortal things which are subject to destruction and death, but spiritual things which belong to eternity. Wherefore, this [contract] is also called faith, since it possesses nothing visible but all things which can be seen by the eyes of the spirit. Therefore, an agreement must be concluded between the contracting parties. However, it is not on paper nor written in ink; it is in God and written by the Spirit. The words which you utter here are registered in heaven, and the agreements (συνθήκας / *synthékas*) you make by your tongue abide indelibly with the Master.' (trans. Paul W. Harkins, *St. John Chrysostom: Baptismal Instructions*, Ancient Christian Writers 31 [New York: Newman Press, 1963]: 49–50, altered). For contract terminology cf. also Chrysostom, *Catecheses baptismales 2.1*: 5; *2.3*: 4; *2.4*: 20–23; *3.2*: 17–22; *3.3*: 31–32; Asterius, *Homilia in Psalmos 27*: 2. Sometimes baptism is also described as a marriage contract; cf. Chrysostom, *Catecheses baptismales 2.3*: 6; *3.1*: 16. Further examples in Kirsten, *Die Taufabsage*: 78–80; Michel Aubineau, *Hésychius de Jérusalem, Basile de Séleucie, Jean de Béryte – Homélies pascales (cinq homélies inédites): Introduction, texte critique, traduction, commentaire et index*, Sources Chrétiennes 187 (Paris: Éditions du Cerf, 1972): 262–64.

of the term.[31] However, the new contract no longer leads to the perishment of humankind because of Adam's and its own sins, but ultimately to its liberation from sin.

John Chrysostom, the most famous preacher of the ancient Greek Church (presbyter in Antioch 386–98 CE; patriarch of Constantinople 398–404/7 CE), expressed this change of dependency even more forcefully in one of his baptismal homilies. He declared:

> And I ask you who are about to be initiated to learn these words [of renunciation]. They constitute a contract [συνθήκη / *synthéke*] with the Master. When we are buying slaves,[32] we first ask those who are for sale if they are willing to serve us. Christ does the same. When he is about to take you into his service, he first asks [you] if you are willing to put away that cruel and harsh tyrant, and he accepts from you your contracts [συνθήκας / *synthékas*]. He does not force his mastership on you.
>
> And consider God's loving-kindness [φιλανθρωπίαν / *philanthropían*]. Before we pay out the price, we question the slaves who are for sale, and only when we learn that they are willing [to serve us] do we pay out the price. But Christ does not deal in this way; he paid the price for all of us, his precious blood. 'You have been bought with a price', says [Paul] [1 Corinthians 7:23]. And even so, he does not force those to serve him who are unwilling to do so. Unless you are grateful, he says, and are willing of yourself and of your own accord to be enrolled [ἐπιγράψασθαι / *epigrápsasthai*] under me as your Master, I do not force or compel you.
>
> We ourselves would never choose to buy wicked slaves, and even if we ever should so choose, we buy and pay the price because of a bad choice. But when Christ buys reckless and lawless slaves, he pays the price of the first-class slave; rather, he pays a much greater price – so much greater that neither mind nor reason can grasp its greatness. For he has bought us, not by giving the heavens, the earth, and the sea, but what is more valuable than all of these, by paying down his own blood. And after all this, he does not demand witnesses of us nor written documents (ἔγγραφα / *éngrapha*), but he is satisfied with our bare statement; if you say from the heart: 'I abjure you, Satan, and your pomp,' he has received all that he asks.[33]

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31 Regarding the term, cf. Julia Winnebeck et al., "The Analytical Concept of Asymmetrical Dependency," *Journal of Global Slavery* 8 (2023): 1–59.

32 The following example is not easy to understand, as the slaves are asked for their willingness to serve and some kind of contract is involved. Perhaps in this case, the servants were, in principle, free and contracted their labour in return for a loan. Cf. *Codex Iustinianus* 8, 42, 20 and Harper, *Slavery in the Roman World*: 382. For the present passage, cf. Chris L. de Wet, *Preaching Bondage: John Chrysostom and the Discourse of Slavery in Early Christianity* (Oakland: University of California Press, 2015): 16: 'Chrysostom also says that possible buyers asked slaves if they wanted to be in their service – this may have happened in some cases, but it was perhaps more a courtesy; essentially slaves did not have any choice in the matter; they had to accept their fate after being sold.' Furthermore, De Wet, *Preaching Bondage*: 57–58.

33 Chrysostom, *Catechesis baptismalis 1*: 19; trans. Harkins, *St. John Chrysostom*: 188–89, altered). Cf. also (Pseudo)Serapion of Thmuis, *Euchologion* 9 (entitled: 'prayer after the *apotáxis*'): 'Almighty Lord, seal the assent which has now been made to you by this your slave and preserve unchangeably his character and manner of life in order that he may no longer serve worse things but be a servant [= give worship; λατρεύῃ / *latreúê*] to the God of truth and be a slave to you, the Maker of all things, so as to be declared perfect and genuinely yours.' (trans. Ferguson, *Baptism in the Early Church*: 462; altered).

The new master does not act in the way we might expect. In economic terms, his behaviour is foolish: he pays the highest price for his new slaves. Christ's buying behaviour is thus out of conformity with the practice of slaves' markets in the Roman Empire. Therefore, Chrysostom describes servitude to Christ as transcending traditional structures of asymmetrical dependency because Christ acts out of loving-kindness for his slaves. In so doing, Christ subverts these structures.

4 The Creed as Contract

The second rite, which was closely connected to the change of religious allegiance through conversion to Christianity, was the 'handing over' and recitation of the creed (*traditio / redditio symboli*). As I mentioned above, instruction in the basics of Christianity was a central aspect of the catechumenate. This entry-level formation comprised an introduction to Christian worship along with the sacraments of baptism and the Eucharist. It also included an exposition of the Lord's Prayer (which was seen as the archetypal prayer) and of the fundamental tenets of doctrine as contained in the creed. The creed was primarily understood as a summary of the Christian faith, which the candidates had to memorize. Its purpose was not only didactic – it also served as a token of membership: the worshippers recited the creed at the beginning of the eucharistic service as proof that they were full-fledged members of the Christian congregation and were permitted to take part in Mass.

However, in explanations of the creed, especially by Latin authors, we find that it had yet another function. From the late fourth century onward, Latin explanations abound with legal terminology. The creed is often described as a contract or treatise, much like the *sýntaxis* in the case of Theodore of Mopsuestia.[34] This interpretation rested upon the etymology of the word *symbolum,* which is the technical term for the creed. *Symbolum* was a Greek word, but strangely enough, the Greek Fathers did not use it as a designation for the creed until much later.[35] *Sýmbolon* had a great variety of meanings. Here we are only interested in those that concern the legal sphere. *Sým-*

34 For what follows cf. also Wolfram Kinzig, "Symbolum," in *Augustinus-Lexikon*, vol. 5, fasc. 3/4, eds. Robert Dodaro, Cornelius Mayer, and Christof Müller (Basel: Schwabe, 2021): 621–26; Wolfram Kinzig, "Symbolum," in *Reallexikon für Antike und Christentum*, vol. 31, eds. Christian Hornung et al. (Stuttgart: Hiersemann, 2021): 381–93. Apart from the references quoted in the following notes, cf. also Eucherius, *Instructiones ad Salonium* 2: 15 (FaFo § 20); Fulgentius, *Contra Fabianum fragmentum* 36: 2 (FaFo § 35); *Tractatus symboli* (CPL 1751): 6 (FaFo § 673); Pseudo-Facundus of Hermiane, *Epistula fidei catholicae in defensione trium capitulorum* 11–12 (FaFo § 37); Martin of Braga, *De correctione rusticorum* 15 (FaFo § 608); Eligius of Noyon, *De supremo iudictio* 2 (FaFo § 609); Pirminius, *Scarapsus* 12 (FaFo § 610); baptismal interrogations in FaFo § 764 and § 765; Elmenhorst Homily (FaFo § 772); medieval glossaries quoted in FaFo § 78b and h.

35 Cf. Kinzig, "Symbolum," in *Reallexikon*: 387.

bolon designated 'a tally or token serving as proof of identity and also as guarantee, warrant, official document, contract, or receipt in various contexts; the lexeme can also be used as term for "treaty" or "contract"'.[36]

In their explanations of the creed, the Latin Fathers always felt obliged to explain the meaning of *symbolum* at some point in their work because the term was largely unknown in Latin outside of catechesis.[37] Many Fathers translated *symbolum* as "contract" or "pact". In many cases, their translations are followed by a religious interpretation. Most often, they assert that *symbolum* is the contract the baptizands made with the Lord,[38] witnessed by angels and humans.[39]

The Fathers use a variety of terms to describe this particular contract. For example, Peter Chrysologus (bishop of Ravenna 424/9–451 CE) repeatedly calls it a 'contract of faith' (*pactum fidei*),[40] a 'contract of life' (*vitae pactum*),[41] a 'contract of hope' (*spei pactum*),[42] and a 'pledge of life' (*vitae placitum*),[43] a 'pledge of salvation' (*salutis placitum*),[44] a 'pledge of grace' (*placitum gratiae*),[45] a 'pledge of faith' (*placitum fidei*),[46] and a 'guarantee of faith' (*fidei cautio*).[47] It is an 'insoluble bond of faith' (*fidei insolubile vinculum*) between the believer and God, which grants salvation to the person who professes it.[48] *Fides,* in these contexts, means "faith", but it also means "reliability" in contracts made between business partners.

Therefore, in early Christian explanations of the creed, the spheres of business and religion overlap to a large degree. It is difficult to ascertain whether this terminol-

36 FaFo, vol. 1: 4.

37 Cf. Kinzig, "Symbolum," in *Reallexikon*: 386–87.

38 Only rarely is it defined as a "collection" or "treaty" which the apostles made among each other in composing the creed; cf. Leidrad of Lyon (?), *Explanatio symboli* (FaFo § 49).

39 Cf. Nicetas of Remesiana, *Competentibus ad baptismum instructionis libelli* 5: 13 (FaFo § 14b).

40 Peter Chrysologus, *Sermo 59*: 1–2 (FaFo § 22d1); *Sermo 60:* 18 (FaFo § 22e2).

41 Peter Chrysologus, *Sermo 57*: 16 (FaFo § 22b); *Sermo 58*: 2 (FaFo § 22c); Jesse of Amiens, *Epistula de baptismo* (FaFo § 50).

42 Peter Chrysologus, *Sermo 59*: 18 (FaFo § 22d2).

43 Peter Chrysologus, *Sermo 60*: 18 (FaFo § 22e2).

44 Peter Chrysologus, *Sermo 59*: 18 (FaFo § 22d2).

45 Peter Chrysologus, *Sermo 59*: 1 (FaFo § 22d1).

46 Peter Chrysologus, *Sermo 60*: 2 (FaFo § 22e1). Cf. also Maxentius of Aquileia, *Epistola ad Carolum Magnum Imperatorem de significatu rituum baptismi* (FaFo § 786): *pactum vel complacitum fidei.*

47 Peter Chrysologus, *Sermo 59*: 18 (FaFo § 22d2).

48 Peter Chrysologus, *Sermo 58* (FaFo § 22c). Cf. also *Sermo 59*: 1–2 (FaFo 22d1). Isidore of Seville even says that *two* treaties (*pactiones*) were made; *De origine officiorum (De ecclesiasticis officiis)* 2, 25, 5 (FaFo § 661a): 'The first treaty is the one in which one renounces the devil, his pomp, and all association with him. The second treaty is the one in which one professes to believe in the Father, the Son, and the Holy Spirit.' Similarly, Hrabanus Maurus, *Liber de ordine baptismi 13* (FaFo § 787c).

ogy is used metaphorically or if the preachers thought an *actual* contractual engagement took place in baptism by way of performative utterances.[49]

A good example of this kind of baptismal discourse is found in a sermon by Peter Chrysologus, who admonishes the candidates for baptism as follows:

> We are taught that, even in a human pact, a pledge or a contract [*placitum vel pactum*] which contains hopes for immediate or future gain is called a 'symbol' [*symbolum*]; nevertheless, duplicate documents [*geminata conscriptio*] always confirm that agreement [*symbolum*] between the two parties, and human wariness is appropriate with respect to a debt obligation [*stipulationis cautum*] lest treachery, always the enemy of pacts [*contractus*], might creep in and deceive. But this is the case between human beings, among whom fraud damages either the one by whom it is done or the one to whom it is done.
>
> But between God and human beings the agreement [*symbolum*] of faith is confirmed by faith alone; it is entrusted not to the letter, but to the spirit; it is entrusted and committed to the heart, not to a sheet of paper, since divine credit [*divinus creditus*] has no need of any human pledge [*humana cautio*]. God does not know how to commit fraud and is incapable of suffering it, since he is not hindered by time, nor restrained by age, nor deceived by concealment; he sees what is hidden, he retains what is stolen, and he possesses what is refused him. For God's account is always solvent [*deo salva est ratio sua semper*] since there is nowhere for what he has entrusted [*crediderit*] [to another] to be lost. The following is the case for the human being, not for God: what is lost to the one who rejects it is not lost to the one who lends it.
>
> But you say, 'Why does someone who cannot be deceived demand a pledge [*placitum*]? Why does he want an agreement [*symbolum*]?' He wants it for your sake, not for his; not because he has any doubts, but so that you might believe. He wants an agreement since the one who entered into your death does not disdain entering into a pact [*contractus*] with you. He wants an agreement because although he is always lending everything he wants to be in debt [himself]. He wants an agreement because now he is calling you, not to a [present] reality, but to faith; through the present pledge [*placitum*] he also entices and invites you to future gain.[50]

In this excerpt of Chrysologus' sermon, we again see that God's behaviour is economically eccentric: unlike human actors, he demands no written agreement and grants us all the profit.

Explanations such as these were part of the *traditio symboli*, i.e., the ceremony in which the bishop disclosed the content of the creed. As I indicated above, following its disclosure, the creed was to be learnt by heart and recited in front of the congregation shortly before the actual baptismal service. The liturgical framing of the creed and the solemn setting of the *traditio* and *redditio symboli*, which was accompanied by the

49 An analogous semantic field which poses a similar hermeneutical challenge is that of Christ as liberator from Satanic debt bondage, which is based on Colossians 2:14. Cf. the discussion in Claudia Rapp, "Safe-Conducts to Heaven: Holy Men, Mediation and the Role of Writing," in *Transformations of Late Antiquity: Essays for Peter Brown*, eds. Philip Rousseau and Manolis Papoutsakis (London: Routledge, 2009): 191–95; Claudia Rapp, "Late Antique Metaphors for the Shaping of Christian Identity: Coins, Seals and Contracts," in *Fuzzy Boundaries: Festschrift für Antonio Loprieno*, vol. 2, eds. Hans Amstutz et al. (Hamburg: Widmaier, 2015): 731–36; Avdokhin, "(Il)Legal Freedom".

50 Peter Chrysologus, *Sermo 62*: 3 (FaFo § 22g); cf. also Jesse of Amiens, *Epistula de baptismo* (FaFo § 50).

insistent admonitions of the preachers not to write it down lest it fell into the hands of non-believers,[51] led to the sacralization of the credal text. I cannot address the historical complexity around this development in detail here. Suffice it to say that regardless of the bishops' warnings, creeds *were* written down and used as charms. They were also recited as protective sayings by Christians on dangerous journeys and to enhance the efficacy of medicinal herbs.[52]

5 The Combination of *apótaxis* and the Creed

Occasionally, the *redditio* seems to have replaced the *sýntaxis* in the Eastern Church. This substitution appears, for example, to have been the case in Jerusalem.[53] We have a description of the rites in a series of *Mystagogical Catecheses*, which may, perhaps, be ascribed to Cyril of Jerusalem (bishop 348–386/7) and may have been preached in the 380s. Here the candidates entered the antechamber of the baptistery, faced towards the west, stretched out their hands and said: 'I renounce you, Satan, and all your works and all your pomp and all your service.' The preacher explained that the west was the region of darkness, the realm of the prince of night.[54] This act entailed the annulment of the covenant (*diathéke*, *synthéke*) humankind had concluded with Satan after the Fall:

> Therefore, when you renounce Satan, trampling on your entire covenant with him, you break that ancient compact with the underworld [cf. Isaiah 28:15], God's paradise is opened to you, [the paradise] which he planted in the East [cf. Genesis 2:8], whence our first father was banished because of [his] transgression [cf. Genesis 3:23]; a symbol of this was your turning from West to East, the place of lights. Thereafter you were told to say, 'I believe in the Father, in the Son, and in the Holy Spirit, and in one baptism of repentance.'[55]

Here it appears that the creed replaced the simple formula: 'I engage myself, Christ, to you'. The candidates were then led into the baptistery itself, where they were asked, one by one, whether they believed in the name of the Father, Son, and Holy Spirit. Following an affirmative answer, they were immersed in the water.[56] Thus the creed appears to have been doubled: once in declaratory form in lieu of the *sýntaxis* and once in interrogatory form at the baptism proper.

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51 Cf. numerous references in Wolfram Kinzig, *Neue Texte und Studien zu den antiken und frühmittelalterlichen Glaubensbekenntnissen*, Arbeiten zur Kirchengeschichte 132 (Berlin: De Gruyter, 2017): 340, n. 54.

52 Cf. Wolfram Kinzig, *A History of Early Christian Creeds*, De Gruyter Textbook (Berlin: De Gruyter, 2024): 540–542.

53 For what follows, cf. Juliette Day, *The Baptismal Liturgy of Jerusalem: Fourth- and Fifth Century Evidence from Palestine, Syria and Egypt*, Liturgy, Worship and Society (London: Routledge, 2007): 48–65.

54 Cf. (Pseudo-)Cyril of Jerusalem, *Mystagogia 1*: 2, 4–5, 11.

55 (Pseudo-)Cyril of Jerusalem, *Mystagogia 1*: 9 (FaFo § 631a).

56 Cf. (Pseudo-)Cyril of Jerusalem, *Mystagogia 2*: 4 (FaFo § 631b).

By and large, however, the number of occurrences where the brief formula of *sýntaxis* was replaced by the much more elaborate creed or credal questions in the Eastern Church is limited.[57] There are also some cases where both the formula of *sýntaxis and* the creed (or some credal formula) were recited.[58]

In the Latin West, however, we find no equivalent to the Greek formula of *sýntaxis* at all – it appears never to have been used: instead, here, the creed or credal questions followed upon the renunciation. Sometimes, the *redditio symboli* and the reply to the renunciation with either the entire creed or some briefer formula were two separate rites. In other places, the *redditio* and the *sýntaxis* may, in fact, have coincided.[59] As a result of this process, the two separate legal discourses about the meaning of baptism, that of the *apótaxis* and that of the creed as *symbolum*, were also amalgamated.

The combination of *apótaxis* and credal questions persisted in the Roman church over the centuries and is still found in the present Roman Missal. In its rite of baptism, the Missal contains the following dialogue:

> Celebrant: Do you renounce Satan?
>
> Parents and Godparents: I do.
>
> Celebrant: And all his works?
>
> Parents and Godparents: I do.
>
> Celebrant: And all his empty show?
>
> Parents and Godparents: I do.[60]

These inquiries are followed by the credal questions.

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57 Cf., perhaps, also Narsai of Nisibis (discussion in Witkamp, *Tradition and Innovation*: 193–99).

58 Cf., e.g., canon 19 of the *Canons of Hippolytus* (Northern Egypt?, 336–40 CE or later; FaFo § 606; sequence: *apótaxis* – anointing with the oil of exorcism – *sýntaxis* – credal questions and immersions); *Testamentum Domini* 2:18 (Syria, late fourth–fifth c. CE; cf. FaFo § 615; sequence: *apótaxis* – anointing with the oil of exorcism and final exorcism – *sýntaxis* – credal questions and immersions); *Apostolic Constitutions* 7, 41, 3–7 (Antioch, *c.* 380 CE; FaFo § 182c); the *Ordo of Constantinople* in the *Barberini Euchologion* (seventh c. or earlier; FaFo § 677a, b).

59 This depended on the position of the *redditio* and of the renunciation in the liturgy. In many medieval Western sacramentaries, the *traditio / redditio* preceded the baptism as a separate rite. During baptism, the renunciation was followed by credal questions, which led to a doubling of the confession. For the various options, cf. Kirsten, *Die Taufabsage*: 94–119; Kelly, *The Devil at Baptism*: 201–54.

60 International Commission on English in the Liturgy, ed., *The Roman Ritual: The Order of Baptism of Children. English Translation According to the Second Typical Edition (For Use in the Dioceses of the United States of America)* (Collegeville, MN: Liturgical Press, 2020): 27. There is another dialogue as an alternative option.

6 Summary Remarks

In conclusion, allow me to summarize the results of our glimpse into the rites and interpretations of early Christian baptism:

1. Baptism in the Early Church constituted a change of religious allegiance. Conversion involved replacing one system of asymmetrical dependency (that of depending on the traditional gods) with another (that of dependency upon Christ).
2. In the Greek Church, the catechumens seeking to change allegiance were ritually prepared by exorcisms and performed through the rite of abjuration to Satan and his dominion and a pledge to Christ. Their change of allegiance was then sealed by baptism. In the Latin Church, the pledge to Christ consisted not in a separate pledge formula but in the recitation of the creed or in answering questions related to the creed.
3. In order to explain this exchange of religious dependency in baptism, the preachers in the late antique Church used two overlapping discourses of dependency: one was attached to the Greek rite of *apótaxis* and *sýntaxis*; the other was attached to the creed.
4. Both the relationship between Satan and his followers (often identified with the old gods, which were now seen as demons) and that of Christ and his believers were described as patronage, slavery, or military service for which terms from contractual law were used.
5. Consequently, asymmetrical dependency characterized the old relationship with Satan, but the new relationship with Christ, established through baptism, was by no means symmetrical either. On the contrary, it required total obedience and trust by the believers, which they were to express via certain moral behaviours and through their faith in the salvific action of Christ as formulated in the creed. However, unlike the relationship between Satan and his followers, that between Christ as master and believers as his slaves was marked by Christ's unconditional love for his servants.

This background may help explain the enormous significance that Dioscorus, the protagonist of our initial story, attached to this transition. It clarifies why he initially hesitated to fully embrace the creed, and why he eventually interpreted his paralysis as a punishment for not having recited the formula. Dioscorus ignored the fact that his divine owner had changed from Satan to Christ. As a result, he suffered divine retribution.

On the surface, the religious systems of dependency that I have described appear to have had no immediate bearing on late-antique social systems of dependency: free persons remained free, and slaves remained slaves. Nevertheless, the central commandment in the new moral code, the commandment to love one's neighbour, also included slaves. For early Christians, slaves, just like all other marginalized and oppressed people, were welcome in the Church as full-fledged members and were in-

vited to share in its promises of salvation. John Chrysostom expressed this new state of affairs in his inimitable style:

> Did you see the abundance of his goodness? Did you see the munificence of his invitation? 'Come to me', he says, 'all you who labour and are burdened' [Matthew 11:28]. His invitation is one of kindness, his goodness is beyond description. 'Come to me all', not only rulers but also their subjects, not only the rich but also the poor, not only the free but also slaves, not only men but also women, not only the young but also the old, not only those of sound body but also the maimed and those with mutilated limbs, 'all of you', he says, 'come!' For such are the Master's gifts; he knows no distinction of slave and free, nor of rich and poor, but all such inequality is cast aside. 'Come', he says, 'all you who labour and are burdened.'[61]

Thus, a new standard of ethical behaviour was established. Whether, in the wake of the Christianization of Europe, this did indeed lead to the formation of a more humane society would be the subject of another paper.[62]

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61 John Chrysostom, *Catechesis baptismalis 3.1:* 27 (trans. Harkins, *St. John Chrysostom:* 33, altered). Similarly, *Catechesis baptismalis 2.3*: 4.

62 Cf. some reflections in Wolfram Kinzig, "Die Ausbreitung des Christentums als Humanisierungsprozess. Eusebios verteidigt die Neuheit seiner Religion," in *Eusebius, Porphyry, and Augustine in the Struggle for Interpretational Sovereignty*, ed. Irmgard Männlein-Robert (Berlin: De Gruyter, forthcoming).

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3. Research Lenses

3.3. Norms, Institutions, Practices

Julia Winnebeck. "Serving God: Structures of Dependency in the Ecclesiastical Realm," in *Control, Coercion, and Constraint: The Role of Religion in Overcoming and Creating Structures of Dependency*, ed. Wolfram Kinzig and Barbara Loose (Berlin: De Gruyter, 2025): 45–64.

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Julia Winnebeck

Serving God: Structures of Dependency in the Ecclesiastical Realm

1 Introduction

This chapter investigates the role of the late antique and early medieval Western Church in establishing and perpetuating structures of asymmetrical dependency. It is based on my understanding of penance as an ecclesiastical institution which not only regulated the spiritual practice of both clergy and laypeople but also served as a medium of social control and a gateway to dependency relations such as slavery and bonded labour.[1]

The term "penance" usually refers to ecclesiastical sanctions awarded or undertaken for sin. This practice was first introduced in early Christianity as a means to repent for sins committed after conversion and baptism. The earliest Church Councils and Church father writings describe penance as a fairly regulated system with several tiers.[2] Within this system, the penitents likely underwent a public and humiliating process during which they were separated from the Christian community and expected to express their contrition in ritualized acts such as wailing, kneeling, and praying. On completion of their penance they were welcomed back into the Christian community which was symbolized through the imposition of hands and the participation in the eucharist. The whole process was understood to cleanse the penitents from sin, like baptism had done, so that they would be prepared to face God's judgment in the afterlife.

From the late sixth century onwards, a supposedly different form of penance is conveyed to us through the existence of the so-called penitentials.[3] These relatively

1 Cf. Julia Winnebeck, "Moving Late Antique and Early Medieval Penance (c. 550–800) into the Purview of Slavery and Dependency Studies", *Journal of Global Slavery* 9 (2024): 129–65.

2 For example Tertullian, *De paenitentia* 7–12, Cyprian, *Epistulae* 15, 1; 16, 2; 17, 1, and Basil of Caesarea, ep. 217, 56; cf. Gustav A. Benrath, "Buße V. Historisch," in *Theologische Realenzyklopädie*, vol. 7, *Epistulae* Gerhard Krause and Gerhard Müller (Berlin: De Gruyter, 1981): 453; Peter Gemeinhardt, *Geschichte des Christentums in der Spätantike* (Tübingen: Mohr Siebeck, 2022): 229–31.

3 It is not entirely clear, how exactly the practice of the penance envisioned in the earliest extant penitentials relates to the type known to us from the Early Church which is commonly referred to as "public penance". Initially, the opinion prevailed that through the influence of insular (Irish) monasticism a more "private" (or tariffed) form of penance was introduced in the Western Church at the end of the 6th century. It was thought that this "newer" form of penance was allowed for the repentance of a variety of sins largely by means of extended periods of fasting while major sins still had to be atoned for through public penance. The principal witnesses for this traditional view on penance are Bernhard Poschmann, *Die abendländische Kirchenbuße im frühen Mittelalter*, Breslauer Studien zur historischen Theologie 16 (Breslau: Müller & Seiffert, 1930); Josef A. Jungmann, *Die lateinischen*

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short handbooks elaborate on a range of different sins and recommend appropriate sanctions. According to the severity of the sin, these sanctions vary greatly in length and rigor: Whereas minor sins could, for example, be repented for by the singing of psalms, severe crimes required lengthy periods of fasting often socially isolated from the community and in connection to additional punishments like exile, confinement, compensation payments, and even enslavement.

Even though today only about 300–400 manuscripts containing penitential texts remain,[4] it is thought that these handbooks for priests were widely circulated at the time and formed part of the basic equipment of the clergy in Francia and beyond. There is, however, an ongoing discussion about the penitentials' context of application:[5] They can be read as witnesses for the pious practice of Christians in the form of the confession of ones' sins to a cleric and their subsequent remission via the process of penance. Alternatively, the penitentials can be perceived as evidence for the fact that local churches and monasteries acted as a sort of court of arbitration which handled civil as well as criminal matters. These two readings are of course not mutually

Bußriten in ihrer geschichtlichen Entwicklung, Forschungen zur Geschichte des innerkirchlichen Lebens 3–4 (Innsbruck: Rauch, 1932), and Cyrille Vogel, *Les 'Libri Paenitentiales,'* Typologie de Sources du Moyen Âge Occidental 27 (Turnhout: Brepols, 1978). More recently, researchers have challenged the traditional narrative of the history of penance and instead suggested to understand early medieval penance as a rather complex structure of coexisting norms and practices, cf. e.g. Sarah Hamilton, "Bishops, Education, and Discipline," in *The Oxford Handbook of Medieval Christianity*, ed. John H. Arnold (Oxford: Oxford University Press, 2014): 533; Mayke de Jong, "What Was Public About Public Penance? *Paenitentia Publica* and Justice in the Carolingian World," *La giustizia nell'alto medioevo ii, Settimane di studio del Centro Italiano di Studi sull'Alto Medioevo* 44 (1997): 863–904; Mayke de Jong, "Transformations of Penance," in *Rituals of Power from Late Antiquity to the Early Middle Ages*, eds. Frans Theuws and Janet L. Nelson (Leiden: Brill, 2000): 185–224; Rob Meens, "The Historiography of Early Medieval Penance," in *A New History of Penance*, ed. Abigail Firey (Leiden: Brill, 2008): 89; Rob Meens, "The Frequency and Nature of Early Medieval Penance," in *Handling Sin. Confession in the Middle Ages*, ed. Peter Biller, York Studies in Medieval Theology 2 (Woodbridge: York Medieval Press, 1998): 37; Rob Meens, "The Irish Contribution to the Penitential Tradition," in *The Irish in Early Medieval Europe – Identity, Culture and Religion*, eds. Roy Flechner and Sven Meeder (New York: Bloomsbury, 2016): 134.

At the same time, the authority of bishops and their monopolistic agency (Schlüsselgewalt) in the system of penance have been challenged in publications such as Steffen Patzold and Carine van Rhijn, eds. Ergänzungsbände zum Reallexikon der Germanischen Altertumskunde 93 (Berlin: De Gruyter, 2016).

4 Cf. Ludger Körntgen, *Studien zu den Quellen der frühmittelalterlichen Bußbücher*, Quellen und Forschungen zum Recht im Mittelalter 7 (Sigmaringen: Thorbecke, 1993): 822; Meens, "The Frequency and Nature": 39.

5 Cf. Alexander Murray, "Confession before 1215," in *Transactions of the Royal Historical Society* 3 (1993): 51–81; Franz Kerff, "Libri Paenitentiales und Kirchliche Strafgerichtsbarkeit bis zum Decretum Gratiani: Ein Diskussionsvorschlag," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Kanonistische Abteilung* 75 (1989): 23–57; and Meens, "The Frequency and Nature".

exclusive and much can be said for an understanding of penance as both, pious practice and a means of social and legal control.

Regardless of the precise context of their application, the penitentials provide an invaluable source for both theological research and social history as they inform us – often unknowingly – about contemporary matters of ethical, legal, and spiritual concern.[6] One particular area which benefits from the closer investigation of the penitentials are slavery and dependency studies.

After decades of pronounced disregard, this field of research has rediscovered late antiquity and the early middle ages as eras of interest.[7] More recent studies have abandoned the focus on identifying continuities and discontinuities between the Roman form of slavery and newer forms of dependency,[8] for example by trying to pinpoint the change from an agrarian and slave-based economy to feudalism or the transition from slaves to serfs. Instead, scholars like Alice Rio have argued for the continued existence and cultural relevance of traditional chattel-type forms of slavery alongside a variety of other forms of dependency in late antique and early medieval societies,[9] and have based those claims, among other sources, on the penitentials.[10]

At the same time, the perception of the relationship between the Christian Church and slavery has changed. Most scholars today reject the ideological narrative of former generations according to which Christianity worked as a major force towards the aboli-

6 Accordingly, particularly the penitentials have recently received significant attention by scholars like Sarah Hamilton, Ludger Körntgen, and Rob Meens, cf. e.g. Sarah Hamilton, *The Practice of Penance, 900–1050*, Royal Historical Society Studies in History (Woodbridge: Boydell Press, 2001); Körntgen, *Studien zu den Quellen*; Rob Meens, *Penance in Medieval Europe 600–1200* (Cambridge: Cambridge University Press, 2014).

7 Cf. David Wyatt, *Slaves and Warriors in Medieval Britain and Ireland, 800–1200*, The Northern World 45 (Leiden: Brill 2009): 2: 'Until recently scholars of medieval history have rarely discussed slavery. Indeed, many medieval historians have chosen to ignore the subject altogether.'

8 Until *ca.* 1980, the narrative of the end of "proper" slavery with or shortly after the fall of the Roman Empire prevented further research into late antique and early medieval slavery, see Gerhard Horsmann, "Sklave," in *Reallexikon der Germanischen Altertumskunde*, vol. 29, *Skírnismál – Stiklestad*, ed. Heinrich Beck (Berlin: De Gruyter, 2005): 15.

9 Alice Rio, *Slavery After Rome: 500–1100*, Oxford Studies in Medieval European History (Oxford: Oxford University Press, 2017).

10 Some of the penitential evidence on slavery has been considered as early as 1909 by the Dutch Historian and Theologian Frederik Pijper who argued against the former commonplace that the expansion of Christianity eventually ended slavery, Frederik Pijper, "The Christian Church and Slavery in the Middle Ages," *The American Historical Review* 14, no. 4 (1909): 675–95. More recently, the studies of Stefan Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, Studies in Legal History (New York: Cambridge University Press, 2015); David A.E. Pelteret, *Slavery in Early Mediaeval England: From the Reign of Alfred until the Twelfth Century*, Studies in Anglo-Saxon History 7 (Rochester, NY: Bodydell & Brewer, 1995) and Wyatt, *Slaves and Warriors*, have taken this body of sources into account.

tion of slavery[11] and instead accept the notion of the Church as a major 'slave owning institution.'[12] The discussion on the extent of the Church's *active* involvement with slavery and the theological rationale behind this, however, is ongoing and still requires further research.[13]

Against this backdrop, I will first present the penitential evidence which suggests that the practice of penance did have a fundamentally social dimension and could therefore be exploited as a medium of social control (2). Afterwards, I will evaluate the evidence suggesting a more direct involvement of ecclesiastical institutions with practices like penal enslavement and bonded labour via the system of penance (3). Finally, I will offer a conclusion regarding the character of late antique and early medieval penance and the role of the Church in establishing and perpetuating relations of dependency (4).

2 Penance as Medium of Social Control

For the scope of this paper I will focus on the first generation of penitentials which are those written or composed between the late sixth and the early eighth centuries. These penitentials are also sometimes called "small" or "simple" because, unlike later ones, they largely represent one tradition and only occasionally refer directly to conciliar legislation. The first generation of penitentials comprises altogether five Irish

11 On the current consensus among scholars that there was no general criticism of the institution of slavery in late antiquity or the early middle ages, cf. e.g. Elisabeth Herrmann-Otto, "Sklaverei," in *Reallexikon für Antike und Christentum 31*, ed. Theodor Klauser (Stuttgart: Anton Hiersemann, 2021): 691–751; Martin Ritter, "Christentum," in *Handwörterbuch der antiken Sklaverei*, vol. 1, ed. Heinz Heinen (Stuttgart: Franz Steiner, 2017): 552–53.

12 Wyatt, *Slaves and Warriors*: 29–30: 'Within Christendom, the institution of slavery was accepted by the Church, which made every effort to ensure the master's continuing domination, indeed the Church was a major slave owning institution.'

13 On the ongoing discussion on whether or not Christianity (owing partly to stimuli it had itself received from both antique culture and philosophy, and Judaism) did not in fact provide the necessary impulses which eventually led to abolitionism, cf. Adolf Martin Ritter, "Christentum": 552–53; and Noel Lenski, "Spätantike," in *Handwörterbuch der antiken Sklaverei*, vol. 3, ed. Heinz Heinen (Stuttgart: Franz Steiner, 2017): 2884–85. According to Jurasinski, *Old English Penitentials*: 92, the majority of scholars still maintain that the best churchmen and bishops at least urged sympathy and compassion for those in bondage and promoted their manumission and kind treatment: 'Thus has the Church retained its role in more recent scholarship as ultimately an agent of slaves' liberation [. . .].' Jennifer Glancy has presented a compelling study of the Church's involvement with slavery in the Early Church, cf. Jennifer Glancy, *Slavery in Early Christianity* (Oxford: Oxford University Press, 2002). More recently, Mary Sommar has evaluated the Church's slave ownership, cf. Mary E. Sommar, *The Slaves of the Churches: A History* (New York: Oxford University Press, 2020). However, a comprehensive study of the Church's handling of slavery in legal, social, and theological terms for late antiquity and the early middle ages remains a desideratum.

penitentials,[14] a closely linked group of eight Frankish penitentials,[15] and the Anglo-Saxon penitential ascribed to the school of Theodore of Canterbury.[16] These penitentials contain two types of evidence pertaining to the social dimension of penance: the first are hints to means of exercising pressure that could be and possibly were employed to enforce penance. The second type of evidence concerns the character of the penitential sanctions: a range of sins are sanctioned with compensation payments, corporal punishment, exile or even enslavement – all of which suggest an understanding of penance as a penal or legal measure rather than a purely spiritual exercise.

2.1 Means to Enforce Penance

Particularly the early Irish penitentials, most of which probably originated in a monastic context in the sixth and early seventh centuries, contain evidence to suggest that non-repentant sinners were put under significant pressure to undergo penance. In order to enforce certain behaviors or compliance with the designated penance,[17]

14 These are the *Paenitentiale Vinniani* (middle of the sixth century), *Paenitentiale Columbani* (late sixth century), *Paenitentiale Cummeani* (first half of the seventh century), *Paenitentiale Bigotianum* (between late seventh and late eighth centuries), all ed. Ludwig Bieler, *The Irish Penitentials. With an Appendix by Daniel A. Binchy*, Scriptores Latini Hiberniae (Dublin: Dublin Institute for Advanced Studies, 1963) and the *Paenitentiale Ambrosianum* (first half of the seventh century), ed. Körntgen, *Studien zu den Quellen*: 258–70.

15 These are also sometimes called *paenitentialia minora* or *simplices*. The first generation Frankish penitentials comprise of the *Paenitentiale Burgundense*, the *Paenitentiale Bobbiense*, the *Paenitentiale Floriacense*, the *Paenitentiale Parisiense simplex*, the *Paenitentiale Sangallense simplex*, the *Paenitentiale Hubertense*, the *Paenitentiale Oxoniense* I, and the *Paenitentiale Sletstatense*, all ed. Raymund Kottje, *Paenitentialia Minora, Franciae et Italiae Saecvli 8–9*, Corpus Christianorum Series Latina 156 (Turnhout: Brepols, 1994). Most of these eight penitentials are only extant in one manuscript and were likely compiled between the late seventh and the ninth centuries.

16 The *Paenitentiale Theodori* (c. 700), also known as *Iudicia Theodori* or *Canones Theodori*, is extant in multiple versions. The historically most influential one is the so-called *Discipulus Umbrense* (U) which was compiled around 700 by one of Theodore's followers. It was edited by Paul W. Finsterwalder, *Die Canones Theodori Cantuariensis und ihre Überlieferungsformen* (Weimar: Böhlau, 1929): 285–334. A more recent, critical edition can be consulted online and will be used throughout this chapter, cf. Michael D. Elliot, "Paenitentiale Umbrense," University of Toronto, n.d., http://individual.utoronto.ca/michaelelliot/manuscripts/texts/transcriptions/pthu.pdf; [accessed 19.12.2022].

17 Cf. *P. Cummeani* III 13; *P. Theodori* (U) XI 5 (threat of being cast out of the church for frequently ignoring fasts), and XII 1–2 (reports Greek practice to excommunicate people who miss communion). In *P. Cummeani* IV 3 and *P. Bigotianum* IV 4, penance on bread and water itself is used to enforce a certain behavior.

sinners were not only to be excluded from the celebration of the eucharist, but were considered *anathema* to all Christians.[18]

The vast majority of evidence for this demand for social exclusion can be found in the *Paenitentiale Ambrosianum* and the penitential of Cummean within which the "casting out" of the sinner or a sort of staggered excommunication appears to be the first reaction to encountering sin.[19] The notion of sin as a spreading infection, which needed to be cut out immediately in order to protect the rest of the body seems to have formed the background to this measure. For example, the penitential of Cummean demands that '[h]e, however, who will not confess to him who has incensed him, that pestilential person shall be cut off from the company of the saints; if he repents, he shall do penance for as long as he was recalcitrant.'[20]

In practice this may have meant that other members of the respective Christian community were banned from any social interaction with the sinner who was – temporarily or permanently – considered socially dead.[21] In most instances, the penitential canons in question seem to envision the context of a close-knit monastic community where the 'disobedient' were to 'remain outside the assembly, without food' and expected to 'knock humbly' to demonstrate their commitment to being readmitted.[22]

One provision in the earliest extant penitential, the *Paenitentiale Vinniani*, goes a step further in demanding that the sinner 'be driven from the bounds of his country and beaten with rods until he is converted, – if he has compunction.'[23]

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18 Cf. e.g. *P. Vinniani* 31. On penitential sanctions resulting in social exclusion cf. also Rob Meens, "Exil, Buße und sozialer Tod," in *Sterben über den Tod hinaus. Politische, soziale und religiöse Ausgrenzung in vormodernen Gesellschaften*, eds. Claudia Garnier and Johannes Schnocks (Würzburg: Ergon, 2012): 117–31.

19 Cf. e.g. *P. Ambrosianum* III 6, IV 12, V; *P. Cummeani* III 3, III 14–15, V 3, VII 1; *P. Bigotianum* III 6 2. On this cf. Meens, "Exil": 120, 124–25.

20 P. *Cummeani* IV 16, ed. and trans. Bieler, *Irish Penitentials*: 120–21: *Qui uero non uult confitere ei qui se commotauit, abscedatur pestifer ille a coetu sanctorum; si penitet, quanto tempore contradicit tanto peniteat*. Cf. *P. Ambrosianum* IV 12.

21 P. *Cummeani* IX 2 punishes people who "communicate" with cast outs, i.e., individuals who had been excommunicated, with 40 days of fasting. It is unclear whether *communicauere* in this instance refers to social interactions with cast outs or merely to celebrating the eucharist with them. The *P. Bigotianum* 36 elaborates on the reasons why sinners needed to be separated from the community of the righteous and, in reference to *Collectio Hibernensis* XL 1c, explains what the separation entailed: 'There are three ways in which the just are separated from the unjust – by the Mass, the table, and the kiss of peace.'

22 *P. Cummeani* VIII 4, ed. and trans. Bieler, *Irish Penitentials*: 122–23: *Inoboediens maneat extra concilium sine cibo et pulset humiliter donec recipiatur quantoque tempore inoboediens fuit tanto in pane at aqua sit*. Cf. *P. Ambrosianum* VIII 2–4 and *P. Cummeani* VIII 5–6, which assign similar punishments for disobedience, blasphemy, and murmuring. Cf. also *P. Bigotianum* VIII 4–5.

23 *P. Vinniani* 31, ed. and trans. Bieler, *Irish Penitentials*: 84–85: *Si autem non conuersus fuerit, excommunicetur et anathema sit cum omnibus Christianis; exterminabitur de patria sua et uirgis uirgeatur usquequo conuertatur si conpunctus fuerit*. The context of this provision is formed by a series of canons that deal with the sin of defrauding churches and monasteries, cf. *P. Vinniani* 30.

As far as the laity were concerned, the penitential of Theodore indicates that, in addition to the imposition of the social stigma associated with exclusion from mass and the eucharist, the ecclesiastical institutions had further means of enforcing penance at their disposal. For repeated breaches of the Sunday observance, the penitential proposed flogging or the confiscation of part of the property.[24] Meanwhile adulterous women were offered penance in monastic confinement as a way to preserve some of their inheritance. The canon in questions states that '[i]f a woman is an adulteress and her husband does not wish to live with her, if she decides to enter a monastery she shall retain the fourth part of her inheritance. If she decides otherwise, she shall have nothing.'[25]

2.2 Penance and Punishment

The second type of evidence pertaining to the social dimension of penance are the kinds of sanctions we find in the penitentials. Particularly the Irish and the Anglo-Saxon handbooks of penance contain a range of provisions in which the awarded penance comprises an extended period of fasting (which one might consider the actual penance) and one or more other sanctions which might rather be considered legal measures or punishments.[26]

For instance, the penitentials occasionally prescribe corporal punishments either as a means to enforce penance or as a sanction for sin. Corporal punishments seem to have been largely reserved for lower clergy and adolescents though.[27]

The same limitation of a set of punishments to a specific group of people applies to disciplinary measures like deposition, degradation or the ban from entering higher office,

24 *P. Theodori* (U) XI 1, ed. Elliot, *Paenitentiale Umbrense*: 14: *Qui operantur die dominico: eos Greci prima uice arguunt; secunda tollunt aliquid ab eis; tertia uice partem tertiam de rebus, aut uapulant, uel VII diebus penitea‹n›t*. Translation John T. McNeill and Helena M. Gamer, *Medieval Handbooks of Penance: Translation of the Principal Libri Poenitentiales and Selections from Related Documents* (New York: Columbia University Press, 1938): 194: 'Those who labor on the Lord's day, the Greeks reprove the first time; the second, they take something from them; the third time [they take] the third part of their possessions, or flog them; or they shall do penance for seven days.'

25 *P. Theodori* (U) XXVII 11, ed. Elliot, *Paenitentiale Umbrense*: 28: *Mulier si adultera est et uir eius non uult habitare cum ea: si uult illa monasterium intrare, quartam partem suae hereditatis obteneat; si non uult, nihil habeat*. Translation McNeill and Gamer, *Medieval Handbooks of Penance*: 209.

26 Within the Frankish penitentials, I was only able to identify altogether eleven canons witnessing to sanctions other than fasting. These are *P. Burgundense 1 et par*, which sanction homicides perpetrated by clergy with exile and satisfaction or degradation, *P. Burgundense* 30 *et par*, which decree the excommunication and the exclusion from the Christian community of clergy refusing penance after taking a wife, *P. Hubertense* 39 which orders exile for assaulting one's own parents, and *P. Hubertense* 51, which assigns the same punishment for fornication with one's Godparent.

27 Cf. *P. Columbani* A 9 (50 strokes or imposition of silence for contradicting someone), B 26–27 (strikes and blows as punishment for minor offences); *P. Theodori* (U) II 11 (whipping for boys who fornicate mutually). Corporal punishments are also prescribed to lower status groups in contempo-

which the penitentials could of course only impose on their own staff.[28] Reasons for these disciplinary sanctions include mainly sins of fornication but also office violations, such as stealing, failing to baptize sick people or newborns, and superstitious practices.[29]

Most frequently, however, the punishment prescribed in addition to fasting consists of the demand for compensation (*satisfactio*).[30]

Especially the penitentials of the Irish and Anglo-Saxon traditions frequently assign *satisfactio* for sins and crimes that were considered grave or disruptive, like bodily harm, fornication, theft or manslaughter. The term is predominantly used in the sense of an actual financial compensation for the harm done.[31] If, for example, a layman physically hurt another, he was ordered to pay a certain amount (a *pretium*) to cover the doctor's bills and the financial loss the injured suffered due to being ill or disabled following the attack.[32] A good example for this sort of compensation can be found in the penitential of Cummean which reads as follows:

> He who by a blow in a quarrel renders a man incapacitated or maimed shall meet (the injured man's) medical expenses and shall make good the damages for the deformity and shall do his work until he is healed and do penance for half a year.[33]

Compensation in the form of payments or sanctions resulting in financial loss are also required for sins of fornication. For instance, a man who had sexual intercourse with a married woman was expected to pay the betrayed husband her chastity price (*pretium pudicitiae*).[34] In case a man had sexual relations with an unmarried woman, the

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rary conciliar legislation, cf. e.g. *Concilium Aspasii* 551, cn. 3, *Concilium Narbonense* 589, cn. 14 and 15, and *Concilium Matisconsense* II (585), cn. 1, all ed. Charles de Clercq, *Concilia Galliae A. 511–A. 695*, Corpus Christianorum Series Latina 148A (Turnhout: Brepols, 1963): 163–64; 256–57; 239–40.

28 For examples on disciplinary punishments for clergy, cf. *P. Vinniani* 11 and 12; *P. Cummeani* II 1; *P. Bigotianum* I 1; *P. Theodori* (U) I 1 and V 1.

29 Cf. *P. Theodori* (U) IX 1 (fornication), IX 2 (return to secular habit), IX 4 (marrying a strange / foreign woman), IX 6 (having a concubine as hindrance to ordination), IX 7 (failing to baptize a sick person), IX 8 (killing or fornication), IX 10 (remarriage as hindrance to ordination), XIV 28 (failing to baptize a pagan child who later dies), XV 4 (performing superstitious acts).

30 On the sanction of *satisfactio* in the penitentials cf. extensively Rob Meens, "Penance and Satisfaction: Conflict Settlement and Penitential Practices in the Frankish World in the Early Middle Ages," in *Wergild, Compensation and Penance: The Monetary Logic of Early Medieval Conflict Resolution*, eds. Lukas Bothe, Stefan Esders, and Han Nijdam (Leiden: Brill, 2021): 219–30.

31 In *P. Cummeani*, however, I have found some examples for the term being used more in the sense of making an (official) apology. *P. Cummeani* IV 12, for instance, requires the penitent to make satisfaction, live secluded, and do penance for seven days for cursing a brother in anger. Cf. also *P. Cummeani* VIII 3, VIII 7; *P. Bigotianum* III 5 2, VIII 1, VIII 2 1.

32 Cf. *P. Cummeani* IV 9*; P. Vinniani* 9; *P. Columbani* B 21.

33 *P. Cummeani* IV 9, ed. and trans. Bieler: 120–21: *Qui per rixam ictu debilem uel deformem hominem reddit, inpensa in medicos curat et maculae pretium et opus eius donec sanetur restituat et dimedium anni peniteat*.

34 Cf. *P. Columbani* B 14. For background on the *pretium pudicitiae* mentioned here cf. Law of Æthelberht ch. 31, *Leges Burgundionum* (Liber Constitutionum) XXXVI, and *Codex Theodosianus* 9 42 1. Cf.

male sinner was to either marry her or pay her legal guardians a fee to compensate them for the humiliation (*pretium humiliationes*).[35] The punishment for fornication with unfree dependents consisted of either the obligation to sell them or to set them free.[36]

In the case of theft, the penitentials usually demanded the restitution of the stolen goods or the value thereof.[37] Sometimes the canons required the two- or even fourfold restitution.[38]

Compensation payments could also reduce the length of the prescribed penance.[39] Conversely – and this is, where it gets really interesting – the penitentials provide information on what happened if the sinners were not able to meet the compensation claims. As an alternative to payments or restitution, they allowed for an extension of the fast.[40] A provision in the penitential of Cummean provides an example for this possibility in the context of the provision on bodily harm discussed above (p. 234). While canon nine imposes *satisfactio* for this offence, canon ten states that if the penitent 'has not the wherewithal to make restitution for these things, he shall do penance for one year.'[41] In cases where the Church itself was the injured party, it may have advanced the compensation. In other cases, the church may have paid the compensation on behalf of the penitents in order to settle the conflict. It is possible that this resulted in penitents being indebted to pay alms or to work in the Church's service. At least this seems to be suggested, for instance, in a canon dealing with theft in the penitential of Columbanus:

> If any layman has committed theft, that is, has stolen an ox or a horse or a sheep or any beast of his neighbour's, if he has done it once or twice, let him first restore to his neighbour the loss which he has caused, and let him do penance for three forty-day periods on bread and water;

Meens, "Wergild": 221–22; Theodore J. Rivers, "Adultery in Early Anglo-Saxon Society: Æthelberht 31 in Comparison with Continental Germanic Law," *Anglo-Saxon England* 20 (1991): 19–25.

35 Cf. *P. Columbani* B 16; Meens, "Wergild": 221–22.

36 Cf. *P. Vinniani* 39, 40; *P. Theodori* (U) XIV 12. The setting free of a slave is also required as part of the penitential sanctions for perjury, cf. *P. Vinniani* 22.

37 Cf. *P. Columbani* A 8, B 7.

38 Cf. *P. Vinniani* 25; *P. Theodori* (U) III 2.

39 Cf. *P. Bigotianum* IV 1 2; *P. Theodori* (U) III 3, IV 1, for the possibility to reduce penance through payments. *P. Cummeani* II 5 offers the possibility to undergo a severer form of penance in order to prepare for monastic vows after sinning. Furthermore, the penitentials frequently offer alternative punishments, cf. *P. Ambrosianum* I 4 (fasting *or* almsgiving for drinking too much); *P. Bigotianum* IV 1 2 (laying down arms and serving god *or* penance for seven years for killing a cleric or monk); *P. Theodori* (U) IV 4 (penance *or* laying down arms for killing someone), and VIII 11 (flogging *or* 20 days penance for boys who defiled themselves).

40 *P. Columbani* B 7, B 19; *P. Ambrosianum* II 2, III 3, IV 6; *P. Cummeani* IV 10; cf. *P. Bigotianum* III 2 1 and IV 3 1.

41 *P. Cummeani* IV 10, ed. and trans. Bieler: 120–21: *Si uero non habeat unde restituat haec, .i. annum peniteat.*

> but if he has made a practice of stealing often, and cannot make restitution, let him do penance for a year and three forty-day periods, and further undertake not to repeat it, and thus let him communicate at Easter of the second year, that is, after two years, on condition that, out of his own labour, he first gives alms to the poor and a meal to the priest who adjudged his penance, and so let the guilt of his evil habit be forgiven.[42]

That *satisfactio* could take the form of lasting financial and / or labour obligations is also indicated in the sanctions imposed for bodily harm or homicide in the *Paenitentiale Columbani* and several Frankish penitentials. For instance, the penitential of Columbanus decreed that homicides should undergo penance in exile for three years and thereafter render their services to the relatives of their victim:

> Whoever has committed murder, that is, has killed his neighbour, let him do penance three years on bread and water as an unarmed exile, and after three years let him return to his own, rendering the compensation of filial piety and duty to the relatives of the slain, and thus after (making) satisfaction let him be restored to the altar at the discretion of the priest.[43]

Similarly, other provisions in the Irish penitentials ordered sinners to offer themselves (i.e., their services) in place of their deceased or injured victims.[44] Provisions like these suggest that at least in some communities the penance for certain offences could entail lasting obligations to the injured party in the form of bonded labour.

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42 *P. Columbani* B 19, ed. and trans. Bieler: 102–5: *Si quis laicus furtum fecerit, id est bouem aut aequum aut ouem aut aliquod animal proximi sui furauerit, si semel aut bis fecit, reddat primum proximo suo dampnum quod fecit et tribus xlmis in pane et aqua peniteat; si autem saepe furtum facere consueuit et reddere non potuerit, anno et .iii. xlmis peniteat et deinceps nequaquam facere promittat et sic in Pascha alterius anni communicet, id est post duos annos data tamen ante pauperibus de suo labore helemosina et sacerdoti paenitentiam iudicanti epula et ita abremitatur illi malae consuetudinis culpa*. Cf. also *P. Hubertense* 7 according to which the penance for *maleficium* included constant almsgiving, and *P. Theodori* (U) XVII 5, which I discuss below, p. 239.

43 *P. Columbani* B 13, ed. and trans. Bieler, *Irish Penitentials*: 102–3: *Quicunque fecerit homicidium, id est, proximum suum occiderit, iii annis inermis exsul in pane et aqua paeniteat, et post iii annos reuertatur in sua reddens uicem parentibus occisi pietatis et officii et sic post satisfactionem iudicio sacerdotis iungatur altario*. On this provision cf. Rob Meens, "Penance, Shame, and Honour in the Early Middle Ages," in *Shame between Punishment and Penance: The Social Usages of Shame in the Middle Ages and Early Modern Times*, eds. Bénédicte Sère and Jörg Wettlaufer, Micrologus' library 54 (Florence: Sismel, 2013): 90–91. This canon specifically refers to lay people committing homicide. The Frankish penitentials only include *P. Columbani* B 1, which refers to clerics committing the same crime. Only three of the Frankish penitentials (*P. Oxoniense, P. Floriacense*, and *P. Hubertense*) add *laicus* to their version of the canon and – at the same time – omit the demand for the sanctions of exile and *satisfactio.*

44 Cf. *P. Vinniani* 23; *P. Columbani* B 1, B 21; *P. Cummeani* IV 9.

3 Penal Enslavement and Bonded Labour

As indicated above, the late antique and early medieval penitentials also occasionally assign sanctions that suggest a more direct involvement of ecclesiastical institutions with penal enslavement and bonded labour. In addition to ambiguous forms of *satisfactio*, the penitentials prescribe enslavement and forced (monastic) service to God as sanctions for certain sins.

3.1 Penal Enslavement

For example, severe forms of fornication, that is sexual trespasses such as adultery, were occasionally punished with enslavement or comparable dependency relations. The Irish penitential of Finnian, for example, ordered adulterous women to 'serve [their] husband in the place of a slave'.[45] While the relevant canon in the *Paenitentiale Vinniani* is indeed the only extant penitential provision which recommends the degradation of an adulterous wife to the bottom of the social order within her own household, other penitential provisions and contemporary laws appear to confirm the practice of sanctioning certain crimes with penal enslavement. The Anglo-Saxon penitential of Theodore, for instance, lists fornication among the offences sanctioned with enslavement in a provision concerned with the right to remarry. It states that

> [i]f a husband makes himself a slave through theft or fornication or any sin, the wife, if she has not been married before, has the right to take another husband after a year. This is not permitted to one who has been twice married.[46]

While this canon does not order penal enslavement itself, it provides guidance on the remarriage of women whose spouses had been enslaved for committing an offence.

45 *P. Vinniani* 43–44 (S), ed. and trans. Bieler, *Irish Penitentials*: 90–91: *Si alicuius uxor fornicata fuerit et habitet cum alio uiro, non oportet adducere uxorem aliam quandiu fuerit uxor eius uiua (44) prima, si forte conuersa fuerit ad penitentiam, et decet suscipi eam, si satis ac libenter expeterit; sed dotem ei non dabit et seruiet uiro suo priori quandiu fuerit in corpore: uicem serui uel ancille expleat in omni pietate atque subiectione*. '(43) If a man's wife commits fornication and cohabits with another man, he ought not to take another wife while his first wife is alive, (44) in the hope that, perchance, she be converted to penance, and it is becoming to take her back, if she fully and freely seeks this; but [she shall not give dowry to him OR he shall not give dowry to her.], and shall [serve] her former husband as long as he is in the body: she shall make amends in the place of a male(?) or female slave, in all loyalty and subjection.' My alterations to the translation in [].

46 *P. Theodori* (U) XXVII 9, ed. Elliot, *Paenitentiale Umbrense*: 28: *Maritus si seipsum in furtu aut fornicatione seruum facit uel quocumque peccato, mulier, si prius non habuit coniugium, habet potestatem post annum alterum accipere uirum. Digamo non licet*. Translation by John T. McNeill and Helena M. Gamer, *Medieval Handbooks of Penance*: 209.

The fact that such cases required their own legislation suggests a certain frequency of the practice of condemning sinners or criminals to slavery.

One might argue, however, that so far, we have not seen any evidence that the Church ever enforced penal enslavement itself or that it was directly involved with the supervision of penally enslaved people. Rather, in the examples presented, the injured parties, i.e., the betrayed husband or the grieving relatives, were envisioned to enforce the submission of the offenders – even if they did so with the explicit sanction of the Church (and the law). The Anglo-Saxon penitential of Theodore, however, contains several provisions which indicate a more direct involvement of the Church with the practice of penal enslavement and related punitive measures.[47] For example, *P. Theodori* (U) III 1 sanctions the abduction of monks by laypeople with either "human servitude" (*humanum seruitium*) or forced monasticism.[48]

This provision indicates that under circumstances in which the Church's jurisdiction was indisputable, because it was itself the offended party, it would not only decree but possibly also enforce the appropriate sanctions. The noteworthy alternative between "human slavery" or entering a monastery further suggests a certain leeway for the priests adjudging penance that allowed them to take into account the circumstances of the offence such as the social status of the offender and the readiness of a monastery in the vicinity to take in another criminal.[49]

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47 *P. Theodori* (U) XXVIII, ed. Elliot, *Paenitentiale Umbrense*: 30–31, for instance, includes a section with the heading *De Seruis et Ancillis*. This section contains a collection of provisions regulating changes in legal status of people either entering or exiting slavery, i.e., through birth, marriage or to debt.

48 *P. Theodori* (U) III 1, ed. Elliot, *Paenitentiale Umbrense*: 7: *Si quis laicus de monasterio monachum duxerit furtim, aut intret in monasterium deo seruire aut humanum subeat seruitium*. Translation McNeill and Gamer, *Medieval Handbooks of Penance*: 186: 'If any layman carries off a monk from the monastery by stealth, he shall either enter a monastery to serve God or subject himself to human servitude.'

49 On the alternative between monastic service and human servitude, cf. Julia Winnebeck, "Slaves and Slavery in the Late Antique and Early Medieval Penitentials," *Vigiliae Christianae* 75 (2021): 142. The story of Libran in the *Vita Columbae* offers an interesting example of a sinner who, after having committed a crime, first fell into debt bondage to a wealthy secular man who had paid the compensation he owed for his crime and then escaped to choose "serving God" as alternative punishment. It appears as though the Church or Libran himself still had to compensate the secular lord for his loss. Cf. Adomnán, *Vita Columbae* II, 39, ed. and trans. Marjorie O. Anderson and Alan O. Anderson, *Life of Columba*, Oxford Medieval Texts (Oxford: Oxford University Press, 1991): 154–63. Other translation by Richard Sharpe, *Adomnán of Iona: Life of St. Columba* (London: Penguin, 1995). Cf. on this story, Meens, "Penance, Shame, and Honour": 91–94. On the duty of monasteries to take in penitents, cf. *P. Vinniani* 33, ed. Bieler, *Irish Penitentials*: 86: *Et basilicis sanctorum ministrandum est et ex facultatibus nostris omnibus qui sunt in necessitatibus constituti conpatiendum est nobis et in domibus nostris suscipiendi sunt nobis peregrini, sicut preceptum est a Domino;* [. . .]. Translation and interpretation Pamela O'Neill, "Peregrinatio: Punishment and Exile in the Early Gaelic Church," *Australian Celtic Journal* 9 (2010): 35: '[And] the churches of the saints are to be served and all who are in need are to be supported by us according to our ability; and exiles (*peregrini*) are to be received by us into our houses, as is commanded by the Lord.'

Finally, another provision in the penitential of Theodore offers a hint that in addition to acknowledging, decreeing, and possibly enforcing penal enslavement for certain offences, ecclesiastical institutions may have acquired criminals as slaves by paying or foregoing whatever compensation they owed. To this effect, *P. Theodori* (U) XVII 5 declared that '[a] bishop or an abbot may keep a criminal as a slave if he [sc. the criminal] has not the means of redeeming himself.'[50]

This provision should be read against the backdrop of penitential provisions assigning *satisfactio* (see above 2.2) and understood in light of the fact that most legal codes of the Post-Roman era prescribed compensation payments rather than corporal punishments for the majority of offences.[51] These compensations were, in all likelihood, difficult to pay for most individuals and, therefore, provided a slippery slope into debt bondage.[52]

3.2 Forced "Service to God"

A second group of canons which indicates that sinners or criminals were inflicted with lasting obligations to individuals or ecclesiastical institutions via the system of penance are provisions that assign "forced monasticism" or nonspecific services to God as a punishment. Like penal enslavement, these punishments are exclusively awarded for grave offences such as theft, abduction, perjury, treason, and manslaughter. The severity of those sins probably required the penitent to be removed from their current social community for the duration of their penance.[53] As is still fairly palpable in some of these provisions, the punishments of forced monasticism and "service to God" probably developed out of the more traditional punishment of exile which the earlier penitentials also prescribed from time to time.[54] The Irish peniten-

50 *P. Theodori* (U) XVII 5, ed. Elliot, *Paenitentiale Umbrense*: 20: *Episcopus et abbas hominem sceleratum servum possunt habere si pretium redimendi non habet*. Translation McNeill and Gamer, *Medieval Handbooks of Penance*: 200.

51 Cf. Hermann Nehlsen, "Entstehung des öffentlichen Strafrechts bei den germanischen Stämmen," in *Gerichtsglauben-Vorträge: Freiburger Festkolloquium zum fünfundsiebzigsten Geburtstag von Hans Thieme*, ed. Karl Kroeschell (Sigmaringen: Thorbecke, 1983): 12.

52 Cf. Alice Rio, "Penal Enslavement in the Early Middle Age," in *Global Convict Labour*, eds. Christian De Vito and Alex Lichtenstein, Studies in Global History 19 (Leiden: Brill, 2015): 90–91.

53 Cf. Meens, "Wergild": 223.

54 For evidence on the punishment of exile in the penitentials, cf. *P. Vinniani* 24; *P. Columbani* B 1, B 2; *P. Cummeani* II 7, II 17, IV 6; *P. Bigotianum* IV 3 4; *P. Theodori* (U) II 16. For the 'Irish tradition of becoming an "exile for God"' (Isabel Moreira, *Heaven's Purge: Purgatory in Late Antiquity* [Oxford: Oxford University Press, 2010]: 115–16), cf. Martin Leigh Harrison, "Penitential Pilgrimage," in *Encyclopedia of Medieval Pilgrimage*, eds. Larissa J. Taylor et al. (Leiden: Brill, 2010): n.p., http://dx.doi.org/10.1163/2213-2139_emp_SIM_00399; O'Neill, "Peregrinatio": 34. On the origins and the development of the punishment of monastic confinement, cf. Guy Geltner, "Detrusio, Penal Cloistering in the Middle

tial of Cummean, for instance, sanctioned repeated stealing with 'the yoke of exile under another abbot' (*iugi exilio sub alio abbate*).[55] While this canon addressed monks, who were simply moved from one monastery to another, other provisions inform us, that the same punishment could be applied to laypeople, too.[56] As shown above, the abduction of monks was sanctioned with either "human servitude" or forced service to God in a monastery according to the penitential of Theodore.[57] The same penitential also condemned repeat offenders to life in a monastery. The relevant canon ordered that '[h]e who has committed many evil deeds, that is, murder, adultery with a woman and with a beast, and theft, shall go into a monastery and do penance until his death.'[58]

The Irish penitential of Columbanus prescribed lifelong penance in a monastery for cases of perjury and further demanded that these penitents had their heads shaven – whether as a sign of their penitent status or as part of their forced consecration (*Mönchung*) remains ambiguous.[59] While all of the eight Frankish penitentials omitted this obscure punishment from their version of Columbanus' provision, it later reappeared in Halitgar's so-called *Paenitentiale Romanum* and another related penitential which is preserved in a ninth century manuscript in Düsseldorf. This provision stated that '[i]f any layman has perjured himself out of greed, he shall sell all his things, and give to the poor, and receive the tonsure [shall be shaved] in a monastery: and there he shall serve God until the day of his death.'[60]

While not directly condemning the sinners to monastic detention or service, the prescribed penances of several other canons suggest that penitents were subjected to a similar fate and considered dependents of the Church. The *Paenitentiale Theodori*

Ages," *Revue Bénédictine* 118, no. 1 (2008): 100; Julia Hillner, *Prison, Punishment and Penance in Late Antiquity* (Cambridge: Cambridge University Press, 2015): 281–341.

55 *P. Cummeani* I 12, ed. Bieler, *Irish Penitentials*: 112. Translation in the text according to McNeill and Gamer, *Medieval Handbooks of Penance*: 102. Cf. *P. Bigotianum* I 4.

56 Other known sources witnessing to monastic confinement or forced monasticism as a punishment, namely the council records, almost exclusively prescribe it for clerics. On this cf. Harold E. Mawdsley, "Exile in the Post-Roman Successor States 439–c.650" (PhD diss., University of Sheffield, 2018) https://www.academia.edu/45084297/Exile_in_the_Post_Roman_Successor_States_439_c_650 [accessed 15.10.2024].

57 *P. Theodori* (U) III 1.

58 *P. Theodori* (U) VII 1, ed. Elliot, *Paenitentiale Umbrense*: 11: *Qui multa mala fecerit – id est homicidium, adulterium cum muliere et cum pecode, et furtum – eat in monasterium et peniteat usque ad mortem*. Translation McNeill and Gamer, *Medieval Handbooks of Penance*: 190.

59 *P. Columbani* B 20, ed. and trans. Bieler, *Irish Penitentials*: 104–5: *Si quis laicus periuauerit, si per cupiditatem hoc fecerit, totas res suas uendat et donet pauperibus et conuertatur ex integro ad Dominum et tundatur omni dimisso saeculo et usque ad mortem seruiat Deo in monasterio*; [...].

60 Manuscript Collection, University and State Library Düsseldorf, Ms B 113, 79 v: *Si quis laicus periurauerit per cupiditate, totas res suas vendat, et det pauberibus, et tond[e]atur in monasterio: et ibi d[e]o seruiat usque in diem exitus sui.* 'Wenn irgendein Laie aus Gier einen falschen Schwur geleistet hat, soll er seinen ganzen Besitz verkaufen und den Armen geben und im Kloster die Tonsur empfangen und dort Gott dienen bis zum Tag seines Todes.' Cf. Hermann J. Schmitz, *Die Bußbücher und die Bußdisciplin der Kirche. Nach handschriftlichen Quellen dargestellt* (Mainz: Kirchheim, 1883): 465–89.

(U) and the Bigotian penitential, for example, decreed that sinners who had killed members of the clergy were to give up their arms and serve God (*arma relinquere et Deo servire*).[61] The penitential of Cummean featured the curious addition that such penitents were considered 'dead to the world' (*mortuus mundo*) during their lifelong service to God which could either be interpreted as a reference to the remoteness of their service (e.g. in a monastery) or their social status as dependents: 'He who commits murder through nursing hatred in his mind, shall [after having given up his arms, live unto God being dead to the world until (his own) death].'[62] Another canon in this penitential awards the same sanction, i.e. nonspecific service to God as *mortuus mundo*, for treason.[63]

Overall, the punishments of penal enslavement and monastic exile or forced service to the Church are fairly well attested as sanctions for severe crimes within penitential texts. In assigning these curious measures, the penitentials bear witness to a general shift within the penal system from classic forms of exile to forms of (monastic) confinement and penal servitude. In keeping even hardened criminals and sinners alive and under the supervision of Church representatives, these punishments served the core religious purpose of late antique and early medieval penance to redeem as many souls as possible while also providing a steady stream of dependent labourers for the Church.

4 Conclusion: Serving God – Serving the Church

The character of the penitential sanctions and the available means to enforce them show that late antique and early medieval penance can and should be understood as a fundamentally social institution. This is not to say, that it did not serve a deeply religious and spiritual purpose at the same time. But if one looks at penance from the perspective of social history, as I have done in this chapter, it appears rather obvious that the earliest penitential handbooks primarily aimed to uphold a certain social and ethical order and to settle conflicts within the local Christian community.[64] Particu-

61 *P. Theodori* (U) IV 5a, ed. Elliot, *Paenitentiale Umbrense*: 8: *Si quis occiderit monachum uel clericum: arma relinquat et deo seruiat, uel VII annos peniteat – in iudicio episcopi est*. Translation by McNeill and Gamer, *Medieval Handbooks of Penance*: 187: 'If one slays a monk or a cleric, he shall lay aside his arms and serve God, or he shall do penance for seven years. He is in the judgment of his bishop.' Cf. Big IV 1 2. On the giving up of arms as part of the penitential sanction of exile, cf. also *P. Columbani* B 13 and B 20. On *arma relinquere* as a punishment in connection with forced exile inside or outside a monastery, cf. Lotte Kéry, *Gottesfurcht und irdische Strafe. Der Beitrag des mittelalterlichen Kirchenrechts zur Entstehung des öffentlichen Strafrechts, Konflikt, Verbrechen und Sanktion in der Gesellschaft Alteuropas* (Cologne: Böhlau, 2006): 128; Raymund Kottje, "'Buße oder Strafe?' Zur 'iustitia' in den 'libri penitentiales'," *Al giustizia nell'alto medioevo (Secoli V–VIII)* 1 (1995): 454.

62 *P. Cummeani* IV 5, ed. and trans. Bieler, *Irish penitentials*: 118–19; my alterations to the translation in []: *Qui homicidium odii meditatione facit, relictis armis usque ad mortem mortuus mundo uiuat Deo*.

63 Cf. *P. Cummeani* IX 13.

64 Meens, "Wergild": 222.

larly the Irish penitentials and the Anglo-Saxon penitential of Theodore suggest a historical context in which penitentials were used in place of – rather than in addition to – other legal norms. Much like monastic rules (to which they bare significant similarities), the majority of their provisions postulate an environment, where lay people, too, were among the dependents of the ecclesiastical institution awarding penance – if not in an economical sense, then with respect to social conduct and legal proceedings.[65] In comparison, the Frankish penitentials contain barely any evidence pertaining to the social or legal purpose of penance. In fact, their compilers seem to have eliminated most references to punishments other than fasting from the Irish material they included.[66] The lack of direct evidence for penance taking the form of sanctions other than fasting might indicate a different *Sitz im Leben* of the Frankish penitentials compared to those of the Irish and Anglo-Saxon tradition: Perhaps, they were compiled and applied in contexts where ecclesiastical institutions did not have extensive legal authority and, accordingly, punishments of a more secular character could not be enforced.[67]

Regardless of whether the penitential punishments, including the assignment of extended fasts, are understood as additional or the sole sanctions for the listed offences, their enforcement obviously required a significant degree of authority or power on the part of the ecclesiastical body awarding penance and the support of secular authorities. This is of course especially true for sanctions that entailed the permanent or temporary entry of individuals into dependency relations. Even though these punishments cannot exactly be regarded as an invention of the Christian Church, the imposition of slavery, bonded labour, and monastic confinement or service as means to sanction certain sins or crimes was certainly promoted within the system of penance. More importantly, the sources indicate that ecclesiastical institutions may have functioned as an administrative channel for these practices: Perhaps, local priests in charge of penance took on the role of modern-day notaries. Exchanges of workforce for debt resulting from civil or criminal proceedings were processed by and through the Church which not only had the financial means to pay out compensations but also the authority and the resources to draw up official documents to testify to these agreements and the capacities to hold

65 On the lay people addressed in the Irish and anglo-saxon penitentials, cf. Meens, "Exil, Buße und sozialer Tod": 119. On the question who had access to penance, cf. Colmán Etchingham, "The Early Irish Church: Some Observance on Pastoral Care and Dues", *Éiru* 42 (1991): 118; Colmán Etchingham, Church Organisation in Ireland, a.d. 650 to 1000 (Maynooth: Laigin Publications, 1999): 290–318; Winnebeck, "Moving Penance": 149–153.

66 The only exceptions appear to be the canons dealing with homicide. However, only the oldest of the Frankish penitentials, the *P. Bobbiense*, preserves the demand for compensation in case of murder. By tracing the adoption of this canon throughout the later tripartite penitentials, Meens observes a 'tendency to leave out the requirement to compensate the offended party' (Meens, "Wergild": 225).

67 The extant manuscripts of the Frankish penitentials do not support the hypothesis that most priests had access to more than one penitential or penitentials from different traditions. Thus, it seems more likely that the elimination of additional sanctions was due to the context of application.

and employ dependents. Unfortunately, the penitentials themselves do not provide much information on the practical implementation of penitential sanctions and neither do historiographic sources. Further research into the so-called *formulae*, which are model drafts of legal agreements between different parties, might offer more details on the process of assigning penal enslavement and bonded labour as punishments for sin.[68]

Regardless of the uncertainty regarding the practical application of penitential rulings, we know for certain that the Church, or rather its higher representatives, ruled over several groups of dependents. Aside from the clergy these included slaves the ecclesiastical institutions had gotten hold of by way of donation, inheritance or as part of the properties it acquired.[69] The precise character of their "service" to the Church – in a monastery or elsewhere – remains ambiguous. We have no evidence that the social or legal status of slaves was altered on entry into the service of the Church. Neither do the provisions which inform us on the practice of forced monasticism or penal service to God indicate that the individuals subjected to these punishments were necessarily turned into "proper" monks and nuns. The assessment of the circumstances and living conditions of Church dependents, much like the assessment of any type of dependency, therefore needs to take into account other factors than merely the dependents' legal status as free or enslaved or their association with a certain institution like the Church. These factors may be, for example the dependents' gender, age, and – last but not least – the type of work they were assigned.[70] While this evidence is of course sparse and often rather hidden, put together, it should provide a better understanding of the Church's handling of slavery and other dependency relations. For instance, the sources indicate that slaves did indeed work on monastic premises in all sorts of different functions, for example as personal servants or simply in the function of rural labourers.[71] One particularly interesting canon in the records

68 Beta versions of editions and German translations of these collections can be accessed via the "Formulae – Litterae – Chartae"-project of the Akademie der Wissenschaften in Hamburg in cooperation with the university of Hamburg: https://werkstatt.formulae.uni-hamburg.de/collections/formulae_collection [accessed 30.08.2023].

69 Cf. e.g. John Chapman, *St. Benedict and the Sixth Century* (London: Sheed & Ward, 1929): 147–72, esp. 152–54; Jens-Uwe Krause, *Geschichte der Spätantike: Eine Einführung*, Studium Geschichte, 4761 (Tübingen: A. Francke, 2018): 291.

70 Cf. Rio, *Slavery After Rome*: 246–47.

71 These references can be found in several monastic rules, such as the *Regula Monachorum* by Isidor of Sevilla or the *Regula Magistri*, and in contemporary hagiography, for example the *Vitae Caesarii episcopi Arelatensis libri duo*. Cf. Heike Grieser, "Antike Sklaverei und entstehendes christliches Mönchtum: Facetten eines spannungsreichen Verhältnisses," in *Theologie und Sklaverei: Von der Antike bis in die frühe Neuzeit*, eds. Heike Grieser and Nicole Priesching (Hildesheim: Georg Olms, 2016): 62–63, 72–73; Alexandra Hasse-Ungeheuer, "'. . . weil die göttliche Gnade alle gleich aufnimmt' (Novellae Iustiniani 5, 2): Sklaven werden zu Mönchen. Der Umgang von Kirche und Staat mit der 'Klosterflucht' von Sklaven in der Spätantike," in *Sklaverei und Zwangsarbeit zwischen Akzeptanz und Widerstand*,

of the council of Epao sanctioned the sale of slaves for the simple reason that it would be unfair on monks to perform hard agricultural labour while slaves enjoyed leisure time.[72] Furthermore, there are several hints in the extant sources to slaves living and working in the households of members of the clergy, most notably in conciliar legislation concerned with the presence of female slaves and the temptation they provided.[73] The above-mentioned examples suggest, that the reality of "serving God" or, rather, the Church may not have differed much at all from dependency relations outside the ecclesiastical realm. Instead, the experience of Church dependents like that of other dependents was down to a range of different factors, the careful consideration of which should produce some interesting findings in the future.

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72 *C. Epaonense* (517), cn. 8, ed. de Clercq, *Concilia Galliae:* 26: *Mancipia uero monachis donata ab abbate non leceat manumitti; iniustum enim potamus, ut monachis cotidianum rorale opus facientebus serui eorum libertatis otio potiantur*. 'Slaves who have been donated to the monks may not be freed by the abbot; for we consider it unjust that while monks perform the daily rural labour their slaves have the leisure of freedom.' Cf. *C. Agathense* 9 (56), ed. Charles Munier, *Concilia Galliae A. 314–A. 506*, Corpus Christianorum Series Latina 148 (Turnhout: Brepols, 1963): 226. On this peculiar provision, cf. Joseph Limmer, *Konzilien und Synoden im spätantiken Gallien von 314 bis 696 nach Christi Geburt: Teil 2, Zusammenschau wichtiger Themenkreise*, Veröffentlichungen des Internationalen Forschungszentrums für Grundfragen der Wissenschaften Salzburg 10 (Frankfurt am Main: Lang, 2004): 178; Sommar, *Slaves of the Churches*: 375.

73 Cf. e.g., *C. Arelatense* II (442–506), cn. 4; *C. Agathense* (506), cn. 11 and 28; *C. Claremontanum seu Aruernense* (535), cn. 16; C. *Aspasii* (551), cn. 2.

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3. Research Lenses

3.3. Norms, Institutions, Practices

Julia Winnebeck. "Dependents in the Conciliar Legislation of the Church in Gaul (c. 400–700)," in *Norms of Dependency in Late Antique and Early Medieval Societies: Contextualising Roman Legal Terminology*, ed. Martin Schermaier, Julia Winnebeck and Matthias Becher (Berlin: De Gruyter, 2025): 27–44.

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Julia Winnebeck

Dependents in the Conciliar Legislation of the Church in Gaul (c. 400–700)

1 Introduction

The Christian church's handling of slavery and other dependency relations in late antiquity and the early Middle Ages has only recently received increased attention. There are two main reasons for the delayed interest in this topic: The first is the influential narrative that slavery ceased to exist shortly after the fall of the western Roman Empire, and that it was replaced by other forms of labor, such as servitude.[1] The second, related, reason is the equally influential narrative that Christianity was a driving factor towards the abolition of slavery. While most researchers today reject the notion that the late antique and early medieval church actively fought slavery, these narratives continue to influence the evaluation of the evidence pertaining to practices of slavery in the post-Roman kingdoms and the involvement of the Christian church with such practices.[2]

Some of this evidence was presented as early as 1908 at the International Historical Congress in Berlin by the Dutch church historian Frederik Pijper.[3] Since then, a wealth of studies on slavery in late antiquity and the Middle Ages have stressed the importance of the Christian church as a 'slave owning institution.'[4] It took until 2020,

1 Cf. Samuel Sutherland, "The Study of Slavery in the Early and Central Middle Ages: Old Problems and New Approaches," *History Compass* 18 (2020): 1–12, who offers a recent, excellent overview of the history of research.

2 According to Stefan Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, Studies in Legal History (New York: Cambridge University Press, 2015): 92, 'the Church [has] retained its role in more recent scholarship as ultimately an agent of slaves' liberation [. . .].' Cf. e.g. Hartmut Hoffmann, "Kirche und Sklaverei im frühen Mittelalter," *Deutsches Archiv für Erforschung des Mittelalters* 42 (1986): 1–24; Martin Ritter, "Christentum," in *Handwörterbuch der antiken Sklaverei*, vol. 1, ed. Heinz Heinen et al. (Stuttgart: Franz Steiner, 2017): 552–53.

3 Frederik Pijper, "The Christian Church and Slavery in the Middle Ages," *The American Historical Review* 14, no. 4 (1909): 675–95.

4 David Wyatt, *Slaves and Warriors in Medieval Britain and Ireland, 800–1200*, The Northern World 45 (Leiden: Brill, 2009): 29–30. Cf. Jennifer Glancy, *Slavery in Early Christianity* (Oxford: Oxford University Press, 2002); Elisabeth Herrmann-Otto, "Sklaverei," in *Reallexikon für Antike und Christentum*, vol. 31, ed. Christian Hornung et al. (Stuttgart: Anton Hiersemann Verlag, 2021): 691–751; Elisabeth Herrmann-Otto, *Grundfragen der antiken Sklaverei. Eine Institution zwischen Theorie und Praxis* (Hildesheim: Olms, 2015): 32–33; David Pelteret, *Slavery in Early Mediaeval England: From the Reign of Alfred until the Twelfth Century*, Studies in Anglo-Saxon History 7 (Rochester, NY: Bodydell & Brewer, 1995); Ritter, *Christentum* (n. 2): 543–61, 552–53; Alice Rio, *Slavery After Rome: 500–1100*, Oxford Studies in Medieval European History 5 (Oxford: Oxford University Press, 2017).

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however, before the first systematic treatment of the extant evidence for the church as a major slave owner was published by Mary E. Sommar.[5] Her study on 'The Slaves of the Churches' presents, at its core, an analysis of the church's own legislation on the question of how to deal with slaves and other dependent persons between the first and thirteenth centuries. It therefore provides an excellent foundation for more detailed studies.[6]

In an attempt to provide such a study, I sifted through the conciliar legislation of the Western Gallic Church between the years 400 and 700. We are aware of around seventy Gallic synods and councils that took place during these three hundred years, but written records survive of only about forty-five of them. According to the extant written evidence, twenty-three of the documented councils and synods dealt in one way or another with slaves and other dependent persons.[7] The 60 canons that were passed by these gatherings discuss a variety of legal problems posed by the existence of slaves in society and within the church. The canons do not treat these different problems in a systematic way. This is due to the fact that the legislation of church councils and synods was largely reactive: These assemblies ruled on problems that seemed pressing at the time and required a more united approach. While the individual provisions of course often built on earlier rulings, writings of the Church Fathers or secular law, various combinations, omissions and additions show that they were tailored to address a specific historical situation. Therefore, one could argue that these provisions resist any attempt of coherent systematization and are best understood in the context of the individual council or synod where they were created – which is of course often unknown to us.[8]

Nonetheless, it is possible to identify some recurring themes within the conciliar legislation on slaves and other dependents and to reconstruct practices associated with them. These themes can be grouped according to the two leading motives which appear to have guided the church's legislation on slavery during the period in question: First, the church's aim to protect its authority (or jurisdiction) and its property,

5 Mary E. Sommar, *The Slaves of the Churches: A History* (Oxford: Oxford University Press, 2020).

6 Sommar treats the conciliar evidence in chapter 5, 'Ecclesiastical Slavery in the Germanic Kingdoms', under the sub-heading 'Canon Law'.

7 The records of the councils and synods from this time period and region have been edited in two volumes by Charles Munier, *Concilia Galliae* A. 314–A. 506, Corpus Christianorum Series Latina 148 (Turnhout: Brepols, 1963), and Carl de Clercq, *Concilia Galliae* A. 511–A. 695, Corpus Christianorum Series Latina 148A (Turnhout: Brepols, 1963). Records survive of roughly 60% of the councils reported in these volumes.

8 Cf. Patrick Griffith, "Canon Law in Post Imperial Gaul" (PhD diss., King's College, 2018), https://kclpure.kcl.ac.uk/portal/ [accessed: 19.10.2023]; Gregory Halfond, *The Archaeology of Frankish Church Councils, AD 511–768* (Leiden: Brill, 2009); Odette Pontal, *Die Synoden im Merowingerreich*, trans. Isolde Schröder, Konziliengeschichte, Series A: Darstellungen (Paderborn: Ferdinand Schöningh, 1986).

and second the church's aim to aid and protect salvation. In the first part of my paper I will therefore present the canonical evidence pertaining to the church's concern for slaves as inalienable church property, the protection and lasting obligation of freed-people, and church sanctuary. In the second part I will survey the canons concerned with the appropriate handling of slaves and other dependents with a view to salvation.

2 The Protection of Church Property and Jurisdiction

2.1 *Servi* as Inalienable (Church) Property

When it came to dependents, church and state alike were primarily concerned with the inalienability of their property. Slaves and other dependent people were considered part of the church's property and labor pool, there to be preserved for future generations. Accordingly, a range of canons decree that church slaves should not randomly be sold or freed.[9] One canon of the Council of Epao (517) justifies the prohibition to free church slaves by arguing that it would unnecessarily burden monks with hard physical labor:[10]

> [. . .] *Mancipia uero monachis donata ab abbate non leceat manumitti; iniustum enim potamus, ut monachis cotidianum rorale opus facientebus serui eorum libertatis otio potiantur.*
>
> [. . .] Slaves who have been donated to the monks may not be freed by the abbot; for we consider it unjust that, while monks do the daily agricultural labour, their slaves have the leisure of freedom.[11]

The general prohibition to free church slaves meant that the usual roads to liberation were not open to these dependents. This has led Mary Sommar to stress the perma-

9 Cf. e.g. *Concilium Agathense* (506), cn. 7, ed. Munier, *Concilia Galliae* (n. 7): 195–96; *Concilium Aurelianense* I (511), cn. 15, ed. de Clercq, *Concilia Galliae* (n. 7): 9; *Concilium Aurelianense* IV (541), cn. 9, ed. de Clercq, *Concilia Galliae* (n. 7): 134; *Concilium Clippiacense* (626/627), cn. 15, ed. de Clercq, *Concilia Galliae* (n. 7): 294; Cf. also Isidor of Sevilla's *Regula Monachorum*, ed. Julio Campos Ruiz, *Reglas monásticas de la España visigoda* (Madrid: Biblioteca de Autores Cristianos, 1971): 90–125. On this topic, cf. Susanne Baumgart, *Die Bischofsherrschaft im Gallien des 5. Jahrhunderts: Eine Untersuchung zu den Gründen und Anfängen weltlicher Herrschaft der Kirche*, Münchener Arbeiten zur alten Geschichte 8 (Munich: Münchener Universitätssschriften, 1995): 72; Sommar, *Slaves of the Churches* (n. 5): 366, 375–76.

10 *Concilium Epaonense* (517), cn. 8, ed. de Clercq, *Concilia Galliae* (n. 7): 26. Cf. appendix to the records of the council of Agde (506), cn. 9 (56), ed. Munier, *Concilia Galliae* (n. 7): 226. On this provision cf. Sommar, *Slaves of the Churches* (n. 5): 375.

11 The Latin text also allows the alternative translation: 'Slaves who have been donated to the monks by the abbot may not be freed; [. . .].'

nence of church slavery as one of its few distinct characteristics.[12] This permanence is particularly palpable in a canon from the Council of Arles (541) which reads as follows:[13]

> *De genere seruili decreuimus obseruandum, ut discendens* [sc. descendens] *inde posteritas, ubicumque quamuis post longa spatia temporum repperitur, in locum, cui auctoris* [sc. auctores] *eius constat fuisse depotatus* [sc. deputatos], *reuocata studio sacerdotis, in ea, quae constituta est a defunctis, condicione permaneat. Cui praecepto si quis saecularium humanae cupiditatis inpulsu crededirit obuiandum, quousque se corrigat, ab ecclesia suspendatur.*
>
> Regarding the lineage (*genus*) of slaves we have decreed that it is to be observed that the posterity descending from them (i.e. their descendants), wherever they may be found after however long a time, shall be called back through the efforts of the priest to the place of which it is stated that their ancestors were assigned to. They (i.e. the descendants) shall remain under the condition established by the deceased. If any secular person has thought that he could deviate from this prescription on an impulse of human cupidity, he shall be suspended from the church until he corrects himself.

This canon seems to be concerned with the descendants of slaves who had been donated to the church. Apparently, there was an acute possibility that the descendants of their former masters would claim these dependents to make them work in their households or on their estates. The main objective of this provision appears to be to defend the church's indefinite claim to all descendants of those bequeathed to it, regardless of whether they were freedpeople or remained enslaved according to the will of their former masters.

There were, however, a few exceptional circumstances under which church slaves could be sold or freed. They could be sold to free up funds for the redemption of captives or to remove Christian slaves from a non-Christian household.[14] They could also be traded in for other, more 'useful' or 'worthy,' dependents.[15] The records of the fourth Council of Orléans (541) further indicate that church slaves were occasionally liberated by bishops – possibly with a view to preparing them for church office:[16]

> *Vt episcopus, qui de facultate propria ecclesiae nihil relinquid, si quid de ecclesiae facultate, id est si aliter, quam canones elocuntur* [*sc. eloquantur*], *obligauerit, uindedirit aut distraxerit, ab eccle-*

12 Cf. esp. Sommar, *Slaves of the Churches* (n. 5): 250–51.

13 *Concilium Aurelianense* IV (541), cn. 32, ed. de Clercq, *Concilia Galliae* (n. 7): 140. The text together with a French translation is also available in Jean Gaudemet and Brigitte Basdevant-Gaudemet, eds., *Les canons des conciles mérovingiens (VIe–VIIe siècles)*, Sources Chrétiennes 353–54 (Paris: Editions du Cerf, 1989): 284–85. In this particular case, Gaudemet's reconstructed Latin text is preferable to that given in de Clercq's edition.

14 *Concilium Aurelianense* IV (541), cn. 30, ed. de Clercq, *Concilia Galliae* (n. 7): 139–40.

15 *Concilium Aurelianense* V (549), cn. 6, ed. de Clercq, *Concilia Galliae* (n. 7): 150.

16 *Concilium Aurelianense* IV (541), cn. 9, ed. de Clercq, *Concilia Galliae* (n. 7): 134.

siam reuocetur. Sane si de seruis ecclesiae libertos fecerit nomiro conpitenti, in ingenuitate permaneant, ita ut ab officio ecclesiae non recedant.

[We decree] that a bishop, who has not left any of his own wealth to the church, if he has pawned, sold or squandered anything of the church's wealth, that is, other than the canons decree, it shall be recalled by the church. However, if he has made freedpeople out of the slaves of the church in adequate numbers,[17] they shall remain of noble status (i.e. free), so that that they do not (have to) leave the (clerical) service of the church.

As we can see in this particular example, the liberation of people enslaved to the church was restricted to particular purposes which ultimately safeguarded the church's economic interests. For a slave who had been freed to become a member of the clergy was by no means lost to the church.

In general, however, the church did not allow the ordination of slaves and other dependent persons such as *coloni*.[18] We can discern two reasons for this prohibition in conciliar legislation: First, the ordination of dependents entailed a potential violation of the interests of their secular masters. Second, the tasks assigned to dependent persons were seen as incompatible with the purity and sanctity of the ministry. Accordingly, three sixth-century councils impose sanctions for church personnel who knowingly ordained dependents to the offices of presbyter or deacon.[19] The ordination itself, however, seems to have been considered valid irrespective of the status of the ordained individual. Consequently, the provisions stipulate compensation in the form of payments or other slaves to be offered to the secular masters in exchange for the ordained slaves. Alternatively, they express the expectation that ordained slaves were relieved from certain 'non-Christian' or impious tasks.[20]

The regulations concerning the ordination of dependent people point to the problem most frequently addressed in my sample of the council records: For arguably the biggest bulk of conciliar legislation on slavery concerns conflicts of interest between the church and secular masters. These conflicts seem to have occurred predominantly over questions of the rights and obligations of freedpeople and (the purview of) church sanctuary.

17 One could argue on the basis of context and terminology that an alternative reading for *nomiro conpitenti* might be *numero competentium*, i.e. 'from the number/ranks of the candidates for baptism'. Cf. Matthieu Pignot, *The Catechumenate in Late Antique Africa (4th–6th Centuries). Augustine of Hippo, His Contemporaries and Early Reception*, Vigiliae Christianae, Supplements 162 (Leiden: Brill, 2020).

18 On this problem cf. more generally Richard Klein, "Die Bestellung von Sklaven zu Priestern," *Klio. Beiträge zur Alten Geschichte* 73 (1991): 601–5.

19 Cf. *Concilium Aurelianense* I (511), cn. 8, ed. de Clercq, *Concilia Galliae* (n. 7): 7; *Concilium Aurelianense* III (538), cn. 29, ed. de Clercq, *Concilia Galliae* (n. 7): 124–25; *Concilium Aurelianense* V (549), cn. 6, ed. de Clercq, *Concilia Galliae* (n. 7): 150.

20 *Concilium Aurelianense* V (549), cn. 6, ed. de Clercq (n. 7): 150.

2.2 The Protection of Freedpeople and their Lasting Obligations

A number of canons appear to be concerned with protecting the rights of freedpeople against unlawful attempts to re-enslave them or impose lasting obligations (*obsequium*) or dependent labor (*conditio colonaria*) on them.[21] They sanction any such attempts with exclusion from the Christian community. On closer examination, the majority of these provisions are explicitly concerned with dependents who were freed in a church ceremony, i.e. by means of the so-called *manumissio in ecclesia*, or who had been bequeathed to the church in a will. The Synod of Orange (441), for example, decrees that

> *In ecclesia manumissos, uel per testamentum ecclesiae commendatos si quis in seruitutem uel obsequium uel ad colonariam conditionem imprimere tentauerit, animaduersione ecclesiastica coercebitur.*[22]
>
> If anyone has tried to impose servitude or obedience or the condition of the colonate onto those freed in the church, or bequeathed to the church in a will, he will be punished by an ecclesiastical punishment.

This canon did not contest the notion that freedpeople remained somewhat dependent even after their legal liberation.[23] Instead, it aimed at establishing that this particular group of dependents owed obligations not to their former masters, but to the church.[24]

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21 Cf. *Concilium Nemavsense* (394/396), cn. 7, ed. Munier, *Concilia Galliae* (n. 7): 51; *Concilium Lugdunense* II (567–570), cn. 3, ed. de Clercq, *Concilia Galliae* (n. 7): 201; *Concilium Clippiacense* (626–627), cn. 19, ed. de Clercq, *Concilia Galliae* (n. 7): 295.

22 *Concilium Arausicanum* 441, cn. 6 (7), ed. Munier, *Concilia Galliae* (n. 7): 79; cf. *Concilium Arelatense* II 442–506, cn. 33, ed. Munier, *Concilia Galliae* (n. 7): 121. The two canons are almost identical in that they both name *manumissio in ecclesia* and *per testamentum* as the means of liberation and in naming *servitium*, *obsequium*, and *conditio colonaria* as the three conditions of dependency.

23 Cf. *Concilium Aurelianense* V (549), cn. 7, ed. de Clercq, *Concilia Galliae* (n. 7): 150, according to which the masters had to determine which tasks exactly their dependents were to be relieved from after the change to their legal status. This implies that legal freedom did not necessarily entail the end of the former relationship of asymmetrical dependency. Cf. also *Concilium Parisiense* III (556–573), cn. 9, ed. de Clercq, *Concilia Galliae* (n. 7): 209, which implies that a freedperson was usually assigned a patron, who offered protection but also guaranteed that the manumission agreements were not broken.

24 Cf. Sommar, *The Slaves of the Churches* (n. 5): 206–7: ‘Canon 6 made it clear that the church would defend its own: ecclesiastical sanctions were to be imposed on anyone who tried to impose servitude or *obsequium* (duties of a freedman to his former master) on a slave who had been freed in a church ceremony (*manumissio in ecclesia*), or who had been both freed and bequeathed to the church. This canon sheds light on a curious provision concerning *servi* and their relationship to the church: if you had received your freedom by means of the *manumissio in ecclesia* ceremony, your obligations were not to your former owner, as had been the Roman custom, but rather to the church where the ceremony had taken place. The church would defend its right to your services in the same way that it

This assumption probably did not go unchallenged. Indeed, we can infer from two canons of the Second and Fifth Councils of Arles that there were exceptions to this rule.[25] Both canons concede the legality of re-enslavement for reasons which are reminiscent of those accepted under Roman law.[26] The Second Council of Arles, for instance, considers the 'ingratitude' of a freedperson towards their former master a valid reason to return them to servitude:[27]

> *Si quis in ecclesia manumissum crediderit ingrati titulo reuocandum, non aliter liceat nisi eum gestis apud acta municipum reum esse ante probauerit.*
>
> If anyone has thought he could call back (i.e. reclaim) a freedperson manumitted in the church under the claim of ingratitude, it shall not be permitted in any way unless he has previously made plausible with reference to the public records (*acta municipum*) that he (i.e. the freedman) is guilty by his actions.

Thus, while the church seems to have accepted in principle the former masters' legal right to reverse a liberation, it tried to restrict the immediate access to freedpeople under its care by mandating a more formalized process.[28] The church's general effort to limit arbitrary re-enslavement is also evident in two provisions of the Council of Paris (614) and the related *Edictum Clotarii*, which indicate a direct involvement of the church in assessing the legitimacy of re-enslavement:[29]

> *Libertus cuiuscumque ingenuorum a sacerdotibus, iuxta textus cartarum ingenuetatis suae contenit, defensandus, nec absque praesentia episcopi aut praepositi aeclesiae esse iudicandus uel ad publicum reuocandus.*

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would defend its rights to any property acquired through a bequest.' Cf. also Sommar, *The Slaves of the Churches* (n. 5): 207–8.

25 *Concilium Arelatense* II 442–506, cn. 34, ed. Munier, *Concilia Galliae* (n. 7): 121; *Concilium Aurelianense* V (549), cn. 7, ed. de Clercq, *Concilia Galliae* (n. 7): 150–51. Cf. Mary Sommar, "Ecclesiastical Servi in the Frankish and Visigothic Kingdoms," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Kanonistische Abteilung* 33 (2010): 57–79, 77.

26 For Roman laws on the re-enslavement of *liberti ingrati* cf. *Cod. Theod.* 4.10.1–2 and *Cod. Iust.* 6.7.2. Cf. Wilhelm Felgentraeger, *Antikes Lösungsrecht*, Romanistische Beiträge zur Rechtsgeschichte 6 (Berlin: De Gruyter, 1933): 32–33; Kyle Harper, *Slavery in the Late Roman World AD 275–425* (Cambridge: Cambridge University Press, 2011): 486–89.

27 *Concilium Arelatense* II 442–506, cn. 34, ed. Munier, *Concilia Galliae* (n. 7): 121.

28 On the question of what these formal proceedings may have looked like and how they were documented cf. Warren C. Brown, "The gesta municipalia and the public validation of documents in Frankish Europe," in Warren Curtis Brown, Marios J. Costambeys, Matthew J. Innes, and Adam Kosto, eds., *Documentary Culture and the Laity in the Early Middle Ages* (Cambridge et. al.: Cambridge University Press, 2013): 95–124.

29 *Edictum Clotarii* II, cn. 7, ed. de Clercq, *Concilia Galliae* (n. 7): 285; cf. *Concilium Parisiense* (614), cn. 7, ed. de Clercq, *Concilia Galliae* (n. 7): 276–77.

> The freedperson of any freeborn persons shall be defended by the priests according to what the text of the charters of his freedom (*textus cartarum ingenuetatis*) contains, and shall not be judged or called back to public service in the absence of a bishop or a church leader.

By demanding that a church representative attend decision-making processes on re-enslavement, the church certainly claimed jurisdiction over those dependents who had been freed in a church ceremony. It is possible that the church also considered itself responsible for all other freedpeople on the basis that their liberation had aided towards their Christian masters' salvation and ought therefore not lightly be reversed.

2.3 Church Sanctuary

Another relatively large group of provisions regulated the church's prerogative or duty to provide sanctuary to slaves who had fled from their masters in fear of harsh punishment, or in order to protect marital unions.[30]

Over the course of the fourth century, Christian churches increasingly became places of refuge for lawbreakers and the non-privileged, including slaves.[31] This placed the church in a delicate situation: On the one hand, granting sanctuary allowed it to fulfill its duty to provide *caritas* to the needy in the form of intercession and protection from instant punishment. On the other, offering sanctuary to someone else's dependents was likely to be perceived as both a violation of the masters' or patrons' property rights, and an attempt to undermine the social order of the household within which the *pater familias* principally enjoyed unrestricted authority. This might explain why councils and synods felt the need to regulate this institution in such detail. Initially, the church's right to offer sanctuary was regulated and

30 On sanctuary in cases of illegitimate marriages, cf. *Concilium Aurelianense* IV (541), cn. 24, ed. de Clercq, *Concilia Galliae* (n. 7): 138.

31 On the topic of sanctuary in late antiquity and the early Middle Ages and its precursors cf. more generally Richard Gamauf, *Ad statuam licet confugere. Untersuchungen zum Asylrecht im römischen Prinzipat*, Wiener Studien zu Geschichte, Recht und Gesellschaft/Viennese Studies in History, Law and Society 1 (Vienna: Peter Lang, 1999); Daniela Fruscione, *Das Asyl bei den germanischen Stämmen im frühen Mittelalter*, Konflikt, Verbrechen und Sanktion in der Gesellschaft Alteuropas, Fallstudien 6 (Cologne: Böhlau, 2003); Karl Shoemaker, *Sanctuary and Crime in the Middle Ages, 400– 1500* (Fordham University Press, 2011): 47–77; Christian Traulsen, *Das sakrale Asyl in der Alten Welt. Zur Schutzfunktion des Heiligen von König Salomo bis zum Codex Theodosianus*, Ius Ecclesiasticum 72 (Tübingen: Mohr Siebeck, 2004): 267–310. Alternatives to seeking church sanctuary were to seek the protection of an influential person (*ad patrociniam confugere*) or of the imperial service (*ad militiam confugere*), cf. Traulsen, *Das sakrale Asyl* (n. 31): 271. Traulsen first states that these options usually meant that the less privileged exchanged one dependency relation for another ('ersetzte Abhängigkeit durch Abhängigkeit'), but then considers church sanctuary somewhat different in this regard.

limited in Roman Law.[32] From the fifth century onwards, however, a large part of the legislation on this topic is preserved in conciliar legislation. In the surviving canons dealing with this matter,[33] the clergy are instructed to take fugitive slaves into their care and not hand them over without first conducting negotiations with their respective masters.[34] To enforce this type of intercession, the masters were threatened with the ecclesiastical punishment of exclusion from the community if they dared to violently retrieve their slaves from the churches or to seize church slaves in place of their own before the negotiations had concluded.[35] The main aim of the clerical mediation was to induce the slaves' masters to refrain from overly harsh physical punishments. The canons imply that during this mediation process, the masters were persuaded to swear an oath (*sacramentum*) to this effect which amounted to an act of forgiveness akin to the remission of sins by a church representative.[36] On this subject a canon from the first Council of Orléans (511) declared that

> *Seruus qui ad ecclesia[m] pro qualibet culpa confugerit, si a domino pro admissa culpa sacramenta susciperit, statim ad seruitium domini redire cogatur; sed posteaquam datis a domino sacramentis fuerit consignatus, si aliquid poenae pro eadem culpa, qua excusatur, probatus fuerit pertulisse, pro contemptu ecclesiae uel praeuaricatione fidei a communione et conuiuio catholicorum, sicut superius conpraehensum est, habeatur extraneus. Sin uero seruus pro culpa sua ab ecclesia defensatus sacramenta domini clerecis exigentibus de inpunitate perciperit, exire nolentem a domino liceat occupari.*[37]

32 The first proper concession of the legality of Church sanctuary (in contrast to laws limiting its purview) is a constitution by Honorius from November 419. The context of the five preserved constitutions on church sanctuary in the Codex Theodosianus are legal proceedings in criminal cases. It is noteworthy that the right to seek sanctuary did not apply to slaves. Cf. Traulsen, *Das sakrale Asyl* (n. 31): 291–92.

33 Cf. e.g. *Concilium Arausicanum* (441), cn. 5, ed. Munier, *Concilia Galliae* (n. 7): 79; *Concilium Arelatense* II (442–506), cn. 30, ed. Munier, *Concilia Galliae* (n. 7): 120; *Concilium Matisconsense* (585), cn. 8, ed. de Clercq, *Concilia Galliae* (n. 7): 242–43.

34 Cf. Traulsen, *Das sakrale Asyl* (n. 31): 272.

35 Cf. *Concilium Arausicanum* (441), cn. 5, ed. Munier, *Concilia Galliae* (n. 7): 79: *Eos qui ad ecclesiam confugerint tradi non oportere, sed loci reuerentia et intercessione defendi. (6) Si quis autem mancipia clericorum pro suis mancipiis ad ecclesiam confugientibus crediderit occupanda, per omnes ecclesias districtissima damnatione feriatur.* German translation in Traulsen, *Das sakrale Asyl* (n. 31): 292: '(5) Diejenigen, die zur Kirche geflohen sind, dürfen nicht ausgeliefert werden, sondern müssen um der Ehrfurcht vor dem Ort und der Interzession willen geschützt werden. (6) Wenn aber jemand meint, sich der Sklaven von Klerikern zum Ersatz für eigene Sklaven, die zur Kirche geflohen sind, bemächtigen zu sollen, so soll er von allen Kirchen strengste Strafen erfahren.' On this text cf. also Sommar, *The Slaves of the Churches* (n. 5): 206.

36 Cf. *Concilium Aurelianense* V (549), cn. 22, ed. de Clercq, *Concilia Galliae* (n. 7): 156. Cf. also Shoemaker, *Sanctuary and Crime* (n. 31): 64.

37 *Concilium Aurelianense* I (511), cn. 3, ed. de Clercq, *Concilia Galliae* (n. 7): 5–6.

> A slave who has fled to the church for whatever offence, if he has received the oaths (*sacramenta*) from his master for the offence committed, he shall be compelled to return into his master's service immediately; but if, after it has been verified that he had received the oaths (*sacramenta*) from the master, it is found that he (i.e. the slave) has received any punishments for the same offence for which he had been pardoned, he (i.e. the master) shall, as we stated above, be considered excluded from the communion and fellowship (*communio et conuiuium*) of the Catholics for contempt of the church and neglect of faith. But if a slave who had been defended by the church for his offence has received his master's oaths (*sacramenta*) for his impunity according to the clerics' demand, his master is allowed to seize him if he does not want to leave.

According to another canon of the same council and the records of the Council of Clichy (626–627), the oath was sworn on the Holy Scriptures and entailed the promise not to kill, mutilate or in any other way punish the culprits beyond the satisfaction agreed in the mediation process.[38] If the masters subsequently violated their oaths or the promises made to the church, they were to be excluded from the communion and treated like strangers.[39] Pagan or Jewish masters did not swear such oaths, but had to find a Christian representative who would vouch for them.[40] If they dared to subsequently punish their slaves, they were to permanently lose their slaves to the church.[41] As is evident from the previous example, however, all masters retained the

38 Cf. *Concilium Aurelianense* I (511), cn. 1, ed. de Clercq, *Concilia Galliae* (n. 7): 4–5; *Concilium Clippiacense* (626–627), cn. 9, ed. de Clercq, *Concilia Galliae* (n. 7): 293. On this cf. Stefan Esders, "Rechtsdenken und Traditionsbewußtsein in der gallischen Kirche zwischen Spätantike und Frühmittelalter. Zur Anwendbarkeit soziologischer Rechtsbegriffe," *Francia* 20, no. 1 (1993): 97–125, 109. The oath may have resembled the oath of Childebert reported in Gregory of Tours, *History of the Franks*, Book IX 38, printed ibid.: 109, annot. 64. It is unclear if the slaves had to undertake any kind of penance for their offences. In view of the marginal role they play in the penitentials of the time, it seems unlikely.

39 *Concilium Arelatense* II (442–506), cn. 30, ed. Munier, *Concilia Galliae* (n. 7): 120; *Concilium Aurelianense* I (511), cn. 3, ed. de Clercq, *Concilia Galliae* (n. 7): 5–6. A gruesome example of how this intercessional arbitration may have played out is narrated in Book V of Gregory of Tours' *History of the Franks*. Two slaves married without the permission of their cruel master, Rauching, and, in fear of punishment, remained in the local church for protection. When Rauching came to claim them, the resident priest made him swear an oath that he would allow them to stay together and refrain from physical punishments. Rauching swore an oath to this effect, but then had the couple buried alive – together. In this story, there are no immediate consequences for Rauching – probably because he was too powerful. The priest merely succeeded in having the two slaves dug up again, thereby saving the male slave's life. Rauching later (in Book IX) dies a violent death, reflecting his awful character. Cf. Shoemaker, *Sanctuary and Crime in the Middle Ages* (n. 31): 65–67.

40 Cf. *Concilium Aurelianense* V (549), cn. 22, ed. de Clercq, *Concilia Galliae* (n. 7): 156.

41 Cf. *Concilium Aurelianense* III (538), cn. 14 (13), ed. de Clercq, *Concilia Galliae* (n. 7): 120. German translation in Heinz Schreckenberg, *Die christlichen Adversus-Judaeos-Texte und ihr literarisches und historisches Umfeld (1.–11. Jahrhundert)*, Europäische Hochschulschriften 23, 172 (Frankfurt am Main: Peter Lang, 1999): 400: 'Wenn christlichen Judensklaven von ihren Herren auferlegt wird, was die christliche Religion ihnen verbietet oder wenn sie [sc. die jüdischen Besitzer] von der Kirche bereits Entsühnte wegen des verziehenden Vergehens etwas zu strafen oder zu schlagen wagen und sie [sc. die Sklaven] erneut zur Kirche ihre Zuflucht nehmen, dass sie dann keinesfalls von dem Priester wieder (dem jüdischen Besitzer) überstellt werden sollen, es sei denn, der Taxwert des Sklaven wird

right to seize a slave who refused to leave sanctuary after the intercession had concluded.[42] Furthermore, there are indications that subsequently the masters were free to impose penal measures on their slaves, as long as these were not 'corporal' punishments. At least this is what the following canon of the Council of Epao implies:[43]

> *Seruus reatu atrociore culpabilis si ad ecclesiam confugerit, a corporalibus tantum suppliciis excusetur. De capillis uero uel quocumque opere placuit [a] dominis iuramenta non exegi [sc. exigi].*
>
> If a slave guilty of an atrocious offence has fled to the church, he shall be excused only from corporal punishments. Regarding the (shaving of) hair or whatever (penal) task it has been agreed, that oaths are not requested of the masters.

For slaves, who were denied access to the courts, refuge to a sanctuary offered the only route to quasi legal interventions.[44] In the cases of lay people, seeking sanctuary can be regarded as the activation of ecclesiastical arbitration. The ensuing mediation process between lay people under the guidance of a church representative amounted to a formal legal procedure which – in theory – rendered other available measures of conflict resolution unnecessary.[45] Indeed, the records of the first Council of Arles contain one particularly interesting provision which indicates that church sanctuary might have served as a starting point for legal proceedings in which church authorities could decree (and possibly also enforce) enslavement as a punishment:[46]

> *De raptoribus autem id custodiendum esse censuimus, ut, si ad ecclesiam raptor cum rapta confugerit et femina ipsa uiolentiam pertulisse constiterit, statim liberetur de potestate raptoris et raptor mortis uel poenarum inpunitate concessa aut seruiendi conditione subiectus sit aut redimendi se liberam habeat facultatem. Sin uero quae rapitur patrem habere constiterit et puella raptori aut rapienda aut rapta consenserit, potestati patris excusata reddatur et raptor a patre superioris conditionis satisfactione teneatur obnoxius.*
>
> Regarding abductors, however, we decide that it should be observed that if an abductor has fled to the church with a female abductee and the woman herself confirms that she has endured violence, she shall be freed immediately from the power of the abductor, and the abductor shall, after having been granted impunity from death or punishments, be subjected to the condition of being a slave or have the possibility to redeem himself. But if she who has been abducted confirms that she has a father, and the girl has consented to the abductor either prior to or during her abduction, she shall be delivered back into her father's power as an excused person, and the

erlegt (=hinterlegt?).' Cf. Paul Mikat, *Die Judengesetzgebung der merowingisch-fränkischen Konzilien*, Nordrhein-Westfälische Akademie der Wissenschaften, Vorträge G 335 (Opladen: VS Verlag, 1995): 43.

42 Cf. *Concilium Aurelianense* I (511), cn. 3, ed. de Clercq, *Concilia Galliae* (n. 7): 5–6.

43 *Concilium Epaonense* (517), cn. 39, ed. de Clercq (n. 7): 34.

44 Cf. e.g. Detlev Liebs, "Strafrechtlicher Schutz von Sklaven gegen Willkür ihrer Herren im vorchristlichen, im christlichen Altertum und im Frühmittelalter," *The Legal History Review* 85 (2017): 13–14.

45 It resembles the proceedings envisioned in a range of penitential canons dealing with severe sins or crimes, such as the penitential process imagined for killing, cf. e.g. *P. Vinniani* 23; *P. Columbani* B 1.

46 *Concilium Aurelianense* I (511), cn. 2, ed. de Clercq, *Concilia Galliae* (n. 7): 5.

abductor shall be held dependent by the woman's father under the aforementioned condition as compensation.

From the perspective of the fugitive, church sanctuary offered hope of protection from torture and death without due process. For severe crimes such as the abduction of a virgin, the only viable alternatives to these punishments were the enslavement of the culprit or the payment of substantial compensation – which in most cases would have resulted in debt bondage or enslavement, too.[47] From the perspective of the Church, sanctuary offered an opportunity to avoid further sin through bloodshed and to facilitate redemption

The conciliar evidence thus indicates that by the sixth century church sanctuary had developed into a complex legal institution which served multiple purposes: Firstly, it allowed the church to protect the vulnerable from arbitrary punishment and to grant them at least limited access to formalized legal proceedings.[48] Secondly, church sanctuary served as a starting point for the church to expand its 'pragmatic authority'[49] over the lay population and thus its overall power. Thirdly, church sanctuary provided the clergy with an opportunity to suppress or sanction behavior on the part of members of the ruling elite that was considered detrimental to their salvation. Sanctuary and the subsequent mediation process not only protected slaves and lawbreakers from being killed without the chance to redeem themselves, but also the salvation status of their masters and prosecutors by dissuading them from polluting themselves with bloodshed and violence perpetrated in anger. In addition to the aim to protect church property and jurisdiction, it seems to have been this concern for the souls of free Christians which prompted the ecclesiastical legislation on slavery.

3 The Handling of Dependents and Salvation

Therefore, we will now turn to the conciliar canons that focus on the appropriate handling of slaves and other dependents with a view to salvation.

47 On the question of the Church's involvement with penal enslavement cf. Julia Winnebeck, "Life in the Service of God: Penal Servitude and Dependent Labour in the Ecclesiastical Domain of Early Medieval Francia (c. 500–800)," in *Punishment, Labour and the Legitimation of Power*, ed. Adam Fagbore, Nabhojeet Sen and Katherine Roscoe (Amsterdam: Amsterdam University Press, 2025): 193–212.

48 However, Traulsen, *Das sakrale Asyl* (n. 31): 292, argues that the Church, in line with the state, did not extend proper sanctuary to slaves. In order to properly understand the differences between sanctuary for freepeople and that granted to dependents, a thorough comparison of the conciliar legislation is required.

49 Claudia Rapp, *Holy Bishops in Late Antiquity: The Nature of Christian Leadership in an Age of Transition*, The Transformation of the Classical Heritage 37 (Berkeley: University of California Press, 2005). Shoemaker, *Sanctuary and Crime* (n. 31): 56, speaks of 'political authority.'

3.1 The Masters' Salvation

The presence of slaves in monasteries and in the households of both clergy and Christian laypeople provided a dangerous temptation for Christian men and women to sin. Clerics, masters, and mistresses alike were considered to be in constant danger of either (ab-)using their slaves for sexual gratification or of resorting to uncontrolled violence towards them. In order to minimize the temptation to commit sexual sins, conciliar legislation restricted the points of contact between male clergy and female slaves:[50]

> *Ancillas uel libertas a cellario uel a secreto ministerio et ab eadem mansione, in qua clericus manet, placuit remoueri.*
>
> Female slaves or freedwomen are to be removed from the storerooms or from private duties and from the same house in which a cleric lives.

Interestingly, sexual contact between male clergy and female slaves was sanctioned in the same way as sexual contact with any other woman, namely with deposition and exclusion from the community.[51] In contrast to this, the penitentials evaluated the sexual sins of laymen according to the status of the woman involved (i.e. married, nun, unmarried or slave).[52]

Contrary to what one might expect, Gallic canon law has no provisions that sanction the excessively cruel treatment of dependent people beyond its implicit condemnation within the provisions on sanctuary.[53] One provision of the Council of Epao, however, sanctions the arbitrary killing of slaves with temporary excommunication:[54]

> *Si quis seruum proprium sine conscientia iudicis occiderit, excommunicatione[m] biennii effusionem sanguinis expiauit* [*sc. expiauerit*].
>
> If someone has killed his own slave without the knowledge (*conscientia*) of a judge, he shall expiate the shedding of blood with two years of excommunication.

It is noteworthy that the provision is not overly concerned with the fate of the slave, i.e. the fact that they had fallen victim to a violent crime. Instead, the primary concern

50 *Concilium Agathense* (506), cn. 11, ed. Munier, *Concilia Galliae* (n. 7): 200. Cf. *Concilium Arelatense* II (442–506), cn. 4, ed. Munier, *Concilia Galliae* (n. 7): 114; *Concilium Agathense* 506, cn. 28, ed. Munier, *Concilia Galliae* (n. 7): 205; *Concilium Claremontanum seu Arvernense* (535), cn. 16, ed. de Clercq, *Concilia Galliae* (n. 7): 109–10; *Concilium Turonense* II (567), cn. 11 and cn. 20, ed. de Clercq, *Concilia Galliae* (n. 7): 179–80, 183–84.

51 Cf. *Concilium Aspasii* (551), cn. 2, ed. de Clercq, *Concilia Galliae* (n. 7): 163. Cf. also *P. Cummeani* II 1–4 and 17.

52 Cf. *P. Vinniani* 36–40; *P. Cummeani* II 26–27; *P. Theodori* (U) I XIV 12.

53 The only exception appears to be a canon of the eleventh council of Toledo in Visigothic Spain, cf. Sommar, *Slaves of the Churches* (n. 5): 370: 'In 675, XI Toledo [cn. 6] forbade harsh punishments for ecclesiastical servi, such as the amputation of a limb.'

54 *Concilium Epaonense* (517), cn. 34, ed. de Clercq, *Concilia Galliae* (n. 7): 33.

of this canon appears to be the fact that the killing had not been carried out in the 'proper way,' that is, after formal consent by a judge that the slave indeed deserved to die. While the killing of slaves by their masters could indeed be considered lawful,[55] depending on the circumstances, bloodshed in anger, which seems to be envisioned in this canon, was perceived a pollution with sin that required adequate penance lest the salvation of the person who had committed the offense be endangered.

This concern for the salvation status of free Christians in handling their dependants also provides the background against which the rare provisions which advocate a kind treatment of slaves should be read. The understanding that Christian or church slaves should enjoy better conditions than other enslaved persons is expressed, for example, in the demand that they, too, should be granted days of rest on important Christian feast days.[56] It further finds expression in conciliar legislation which stipulates that church slaves, unlike other slaves, should be entitled to a quarter of their earnings:[57]

> *Si quis uero pro remedium animae suae mancipia uel loca sanctis ecclesiis uel monasteriis offerri curauerit, conditio, quam qui donauerit scripserit, in omnibus obseruetur; pariter et de familiis ecclesiae id intuitu pietatis et iustitiae conuenit obseruari, ut familiae Dei leuiorem quam priuatorum serui opere teneantur, ita ut quarta tributi uel quodlibet operis sui benedicentes Deo ex presente tempore sibi a sacerdotibus concessa esse congaudeant.*
>
> Indeed, if anyone for the remedy of his soul made sure that his slaves (*mancipia*) or land are offered to holy churches or monasteries, the condition which he who has donated had written down shall be observed in all matters; similarly, as regards the families of the church it shall be observed for the sake of piety and justice, that the slaves of the family of God are held to lighter work than slaves of private persons, in order that those praising God can rejoice that henceforward the priests will concede to them the fourth part of their tribute or of whatever work.

As we can infer from this canon and similar provisions, the donation of slaves to the church as well as their liberation in a church ceremony or through a will was considered beneficial primarily for the benefactor's soul.[58] The dependents themselves benefitted only indirectly from the grace of their pious patrons. Consequently, much in the same way as in the provisions on sanctuary, the Christian masters' ideal conduct towards their dependents is portrayed as a sort of *imitatio Dei*: Just like Christ, they were to grant forgiveness of sin (by way of foregoing the right to punish their slaves) and give life (by way of liberating people enslaved to them).

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55 According to Roman Law, masters were not allowed to kill their slaves on their own accord. If slaves died from their injuries during or following harsh punishment, but without intent, the masters were excused. On this cf. Liebs, *Strafrechtlicher Schutz* (n. 44): 1–25.

56 Cf. *Concilium Aurelianense* I (511), cn. 27, ed. de Clercq, *Concilia Galliae* (n. 7): 11–12; *Concilium Matisconense* II (585), cn. 2, ed. de Clercq, *Concilia Galliae* (n. 7): 240.

57 *Concilium Aspasii* (551), cn. 6, ed. de Clercq, *Concilia Galliae* (n. 7): 164.

58 Cf. also *Concilium Turonense* II (567), *Epistula episcorum prouinciae Turonensis ad plebem*, ed. de Clercq, *Concilia Galliae* (n. 7): 197–99, 197.

3.2 The Slaves' Salvation

In comparison, conciliar legislation is not overly concerned with the souls or the salvation status of dependent people. The only exceptions are provisions concerned with Christian slaves in Jewish or pagan households. The fourth Council of Orléans (541) offers a striking example:[59]

> *Id etiam decernimus obseruandum, ut, si quicumque Iudaeos [sc. Iudaeus] prosilitum, qui aduina dicitur, Iudaeum facire praesumpserit aut Christianum factum ad Iudaeicam superstitionem adducire uel si Iudaeo Christianam ancillam suam crededirit sociandam uel si de parentibus Christianis natum Iudaeum sub promissione fecerit libertatis, mancipiorum amissione multetur.* [. . .].
>
> We also decree that it should be observed, that if any Jew dared to make a proselyte, who is also known as a stranger (*advena*), into a Jew, or to seduce one who had been made a Christian to the Jewish superstition (*superstitio*), or thought it fit to join his female Christian slave to a Jew, or if he has turned someone born to Christian parents into a Jew under the promise of freedom, he shall be punished with the loss of his slaves. [. . .].

In a similar manner to this example, a number of canons postulate scenarios in which Christian slaves are made to do things or to perform tasks that were considered at odds with their Christian faith. They therefore recommend that the slaves be bought or seized from their non-Christian masters.[60] For the same reason, Christians were not allowed to sell slaves to Jews or pagans.[61] In issuing these provisions, the councils and synods implicitly recognized that the observation of Christian ethics and pious practice were largely beyond the control of dependent individuals,[62] and could best be guaranteed by their submission to a Christian master or patron. Consequently, it was the masters who were thought ultimately responsible for the salvation of their dependents, as they were for all other aspects of their lives.

It seems likely that the general recognition of their dependency even in matters of faith is the reason why slaves, freedmen, and other dependent persons are rarely mentioned as 'special case[s]'[63] in the council records. In the few instances where they are, they are treated rather differently from free Christians. This is at least indi-

59 *Concilium Aurelianense* IV (541), cn. 31, ed. de Clercq, *Concilia Galliae* (n. 7): 140.

60 Cf. e.g. *Concilium Aurelianense* III (538), cn. 14, ed. de Clercq, *Concilia Galliae* (n. 7): 120; *Concilium Aurelianense* IV (541), cn. 30, ed. de Clercq, *Concilia Galliae* (n. 7): 139–40; *Concilium Matisconsense* I (581–583), cn. 16 and cn. 17, ed. de Clercq, *Concilia Galliae* (n. 7): 227; *Concilium Clippiacense* (626–627), cn. 13, ed. de Clercq, *Concilia Galliae* (n. 7): 294. Cf. Mikat, *Die Judengesetzgebung* (n. 41).

61 Cf. *Concilium Clippiacense* (626–627), cn. 13, ed. de Clercq, *Concilia Galliae* (n. 7): 294; *Concilium Cabilonense* (647–653), cn. 9, ed. de Clercq, *Concilia Galliae* (n. 7): 305.

62 Cf. for example Rio, *Slavery after Rome* (n. 4): 222.

63 Rio, *Slavery after Rome* (n. 4): 223: 'This relative lack of interest in slaves as a special case in penitentials, church councils, or hagiography remains striking—especially in view of these sources' willingness to recognize that different personal circumstances called for different treatment, and also especially in view of the fact that in at least one context church councils plainly acknowledged and

cated by a number of provisions which impose different ecclesiastical punishments according to the sinner's social status. The provincial council which convened under bishop Aspasius of Eauze in 551, for instance, punished superstitious practices with excommunication for persons of higher status (*personae superiores*). But sinners of lower status or indeed slaves (*personae humiliores uel serui*) were to be 'corrected by blows' (*uerberibus corrigere*).[64] Similarly, the Second Council of Macon (585) sanctioned the breach of the Sunday rest in the case of *servi* and *rustici* with lashing, whereas monks and clerics were to be excluded from the community for six months for the same offence.[65] The evidence of the council records thus suggests that while the clergy and free Christians were granted access to 'proper' penance in the form of (temporary) exclusion from the Eucharist and extended periods of fasting, almsgiving etc., the church held that if people of lower status committed religious offences, corporal punishments were more fitting. Together with the notion that a dependent person's salvation was largely the responsibility of their Christian master or patron, this raises the question to what extent dependents were actually considered 'full' Christians who participated in all aspects of Christian life and worship.

4 Conclusion

The analysis of the Gallic Church's conciliar legislation on slavery has produced some interesting observations which call for further investigation:

Firstly, the council records offer no reliable evidence that the church made any serious attempts to significantly change the fate of dependent people, let alone to ban slavery. At the same time, the provisions on sanctuary in particular give some indication of the church's efforts to protect dependents from arbitrary punishment and to

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insisted on the perils of conflict between duties to earthly masters and duties to God as divine master: that is, in the case of priests.'

64 *Concilium Aspasii* (551), cn. 3, ed. de Clercq, *Concilia Galliae* (n. 7): 163–64: *De incantatoribus uel eis, qui instinctu diabuli cornua praecantare dicuntur, si superiores forte personae sunt, a liminibus excommunicatione pellantur ecclesiae, humiliores uero personae uel serui correpti a iudice fustigentur, ut, si se timorem dei corrigi forte dissimulant, uelut scriptum est, uerberibus corrigantur.* 'Concerning the conjurers or those who are told through the devil's inspiration to enchant (drinking?) horns: If they happen to be of higher rank, they should be banished from the thresholds of the church by excommunication, but persons of lower rank or slaves should, after having been punished by a judge, be beaten, so that if they pretend that their fear of God has improved, they are improved by beating, as it is written.'

Cf. Bernadette Filotas, "Popular Religion in Early Medieval Pastoral Literature," in *Le petit peuple dans l'Occident médiéval: Terminologies, perceptions, réalités*, ed. Pierre Boglioni et al. (Paris: Éditions de la Sorbonne, 2002): 535–48.

65 *Concilium Matisconsense* II (585), cn. 1, ed. de Clercq, *Concilia Galliae* (n. 7): 239–40; cf. *Concilium Narbonense* (589), cn. 6 and cn. 15, ed. de Clercq, *Concilia Galliae* (n. 7): 255, 257.

provide them with access to legal proceedings. In this respect, it supports the more general hypothesis of legal scholars that Roman legislation which protected the interests of dependents largely survived in ecclesiastical law.

Secondly, canon law provisions contain evidence of the church's active promotion of corporal punishment, detention, and enslavement. It seems that church authorities initially favored these practices over severe and potentially lethal torture and mutilation, revenge killings, and the death penalty, for two reasons: First, these punishments allowed sinners – including dependent persons who were often considered sinners by status – to atone before death. Second, they offered Christian prosecutors (including church representatives) an opportunity to demonstrate clemency while protecting (or enhancing) their own salvation status.

Finally, the evidence of the council records suggests that the fate of the dependents' souls was thought to be bound to that of their masters, who acted as intermediaries not only in legal matters, but also in matters of faith. If and when dependents were granted access to ecclesiastical legal proceedings like penance, different rules applied to them than to free Christians.

3. Research Lenses

3.3. Norms, Institutions, Practices

Ulrich Berges. "Foundations of the Concept of Justice in Near Eastern Antiquity and the Old Testament," in *Justice and Righteousness in the Old Testament: Reflecting on Slavery in the Hebrew* (Berlin: De Gruyter, 2025): 7–20.

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2 Foundations of the Concept of Justice in Near Eastern Antiquity and the Old Testament

The concept of "justice/righteousness" (*ṣᵉdāqāh*) is not just one of many that play a role in a theology of the Old Testament, but, as Gerhard von Rad stated in his influential monograph, it must be considered the most central:

> In the Old Testament, there is no concept of such central importance for all human relationships as that of צְדָקָה. It is the standard not only for man's relationship with God, but also for the relationship between people, even in the most trivial quarrels, and even for man's relationship with animals and his natural environment. צְדָקָה can easily be described as the highest value of life, as that on which all life, when it is in order, rests.[1]

As with so many other ideas, biblical Israel and its writings participate in the worldview of the ancient Near East, where all reality is based on a principle of order. It connects heaven and earth, gods and humans, and animals and nature with and among each other, and state rule must safeguard the principle for society to endure.[2] For life to succeed today and tomorrow, in this world and the hereafter, the network of relationships that integrates everything and everyone must be recognized, protected, and strengthened. The guiding principle here is not *iustitia commutativa*, in which goods and services are exchanged according to demands and expectations, or *iustitia distributiva, in* which goods, services and resources are distributed fairly among the members of a society by responsible authorities.[3] Rather, it is *iustitia connectiva*. In the Egyptian concept of the world, it is embodied by the goddess Ma'at, who is the daughter of Ra and, as such, the sister of the ruling pharaoh:

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1 Gerhard von Rad, *Theologie des Alten Testaments*, vol. 1, *Die Theologie der geschichtlichen Überlieferungen Israels*, 5th ed. (Munich: Kaiser Verlag, 1966): 382; see Walter Dietrich, "Der rote Faden im Alten Testament," *Evangelische Theologie* 49, no. 3 (1989): 236; Bernd Janowski, "Recht und Gerechtigkeit," in *Handbuch Alttestamentlicher Anthropologie*, ed. Jan Dietrich et al. (Tübingen: Mohr Siebeck, 2024): 336; Herbert Niehr, "Rechtswesen," in *Handbuch Alttestamentlicher Anthropologie*, ed. Jan Dietrich et al. (Tübingen: Mohr Siebeck, 2024): 341–42; and Ulrich Berges, "Gerechtigkeit und Rettung in Recht und Prophetie," in *'Dein Wort ist meinem Fuß eine Leuchte': Festschrift für Ludger Schwienhorst-Schönberger*, ed. Georg Braulik et al. (Freiburg: Herder, 2022): 53–56.

2 Heinz Barta, "Recht, Religion und Gerechtigkeit in frühen Gesellschaften: Zur Bedeutung von Herrschaft und Staat für diese Gesellschaftsphänomene," in *Recht und Religion: Menschliche und göttliche Gerechtigkeitsvorstellungen in den antiken Welten* ed. Robert Rollinger, Heinz Barta and Martin Lang, Philippika 24 (Wiesbaden: Harrassowitz Verlag, 2008): 23: "Early concepts of justice thus serve essentially to *legitimize rule* and at the same time act as a normative *guideline for the exercise of rule*, primarily through law and religion."

3 Elisabeth Holzleithner, *Gerechtigkeit*, UTB Profile 3238 (Vienna: Facultas, 2009): 13: "What is at stake here, for example, is under what conditions and according to what criteria the allocation or acquisition of goods is fair. In the case of distribution, this could be need or merit; in the case of exchange, equivalence of value—or the willingness to pay a certain price on the market."

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> Justice, in the Egyptian sense, is first and foremost humanity, *iustitia connectica* ('connective justice'), which connects people with each other by creating responsibility and trust. Those trained under the principle of *ma'at* know that they are responsible for their actions and words. They are therefore worthy of the trust of others.[4]

What is at stake here is not a prescriptive norm, but the principle of life and order that pervades all of reality:

> In a nutshell, it is the order and the right measure that underlies the world, the desirable, the perfect state of things as it corresponds to the intention of the creator god. This state is disturbed again and again, and tireless effort is needed to restore it to its original purity [. . .]. Thus, the Egyptians can see *ma'at* as a substance, a material element on which the world lives, as substance for the living and the dead, for gods and men.[5]

Ma'at not only arises when people act in solidarity with one another, but also precedes every righteous deed. It is the primal cause of all community-promoting behavior, which contrasts with *isfet*, the disastrous deed.[6] When the pharaoh, the representative of the human world, offers the *ma'at*, as documented in countless depictions, he offers to the world of the gods the visible sign "[. . .] that the human world, that all the vulnerable, fragile relationships and bonds on which it lives, are in order, just as they were at the moment of creation."[7] In Egyptian depictions, the throne of the pharaoh often stands on a pedestal bearing the hieroglyph for *ma'at*. Similarly, the throne of the king in Israel is secured only upon the basis of justice and righteousness (see Isa 9:6; 16:5; Prov 20:28; 25:5; 29:14).[8] A "vertical solidarity" that reaches all members of the community hierarchically from the top of the state via the civil service must curb the existing inequality between the poor and the rich and between the strong and the weak.[9]

The inherent constant here is the connection between deeds and their outcome—that the wrongful act falls back on the perpetrator just as much as the good deed falls back on the one who has behaved in a manner beneficial to gods and humans. A disrup-

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4 Jan Assmann, *Ma'at*: 91; Jan Assmann, *Ägypten: Eine Sinngeschichte* (Munich: Hanser Verlag, 1996): 146; see also Richard H. Wilkinson, *Die Welt der Götter im alten Ägypten: Glaube, Macht, Mythologie* (Stuttgart: Wissenschaftliche Buchgesellschaft, 2003): 150–52.

5 Erik Hornung, *Der Eine und die Vielen: Altägyptische Götterwelt*, 6th ed. (Darmstadt: Wissenschaftliche Buchgesellschaft, 2005): 227.

6 Klaus Koch, "Ṣädaq und Ma'at: Konnektive Gerechtigkeit in Israel und Ägypten?" in *Gerechtigkeit: Richten und Retten in der abendländischen Tradition und ihren altorientalischen Ursprüngen*, ed. Jan Assmann, Bernd Janowski and Michael Welker (Munich: Fink Verlag, 1998): 44; Klaus Bieberstein and Lukas Bormann, "Gerechtigkeit/Recht," in *Sozialgeschichtliches Wörterbuch zur Bibel*, ed. Frank Crüsemann et al. (Gütersloh: Gütersloher Verlagshaus 2009): 197–98: "It is the network of all social interrelationships that holds the world together [. . .]."

7 Hornung, *Der Eine*: 229; see Silvia Schroer, *Die Ikonographie Palästinas/Israels und der Alte Orient: Eine Religionsgeschichte in Bildern*, vol. 3, *Die Spätbronzezeit* (Fribourg: Schwabe Verlag, 2011): 46–47.

8 Hellmut Brunner, "Gerechtigkeit als Fundament des Thrones," *Vetus Testamentum* 8, no. 4 (1958): 426–28.

9 Assmann, *Ägypten*: 177.

tion or suspension of this nexus threatens and endangers the cosmic order to the core: "The world is 'out of joint' when connective justice no longer functions, when evil goes unpunished, and good deeds are no longer worthwhile."[10] Because this connection is often absent within the world, the Egyptian Court of the Dead guarantees it with absolute certainty in the afterlife. The Court contributed significantly to the stabilization of this concept of justice in the kingdom of the pharaohs, which lasted for thousands of years. Anubis accompanies the dead "into the Hall of Complete Truth,"[11] where the heart of the deceased is placed on a scale in the middle of the Hall. The heart represents the sum of all a person's deeds, and a feather symbolizes the goddess Maat.[12] Thoth, the scribe god, notes down the result of the test in front of the enthroned Osis, the god of judgement of the underworld, who is surrounded by 42 assessors. If the heart sinks, weighed down by transgressions, it is devoured by a demonic hybrid creature. However, if a person's earthly life meets the requirements of Maat, of connective justice, the dead person as a righteous person is admitted to the eternal life of the world of the gods. On the one hand, chapter 125 of the *Book of the Dead* represents the quintessence of the civic morality of the New Kingdom (eigtheenth–twentieth Dynasties or 1550–1070 BC). Yet, on the other hand, according to Klaus Koch, it provides no proof that:

> [. . .] morality had become the center of the Egyptian religion. The text is intended to be used as a form of magic and does not provoke a subjective examination of conscience. The exuberantly positive statements made about the past course of life are intended to erase a past that may have taken a different course.[13]

In contrast, Jan Assmann does not dispute the magical character of this text and Egyptian coffin liturgies, but he does dispute the idea that the ancient Egyptians simply "flanked" morality with magic in their conception of the judgment of the dead. According to Assmann, there can be no question about it because the Egyptians supplemented

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10 Jan Assmann, Bernd Janowski and Michael Welker. "Richten und Retten: Zur Aktualität der altorientalischen und biblischen Gerechtigkeitskonzeption," in *Gerechtigkeit: Richten und Retten in der abendländischen Tradition und ihren altorientalischen Ursprüngen*, ed. Jan Assmann, Bernd Janowski and Michael Welker (Munich: Wilhelm Fink Verlag, 1998): 9; Rolf Knierim, *The Task of Old Testament Theology: Substance, Method, and Cases. Essays* (Grand Rapids: Eerdmans, 1995): 89: "Reality itself, a dynamic organic process, is just"; and Bernd Janowski, "Leiblichkeit, Konnektivität, Mitgeschöpflichkeit: Zentrale Themen der alttestamentlichen Ethik," *Verkündigung und Forschung* 69, no. 1 (2024): 28: "Where the power of acting for one another diminishes or even dries up, the bond of justice also breaks."

11 Translation of chapter 125 of the Book of the Dead by Boyo Ockinga (see Christel Butterweck et al., *Texte aus der Umwelt des Alten Testaments*, vol. 2, *Religiöse Texte: Grab-, Sarg-, Votiv- und Bauinschriften* [Gütersloh: Gütersoher Verlagshaus, 1988]: 511–12): "I have not sinned against men, I have not made people poor; I have done no evil in the place of truth [. . .]; I have caused no suffering; I have caused no tears; I have not killed, nor commanded to kill [. . .]; I have not diminished the meat offerings in the temple; I have not touched the sacrificial bread of the gods [. . .]."

12 See Karen Gloy, *Die Frage nach der Gerechtigkeit* (Paderborn: Wilhelm Fink Verlag, 2017): 16–17.

13 Klaus Koch, *Geschichte der ägyptischen Religion: Von den Pyramiden bis zu den Mysterien der Isis* (Stuttgart: Kohlhammer, 1993): 324.

morality with magic in the same way they supplemented the art of medicine. According to him from Ancient Egypt right up to the middle of the eighteenth century AD, with the refoundation of morality through Kant's categorical imperative, the judgment of the dead and the immortality of the soul provided the two pillars for the ultimate justification of moral action.[14]

According to the Egyptian concept of *ma'at*, righteous action always means acting for one another, as summarized in the inscription of Neferhotep, a king of the thirteenth dynasty around 1700 BC: "The reward of a doer lies in the fact that action is taken through him. God considers this to be *ma'at*.'[15] Constant remembrance is required to ensure that this network of acting for one another is not torn apart but repeatedly strengthened: "To act is to remember. To forget is not to act. The inactive person loses sight of yesterday and of the demands it places on today."[16] The final test and maintenance of connective justice, of acting for one another, takes place in the judgment of the dead:

> The acquittal confirms the acceptance into a sphere where the Ma'at reigns unchallenged, while on earth it must be enforced over and over against a tendency to decay, forgetting and destruction inherent to the mortal world.[17]

In the Babylonian imagination, Šamaš, the sun god, guarantees the order of creation, having received an order from Marduk to curb murder and violence on earth.[18] Thus Šamaš is also "the one who leads rightly," given that the basic meaning of the Akkadian verb *ešēru(m)* can be rendered as "to be in order" and be translated causatively as "to bring order, create justice, and help bring about justice."[19] The gods instructed kings to establish justice.[20] In an exemplary manner, Hammurabi reveals this in the middle of the eighteenth century BC in the prologue to his famous Stele of Law, stating that he was appointed as a pious prince and worshipper of the gods to:

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14 Assmann, Janowski and M. Welker, "Richten und Retten": 18.

15 Assmann, *Ma'at*: 65; Gloy, *Gerechtigkeit*: 21.

16 Assmann, *Ma'at*: 64.

17 Assmann, *Ma'at*: 135.

18 Enuma Elish, V, Z. 2 (*TWAT* III/4, 588; transl. W.G. Lambert).

19 See Wolfram von Sodon, "ešēru(m)," in *Akkadisches Handwörterbuch*, vol. 1 (Wiesbaden: Harrassowitz, 1965): 254–56.

20 Hans Neumann, "Göttliche Gerechtigkeit und menschliche Verantwortung im alten Mesopotamien im Spannungsfeld von Norm(durch)setzung und narrativer Formulierung," in *Recht und Religion: Menschliche und göttliche Gerechtigkeitsvorstellungen in den antiken Welten*, ed. Robert Rolling, Heinz Barta and Martin Lang, Philippika 24 (Wiesbaden: Harrassowitz, 2008): 40: "The special role of the ruler in the legal system, especially in law-making and jurisdiction, meant that the king himself was only subject to divine jurisdiction, which was represented in particular by the sun god Šamaš [. . .], the guardian of the law."

> [. . .] make justice visible in the land, to destroy the wicked and the bad, not to let the weak be harmed by the strong, to rise like the sun god to the 'black-headed' [the people] and to enlighten the land [. . .].[21]

The word pair essentially embodying this mission and claim is *kittu* and *mīšaru*, "law and justice."[22] The first noun, derived from the root *kânu*, "to be firm, true, and lasting," refers to the correct order to be maintained. The second term, which goes back to the lexeme *ešēru*, "to be in order or to put in order," refers to the legal acts that restore or protect this order.[23]

> "Law and justice" in the sense of a political-social order, which it is the task of the king to maintain and restore. They are possible only if they are in harmony with the order of the cosmos as it was established in the act of creation [. . .]. If the gods are angry with the king, who is responsible for the welfare of the country, they turn away from the king and give free rein to the forces of chaos.[24]

The regulatory function to be exercised by the king[25] is particularly evident in the *mīšarum edicts* issued at irregular intervals during the Old Babylonian period and at regular intervals during the Neo-Assyrian period when a new king took office. These *mīšarum edicts* intended to soften hardships in society through offering debt relief

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21 The Codex Hammurabi, transl. Rykle Borger (see Rykle Borger et al., *Texte aus der Umwelt des Alten Testaments*, vol. 1, *Rechts- und Wirtschaftsurkungen Historisch-chronologische Texte* [Gütersloh: Gütersloher Verlagshaus, 1982]: 40). The same applies, for example, over a thousand years later to the Persian Darius (522–486 BC) and the Achaemenids in general: see Josef Wiesehöfer, "Gerechtigkeit und Recht im achaimenidischen Iran," in *Recht und Religion: Menschliche und göttliche Gerechtigkeitsvorstellungen in den antiken Welten*, ed. Robert Rollinger, Heinz Barta and Martin Lang, Philippika 24 (Wiesbaden: Harrassowitz Verlag, 2008): 201: "The Achaemenid kings saw themselves—in the manner of the ancient Near East—as defenders and promoters of law and justice."

22 See Pfeifer, "Gerechtigkeit": 17; for the Northwest Semitic area Herbert Niehr, "The Constitutive Principles for Establishing Justice and Order in Northwest Semitic Societies with Special Reference to Ancient Israel and Judah," in *Patronage in Ancient Palestine and in the Hebrew Bible: A Reader*, ed. Emanuel Pfoh, The Social World of Biblical Antiquity. Second Series 12 (Sheffield: Sheffield Phoenix Press, 2022): 150–57.

23 Martin Lang, "Zum Begriff von menschlicher und göttlicher Gerechtigkeit in den Prologen der altorientalischen Codices," in *Recht und Religion: Menschliche und göttliche Gerechtigkeitsvorstellungen in den antiken Welten*, ed. Heinz Barta, Philippika 24 (Wiesbaden: Harrassowitz, 2008): 53: "The terms *kittum* and *mīšarum* thus capture a static and a dynamic [. . .] dimension of justice [. . .]"; in detail Moshe Weinfeld, *Social Justice in Ancient Israel and in the Ancient Near East*, Publications of the Perry Foundation for Biblical Research in the Hebrew University of Jerusalem (Minneapolis: Fortress Press, 1995): 75–96 in chapter 4: Proclamations of "Freedom" in Mesopotamia and Their Reflections in Ancient Israel.

24 Stefan Maul, "Der assyrische König—Hüter der Weltordnung," in *Gerechtigkeit: Richten und Retten in der abendländischen Tradition und ihren altorientalischen Ursprüngen*, ed. Jan Assmann, Bernd Janowski and Michael Welker (Munich: Fink Verlag, 1998): 67.

25 Pamela Barmash, *The Laws of Hammurabi: At the Confluence of Royal and Scribal Traditions* (New York: Oxford University Press, 2020): 280, emphasizes the interaction of royal and legal traditions: "[. . .] royal propaganda and legal reasoning are the two traditions melded in the Laws of Hammurabi."

and thus repeatedly protected the social cohesion from collapse: "Just as the sun god repeatedly 'guided the cosmos right' by keeping to his orbit, the king assumed this regulatory function for the political-social structure."[26] This task reveals a paradox in the relationship between law and justice. Royal edicts were always needed to correct the consequences caused by the established legal order and thus maintain the social order in the first place.[27] The claim to enforce justice to protect the weak against the strong could not assert itself in the legal collections themselves, but remained a *topos* in royal ideological frameworks.[28] The hiatus between the ideal of justice and the concrete legal and contractual provisions could not persist in the long term. That is the reason why both the royal ideological frameworks and the mīšarum *edicts ceased to exist* after the Codex Hammurabi.[29] The Neo-Assyrian *andurāru(m)* institution, which freed debt slaves by royal decree, can only in parts be compared to the mīšarum *edicts*, because contractual defense clauses could undermine these release decrees, so that such acts of justice served only as royal propaganda.[30] The Akkadian term *andurāru(m)* refers to the liberation from burdens and duties so that liberated persons can go their own way without hindrance: "Social justice and equity are bound up with personal freedom, and liberating a man means allowing him to follow his own path without stopping him or binding him."[31]

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26 Maul, "*Der assyrische König*": 70; Eckart Otto, "Recht und Ethos in der ost- und westmediterranen Antike: Entwurf eines Gesamtbildes," in *Gott und Mensch im Dialog: Festschrift für Otto Kaiser zum 80. Geburtstag*, ed. Markus Witte, Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft 345/1 (Berlin: De Gruyter, 2004): 94, points out that these edicts are not aimed at an egalitarian society, but they want to prevent "[. . .] families from falling out of their ancestral social class through expropriation as a result of debt."

27 Eckart Otto, "Gerechtigkeit und Erbarmen im Recht des Alten Testaments und seiner christlichen Rezeption," in *Gerechtigkeit: Richten und Retten in der abendländischen Tradition und ihren altorientalischen Ursprüngen*, ed. Jan Assmann, Bernd Janowski and Michael Welker (Munich: Fink Verlag, 1998): 84; see Guido Pfeifer, "Gerechtigkeit": 27.

28 Eckart Otto, *Deuteronomium 12,1–23,15*, Herders Theologischer Kommentar zum Alten Testament (Freiburg: Herder, 2016): 1343: "In this tense juxtaposition of legal corpus and royal theological framing, the difference between law and justice is reflected." Lang, "Gerechtigkeit": 49, warns against seeing the assertion of law and justice in the prologues merely as "flowery metaphors of oriental provenance," as does Karlheinz Kessler, "Gott—König—Tempel: Menschliches Recht und göttliche Gerechtigkeit in neu- und spätbabylonischer Zeit," in *Recht und Religion: Menschliche und göttliche Gerechtigkeitsvorstellungen in den antiken Welten*, ed. Heinz Barta, Philippika 24 (Wiesbaden: Harrassowitz, 2008): 73: "[. . .] the demands of the gods on the king were far more than hollow phrases."

29 Eckart Otto, "'Um Gerechtigkeit im Land sichtbar werden zu lassen. . .': Zur Vermittlung von Recht und Gerechtigkeit im Alten Orient, in der Hebräischen Bibel und in der Moderne," in *Recht—Macht—Gerechtigkeit*, ed. Joachim Mehlhausen, Veröffentlichungen der Wissenschaftlichen Gesellschaft für Theologie 14 (Gütersloh: Gütersloher Verlagshaus, 1998): 122.

30 Otto, *Deuteronomium*, 12:1–23:15: 1349: "The aspect of social justice thus fell by the wayside."

31 Weinfeld, *Social Justice*: 33; he points out that Greek *ἐλευθερία* also has the basic meaning of going/leaving (fut. *ἐλεύσομαι* from *ἔρχομαι*).

As was the case in Egypt and Mesopotamia, justice in ancient Israel is not, at least originally, a norm to be fulfilled or a standard according to which goods and services would be distributed, but an effective force that sustains all life and underlies every act of solidarity.[32] For this reason, the translation of the Hebrew *ṣᵉdāqāh* as "community loyalty" is a step in the right direction. However, it breaks with the nomistic constriction of the Latin *ius/iustitia* yet it falls short as purely inner-worldly behavior.[33] The reorientation initiated by H.H. Schmid with his habilitation thesis *Justice as a World Order* continues to have an impact today. He places the root צדק and the Old Testament concept into the overall concept of order in the Ancient Near East and concludes:

> Just as this order unites cosmic, political, religious, social and ethical aspects and is substantiated above all in the areas of law, wisdom, nature, war, worship and—encompassing these areas—kingship, so צדק or צדקה can be applied to these six contexts in a correspondingly broad sense.[34]

However, justice in this sense acts not only as the meaningful reason and meaningful goal of all world order, but also as the generator of history:

> What the Egyptian sees as the afterlife and immortality, the Mesopotamian sees as history: A horizon of fulfillment. In Mesopotamia, however, this idea is only just beginning to develop. This concept of history came to full articulation only in Israel.[35]

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32 See K.H.J. Fahlgren, *ṣᵉdāḳā, nahestehende und entgegengesetzte Begriffe im Alten Testament* (Uppsala: Almqvist & Wiksells, 1932): 82: "Sedaka as the norm of community relations is the constructive and cohesive force in society. It binds the individuals into a whole and organizes them into an order that is most conducive to the whole."

33 Thus Koch, "Sädaq und Ma'at": 51–55; critically Hermann Spieckermann, "Recht und Gerechtigkeit im Alten Testament: Politische Wirklichkeit und metaphorischer Anspruch," in *Recht—Macht—Gerechtigkeit*, ed. Joachim Mehlhausen, Veröffentlichungen der Wissenschaftlichen Gesellschaft für Theologie 14 (Gütersloh: Gütersloher Verlagshaus, 1998): 255, who considers "faithfulness to community" to be a too one-sided translation of *ṣᵉdāqāh*.

34 Hans H. Schmid, *Gerechtigkeit als Weltordnung: Hintergrund und Geschichte des alttestamentlichen Gerechtigkeitsbegriffs*, Beiträge zur historischen Theologie 40 (Tübingen: J.C.B. Mohr, 1968): 166; the criticism of Jože Krašovec, *La justice (ṢDQ) de Dieu dans la bible hébraïque et l'interprétation juive et chrétienne*, Orbis biblicus et orientalis 76 (Göttingen: Vandenhoeck & Ruprecht, 1988): 15, is inaccurate: "Nowhere in either non-biblical or biblical texts does the conclusion reached by the author appear obvious"; in contrast, Bernd Janowski, "Die rettende Gerechtigkeit: Zum Gerechtigkeitsdiskurs in den Psalmen," in *"Gerechtigkeit und Recht zu üben" (Gen 18,19): Studien zur altorientalischen und biblischen Rechtsgeschichte, zur Religionsgeschichte Israels und zur Religionssoziologie*; *Festschrift für Eckart Otto zum 65. Geburtstag*, ed. Reinhard Achenbach, Zeitschrift für altorientalische und biblische Rechtsgeschichte / Beihefte 13 (Wiesbaden: Harrassowitz, 2009): 363: "Justice is a central concept of legal, economic, and political-social life."

35 Jan Assmann, "Recht und Gerechtigkeit als Generatoren von Geschichte," in *Die Weltgeschichte—das Weltgericht?*, ed. Rüdiger Bubner and Walter Mesch (Stuttgart: Klett-Cotta, 2001): 303.

Like no other god in ancient Near Eastern antiquity, YHWH binds himself to a people through a covenant with contractual obligations under the threat of destructive wrath or the promise of beneficial grace:

> Israel is the first society to reverse the relationship of domination between cyclical and linear, mythical and historical, and renewal and responsible time. Here, for the first time, special emphasis is placed on the time of responsibility [. . .] God is thus involved much more intensively in events than was usually the case. History is thus fundamentally restructured: From a field of possible blessing and punishing interventions on the part of the gods to a coherent context of action that we call salvation history, or *historia sacra*.[36]

The participation in the Old Testament concept of justice as a cosmic order,[37] which permeates all areas of this world and the hereafter, derives in part from YHWH's roots in the religious history of the ancient Oriental world of gods.[38] A growing consensus in Old Testament research indicates the origin of this deity toward the end of the Late Bronze Age (1550–1200 BC) in the area south-east of the rift valley between the Dead Sea and the Gulf of Aqaba. "The Late Bronze Age Araba probably represents the original home of YHWH, who can be profiled more closely as a solitary weather god offering protection and support."[39] Egyptian temple inscriptions referring to "YHW(H) in the land of the Shasu" point in this direction, as does the first non-biblical mention of Israel on the stele of Pharaoh Merenptah from 1209 BC in the mortuary temple of Thebes. It seems reasonable to assume that Shasu nomads in the border region of Egypt and the far south of Palestine transmitted the worship of YHWH. That assumption is consistent with the Moses-Midian tradition (see Exod 2–4; 18) and with the coming of the God of Israel from the south (see Deut 33:2; Jdg 5:4; Hab 3:3; and Ps 68:9). "Overall, the material on Moses and Midian confirms the indications that point to a southern origin of Yhwh and a pos-

36 Assmann, "Recht und Gerechtigkeit": 307.

37 Hugh G.M. Williamson, *He Has Shown You What Is Good: Old Testament Justice Then and Now*; *The Trinity Lectures, Singapore, 2011* (Cambridge: Lutterworth Press, 2012): 56: "[. . .] the fundamental basis for human behavior becomes a fitting in to the established order of the universe"; detailed in Markus Saur, "*ṣædœq* oder von der Ordnung der Welt," in *Menschsein in Weisheit und Freiheit: Festschrift für Thomas Krüger*, ed. Veronika Bachmann, Annette Schellenberg and Frank Ueberschaer, Orbis Biblicus et Orientalis 296 (Leuven: Peeters, 2022): 379–81.

38 See Jan Dietrich, "'Sollte der Richter der ganzen Erde nicht Recht üben?' (Gen 18,25): Über moralischen Realismus im Alten Testament," *Zeitschrift für Theologie und Kirche* 116, no. 3 (2019): 251–53.

39 Martin Leuenberger, *Gott in Bewegung: Religions- und theologiegeschichtliche Beiträge zu Gottesvorstellungen im alten Israel*, Forschungen zum Alten Testament 76 (Tübingen: Mohr Siebeck, 2011): 8. See also Römer, *Die Erfindung Gottes*: 52–54; and Ulrich Berges, *Die dunklen Seiten des guten Gottes: Zu Ambiguitäten im Gottesbild JHWHs aus religions- und theologiegeschichtlicher Perspektive*, Vorträge / Nordrhein-Westfälische Akademie der Wissenschaften und der Künste 443 (Paderborn: Schöningh, 2013): 17–19.

sible connection to the Shashu, those semi-nomadic tribes which amongst others also include the Midianites and the Kenites."[40]

YHWH's connection to the ancient oriental theme of justice gains in significance when the originally southern Palestinian storm and weather deity moves into the Jebusite Jerusalem where he encounters the local deity Šalem and takes on some of his characteristics. In this context, Jerusalem does not mean "city of peace" as the Bible would have us believe (see Jer 4:10; and Ezek 13:16), but "foundation of Šalem." Shalem, known in Ugarit as the evening star (KTU 1.23), forms a divine pair with Shaḥar, the morning star (see Isa 14:12), thus guaranteeing the perpetual cosmic order of morning and evening.[41] Abraham's encounter with Melchizedek, the king of Salem, which refers to Jerusalem (Gen 14:18; and Ps 76:3), is a sign of the close relationship between this city and the god Šalem, as might the names of David's sons, Absalom and Solomon. In Ugaritic mythology, the divine pair of Šalem and Šaḥar are associated with the sun god (KTU 1.100; 107), who is regarded as the guarantor of justice, as it was customary in the ancient Near Eastern. The fact that Jerusalem is referred to as the city of justice (Isa 1:21, 26) has its religious-historical roots in the city's connection to the deity Ṣedek, as evidenced by the names of the pre-Israelite kings Melchi- Ṣedek (Gen 14:18) and Adoni- Ṣedek (Josh 10:1, 3).[42] Traces of this deity, whose name, "righteousness," indicates jurisdiction over the all-encompassing order, are attested to several times in the Old Testament. Whether or not the authors had been aware of this connection is irrelevant. In Ps 84:12, YHWH is presented *expressis verbis* as the "sun and shield" (שמש ומגן). When "justice" (צֶדֶק) looks down from heaven (Ps 85:12) and walks before YHWH (Ps 85:14), it stands by his side as the supreme God.[43] If justice and peace kiss each other according to Ps 85:11, then the deities Ṣedek and Šalem are originally concealed behind this figure of speech. Just as *ma'at* is the foundation of Pharaoh's throne, so does justice also supports the throne that is the reign of the king in Israel (Ps 89:15; 97:2; and Prov 16:12).[44] Traces of deified righteousness can still be seen in the supplication of the

40 Römer, *Die Erfindung Gottes*: 82; also Manfred Görg, "Jahwe" in *Neues Bibel-Lexikon*, vol. 2, ed. Manfred Görg and Bernhard Lang (Zürich: Benzinger Verlag, 1995): col. 65: "The bearers of J. worship can be sought within the Shasu formations, to which the Kenites and Midianites in particular seem to correspond within the Bible."

41 Herbert B. Huffmon, "Shalem שלם," in *Dictionary of Deities and Demons in the Bible*, ed. Karel van der Toorn, Bob Becking and Pieter W. van der Horst (Leiden: Brill, 1995): col. 1428–31.

42 Bernard F. Batto, "Zedeq צדק," in *Dictionary of Deities and Demons in the Bible*, ed. Karel van der Toorn, Bob Becking and Pieter W. van der Horst (Leiden: Brill, 1995): col. 1750–58; Jože Krašovec, *God's Righteousness and Justice in the Old Testament* (Grand Rapids: Eerdmans Publishing, 2022): 31–33.

43 Saur, "ṣædæq": 383: "Like a leader, a messenger or a herald, *ṣœdœq* leads the way and assembles the steps of Jhwh into a path."

44 See also Rainer Kessler, "Ideologies of Kingship and the Sacred in the Ancient Near East," in *Economics and Empire in the Ancient Near East. Guide to the Bible and Economics*, vol. 1, ed. Matthew J.M. Coomber (Eugene: Cascade Books, 2023): 205–7.

praying man in Ps 17:1, when translated as: "Hear YHWH, Ṣedek heed my cry."[45] When Jerusalem is called the "city of righteousness" (עיר הצדק) in Isa 1:26, which was filled with justice and in which righteousness stays overnight, i.e. where righteousness rules even at night (Isa 1:21), this too refers to the deity Ṣedek.[46] Through David's conquest of Jebusite Jerusalem, YHWH also assumed the functions of the god of justice, who thus established the dynasty of the royal house, lead its wars to victory, and ensured the enforcement of justice to save the oppressed. As stated at the end of the Psalm of Kings (Ps 101:8): "Morning by morning I will destroy all the wicked in the land, cutting off all evildoers from the city of the YHWH." YHWH's function as the sun god is also evident in Zeph 3:5, when he again and again stands up for justice: "Every morning he renders his judgment, each dawn without fail."

According to Othmar Keel, the east-west orientation of the Jerusalem temple (see 1 Kings 7:39; 8:16; Ezek 43:1–2), which runs counter to the north-south axis of the Temple Mount, bears testimony to this profile extension of YHWH as a sun deity, whose core competence was to guarantee cosmic order and whose social realization the king had to ensure in his name:

> The rocky promontory on which the temple stood runs from north to south. The east-west orientation of the temple meant that any extension, especially to the west, was impossible because of the steep slope towards the city valley (formerly: Tyropoion). In terms of urban planning, one would expect the front of the temple to face the main residential area of the time to the south, the palace and the City of David, from which one could ascend to the temple. Instead, the front of the temple faced the uninhabited Mount of Olives.[47]

With the solarization of YHWH in the Jerusalem of the Davidic kings, his profile expanded beyond that of the combative storm and weather god and became a complex but extremely successful deity who is worshipped in Judaism, Christianity, and Islam to this day.[48] YHWH's proximity to the sun deity, who is intrinsically linked to the theme of justice, can be seen in many other passages in the Old Testament, which do not always (Mic 7:9; and Hos 10:12; Mal 3:19–20), but often, relate to Jerusalem and the temple as his earthly dwelling (Jer 31:23; and 33:16).[49] This does not mean that a deity from one Parthenon is transferred to that of another. Instead, YHWH absorbs different deities and appropriates

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45 Schmid, *Weltordnung*: 76.

46 This continues in the post-exilic prophecy when it says in Isa 60:17 that YHWH will make peace Jerusalem's rulers and justice its government, according to Schmid, *Weltordnung*: 77.

47 Othmar Keel, *Die Geschichte Jerusalems und die Entstehung des Monotheismus*, vol. 1, Orte und Landschaften der Bibel 4,1 (Göttingen: Vandenhoeck & Ruprecht, 2007): 277.

48 Keel, *Geschichte Jerusalems*: 286: "With the traditions of the sun god and the storm and battle god YHWH, which can only be reconstructed in outline, Jerusalem participated intensively in *both* major religious symbol systems of the Near East simultaneously at the end of the Bronze Age and the beginning of the Iron Age."

49 Cf. Bernd Janowski, *Rettungsgewissheit und Epiphanie des Heils: Das Motiv der Hilfe Gottes "am Morgen" im Alten Orient und im Alten Testament*, vol. 1, *Alter Orient*, Wissenschaftliche Monographien zum

their characteristics and powers.[50] The fact that political defensive movements could also play a role here is seen in the Josiah's reform at the end of the seventh century BC, when he destroyed the sun chariots set up by Manasseh in the Jerusalem sanctuary (2 Kings 23:11; see Deut 4:19). The passages in which he is the subject of the verb "to rise" (זרח) (Deut 33:2; Isa 60:1; and Hos 6:3) also supports the solarization of YHWH. Names which combine forms of YHWH with the verb "to rise" (cf. זרחיה Serahiah [YHWH has risen] in 1 Chr 5:32; and 6:36; Ezr 7:4) as well as with terms such as "dawn" (cf. אחישחר Achishachar [my brother is the dawn] in 1 Chr 7:10 and שחריה Shechariah [YHWH is the dawn] in 1 Chr 8:26) and נריה Neriah [YHWH is light] in Jer 36:14; 32; Jer 43:6 point in the same direction.[51] The adoption of the characteristics of the sun god also serves as the background when the Psalms speak of the shining of the divine face (see Num 6:25; Ps 4:7; 31:17; 34:6; 67:2; 80:4, 8, 20; 89:16; 90:8).[52] According to the ancient oriental concept, this characteristic also radiates from the king, who also appears as a sun that creates salvation. Thus, the last words of David:

> The God of Israel has spoken; the Rock of Israel has said to me: "One who rules over people justly, ruling in the fear of God, is like the light of morning, like the sun rising on a cloudless morning, gleaming from the rain on the grassy land.

Here, the Davidic king represents the sun's power of order, which also encompasses the fertility of nature. The same can be found in the petitions of Psalm 72:5–6:

> May he live while the sun endures and as long as the moon, throughout all generations. May he be like rain that falls on the mown grass, like showers that water the earth.

The king reigning on David's throne in Jerusalem "[. . .] is justice personified—in that he acts in accordance with the justice and law given to him by YHWH, the 'actual' king. Thus, he is the mediator of 'salvation' (שלום) and life for his land and his people."[53]

Alten und Neuen Testament 59 (Neukirchen-Vluyn: Neukirchener Verlag, 1989): 190: "A basic text such as Mal 3:20 [. . .] can only be adequately understood against the background of the ancient Near East."

50 Mark Smith, *God in Translation: Deities in Cross-Cultural Discourse in the Biblical World*, Forschungen zum Alten Testament 57 (Tübingen: Mohr Siebeck, 2008): 183: "[. . .] there is absorption of divinity (Yahweh as the repository of all positive divine character) as well as counter-construction (Yahweh powerful beyond the empire gods who are in fact powerless)."

51 See the chapter "Yahweh and the Sun" in Mark Smith, *The Early History of God: Yahweh and Other Deities in Anciet Israel* (San Francisco: Harper & Row, 1990): 148–59 (here: 149).

52 Mark Smith, *The Early History of God: Yahweh and Other Deities in Anciet Israel* (San Francisco: Harper & Row, 1990): 153; Niehr, "Justice and Order": 161: "Because YHWH has taken over this role of the sun-god more and more [. . .], it is he who gives justice like light."

53 Frank-Lothar Hossfeld and Erich Zenger. *Psalmen 51–100*, Herders Theologischer Kommentar zum Alten Testament (Freiburg: Herder, 2000): 322.

Ruling and judging are two sides of the same coin, which places both the Davidic king and YHWH, the King of the World, under obligation.[54]

What conclusion can be drawn from these introductory considerations? The discourses on justice in the Old Testament can only be adequately assessed when seen in the context of the ancient oriental idea of a cosmic order in which action and fate are intrinsically linked.[55] If that is no longer the case, the world falls apart at the seams and social chaos ensues. As Psalm 11:3 says, "If the foundations are destroyed, what can the righteous do?" The guarantee of cosmic order is the responsibility of the gods, who represent justice in various forms (including *Maat*, *Šamaš*, and *Ṣedeq*). In ancient Israel, YHWH assumes this function, first in a monolatrous ("no gods beside me"), then in a monotheistic conception ("I and no one else"). The question of whether he enacts and possibly accelerates the act-consequence relationship (Klaus Koch) or whether the social interconnectedness of the perpetrator and the consequences of his actions should be given greater weight (Bernd Janowski) is not of decisive importance.[56] However, it is more important, that the monotheism of the Bible did not invent the idea of justice, but made it a matter for God.[57] Solidarity with one's fellow human beings, especially the socially weak, becomes the all-important criterion for a relationship with God:

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54 Hermann Spieckermann, *Psalm 1–49*, Das Alte Testament Deutsch 14,1 (Göttingen: Vandenhoeck & Ruprecht, 2023): 168: "The combination of ruling and judging as aspects of the office of king is based on a tradition widely attested in the ancient Near East and Old Testament (Prov 16:12; 25:5; 29:14), which was also valid for the Davidic dynasty for centuries (2 Sam 7:13, 16; 1 Kings 2:12, 24, 45; Isa 9:6; 16:5; Ps 89:5; cf. 1 Chr 17:12, 14; 22:1)."

55 Klaus Koch, "Sdq im Alten Testament: Eine traditionsgeschichtliche Untersuchung" (PhD diss., Universität Heidelberg, 1953): 99: "It is not the freedom of God that falls through the synthetic view of life. The synthetic context of human life would not be at all without the act of Yahweh." See critically Krašovec, *Righteousness*: 231: "The Hebrew Bible attributes many more roles to God than solely that of releasing or holding back an organic process of causality."

56 Bernd Janowski, "Die Tat kehrt zum Täter zurück: Offene Fragen im Umkreis des 'Tun-Ergehen-Zusammenhangs'," *Zeitschrift für Theologie und Kirche* 91, no. 3 (1994): 269: "God's action thus follows the same principle of reciprocity as that on which the model of action of social interaction is based—with the decisive difference that his intervention is expectable but remains unavailable, i.e. is an act of 'grace', as it were." See the reply by Klaus Koch, "Ṣädaq und Ma'at": 57, note 34: "Janowski's concern apparently amounts to keeping the Old Testament God as far away as possible from ties to the world, including moral ties, and saving God's grace and freedom—for both of which, as we know, there is no real Hebrew equivalent—for our theology."

57 Jan Assmann, "Gerechtigkeit und Monotheismus," in *Freiheit und Recht*: *Festschrift für Frank Crüsemann zum 65. Geburtstag*, ed. Christof Hardmeier (Gütersloh: Kaiser Verlag, 2003): 87; see also Jan Dietrich, "Über die Denkbarkeit des moralischen Realismus im Alten Testament: Entstehungsbedingungen und Kennzeichen einer kritischen Idee," in *Hebräisches Denken: Denkgeschichte und Denkweisen des Alten Testaments*, Biblisch-Theologische Studien 191 (Göttingen: Vandenhoeck & Ruprecht, 2022): 167–69.

> For the first time, the original social norms of communal life are elevated to religious norms of a life pleasing to God. We are not only dealing here with an ethicization of religion, but above all, conversely, with a sacralization or theologization of ethics."[58]

The actual reason for this development lies in the fact that in ancient Israel it was not the king who dictates the law[59]—after being given the necessary authority by the gods—but that YHWH not only acted as judge like some ancient oriental gods, but also as lawgiver. That removes legislating from the king's and the state's political sphere. It can no longer be used for the propaganda of power. Ultimately, YHWH replaces the state with its king at the head because his law becomes the sole and unchanging norm for action.[60] This process of the theologization of law and the ethicization of religion finds its clearest expression in the divine gift of the Torah at Sinai: It is not a king, but Moses, who mediates the law. The delivery at Sinai/Horeb, a place removed from any human access, underlines the authority of revelation as the only source of law: "In the Torah of the Old Testament, the law is removed from functionalization by the political powers by transferring its origin as divine revelation to a mountain of God in the desert."[61] However, theologization of the law also means that YHWH, as the guarantor of justice, is no longer released from his responsibility to enforce it. Human justice as obeying the divine will and divine justice as maintaining this order by rewarding the pious and punishing the wicked become two sides of the same coin.[62]

A royal "I" in the prologues and epilogues of ancient oriental codices is unthinkable in the legal collections of the OT, because the king in Israel is not above the law, but he too is subject to divine law (cf. 2 Sam 11–12; 1 Kings 21). The leadership regulations in Deut 17–18, formulated in retrospect to the exile catastrophe, therefore state that the king, sitting on his throne, should read the words of the law daily to follow them and not exalt himself above his fellow citizens, his brothers (Deut 17:18–20).

Another special feature of the law of the Old Testament should also be noted. Care for the weak was incorporated into regular legislation, independent of state propaganda or fitting in. Herein it differs from the *mīšarum* edicts of Mesopotamian provenance, which were intended to temporarily cushion the greatest social hardships, especially when new rulers ascended to the throne, to maintain life within society at all. Although the laws of the Old Testament do not abolish hierarchical social structures,[63] they do

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58 Assmann, "Gerechtigkeit und Monotheismus": 88.

59 Pfeifer, "Gerechtigkeit": 24: "The king thus sees himself as an intermediary between gods and men."

60 Assmann, "Gerechtigkeit und Monotheismus": 89: "In Egypt and Mesopotamia, the judging God represents and supports the state, whereas in Israel the law-giving God takes the place of the state."

61 Otto, "Recht und Ethos": 106.

62 Fahlgren, *ṣedāḳā*: 97: "When community faithfulness becomes obedience to Yahweh per se and its fruit becomes a reward from God, *ṣedāḳā* splits, so to speak. On the one hand, it becomes something that man owes to Yahweh, and on the other, something that Yahweh owes to man."

63 See Pfeifer, "Gerechtigkeit": 27: "[. . .] an influence on the social order as such, however, is not recognizable. Rather, the measures mentioned leave the fundamental hierarchical structure of ancient

strengthen the personal rights of the socially weak in relation to the property rights of the strong, which is remarkable in the ancient Near East.

In conclusion, of the three levels on which justice operates in the ancient Near Eastern world, the religious level, with its stabilization of the order of creation through the act-consequence relationship, is most consistent with the concept of the OT.[64] In contrast, the political level, in which legislating serves to legitimize royal rule, is completely absent. During the post-state period it becomes virulent in the form of a Davidic-messianic expectation (cf. Isa 11), which, however, no longer has any political implications.[65] On the social level, as will be shown later, the law *corpora* of the Old Testament have a humanizing tendency that goes beyond the facilitations found in the surrounding world, in the debt and credit law, for example. The prophetic ethos and the idea of a people of God consisting of brothers and sisters have substantially penetrated the legal texts and their reformulations. Hereby it is irrelevant whether these laws have ever been applied in this way, because in terms of the history of ideas, they have advanced beyond the Judeo-Christian scriptures into the discourses on law and justice in the modern age.[66]

oriental societies, which differentiated between free, semi-free and slaves as different status groups, untouched."

64 Mark A. O'Brien, *Restoring the Right Relationship: The Bible on Divine Righteousness* (Hindmarsh: ATF Press, 2014): 7: "The course of a society or individual's life, both in Israel and the larger Ancient Near East, was interpreted largely based on the 'act-consequence' connection."

65 Ian D. Wilson, "Isaiah 1–12: Presentation of a (Davidic?) Politics," in *Tzedek, Tzedek Tirdof: Poetry, Prophecy, and Justice in Hebrew Scripture. Essays in Honor of Francis Landy on the Occasion of his 70th Birthday*, ed. Andrew Gow and Peter Sabo, Biblical Interpretation Series 157 (Leiden: Brill, 2018): 64 draws attention to the polyphony in the book of Isaiah regarding a Davidic expectation: "[. . .] what precisely Davidic kingship might mean going forward is not clearly delineated in the book."

66 See the anthology Dominik Markl, ed., *The Decalogue and Its Cultural Influence*, Hebrew Bible Monographs 58 (Sheffield: Sheffield Phoenix Press, 2013); and his "The Decalogue: An Icon of Ethical Discourse," in *Cambridge Companion to the Hebrew Bible and Ethics*, ed. Carly Crouch (Cambridge: Oxford University Press, 2021): 19–21.

3. Research Lenses

3.4. Labour and Spatiality

Introduction

Research Area D took up debates that have recently emerged at the intersection between slavery studies and comparative dependency studies on the one hand and Global Labor History and a new economic and social history on the other. Here, at the crossroad of these debates, a new and expanding field of research has emerged that advocates a systematic expansion of the traditional concept of labor and a revision of the master narratives of Western modernity. Instead of starting with the Industrial Revolution and thus adopting European free wage labor as the standard labor relation of modernity, all forms of labor need to be taken into account in equal measure: 'free' and 'unfree' forms of labor, productive and reproductive labor, capitalist and non-capitalist labor relations – in both Western and non-Western societies, from within and beyond European (colonial) history. In that sense, slave labor is now conceptualized as one form of coerced labor alongside convict labor, debt bondage, serfdom or servitude. This approach has brought to the fore the many grey areas, overlaps and contradictions between (purely formal-legalistically and terminologically speaking) distinct forms of 'unfree' labor and personal dependency relations. The BCDSS' focus on societies and areas outside the realm of Western colonization and on pre-modern European phenomena could contribute to this debate by challenging present distinctions between 'free' and 'unfree' labor relations and helping to re-conceptualize long-term socio-economic shifts and trends beyond the European master narrative of the rise of the West. Transculturally and diachronically comparative studies have shown that unfree labor relations are not necessarily associated with despotic regimes and that the development of markets and economic growth was not always tied to the emergence of a capitalist economic system. Similarly, the idea that human history can be written teleologically, as a long-term development from unfree to free forms of labor organization, is considered disproved. What was still missing, however, was a dialogue between socio-economic historians working on earlier periods and global labor historians focusing on the time from 1500 up to the present. The fourth research area therefore advocated a temporal extension of the field. While Global Labor History has understood its extension of traditional labor history mainly in spatial terms, it is high time to link this research with earlier periods. In order to move beyond the Western/modern dichotomies of 'free' and 'unfree' labor relations as well as capitalist and feudalistic economic systems and to overcome facile labels of 'modernity' and 'pre-modernity', we only needed to look at modern conditions inside and outside the West, but also to combine this research with studies of the so-called 'premodern era' both within and outside of Europe. What was called for was a strategic alliance between Europe-centered pre-modernity studies and the diachronically oriented area studies in the field of labor. The traditional image of the worker had to be challenged by the figure of the unskilled ancilla in late medieval Europe just as much as by today's textile worker in Bangladesh or the outsourced worker in a call center in Western Europe. Only through such a transculturally and diachronically comparative perspective on servitude relations was it possible to examine conjunctures of slavery beyond the modern/Western conception of history. While existing pre-modern studies on the history of labor have remained largely separate from the debates of Global Labor, the research area within the cluster of excellence aimed to establish a connection between the two and thus acted as a productive spur to current discussions. Second, the research area targeted the spatial dimension

of strong asymmetrical dependencies. The history of labor cannot be told without taking into consideration the history of migration. It is not by chance that migration, coercion and labor precariousness have become keywords for a new research agenda of Global Labor History. Most forms of dependent labor are closely entangled with the history of forced migration and small-scale or large-scale work migration between town and countryside, metropolis and periphery, economically strong and weak regions as well as with the history of hunting and trafficking humans in times of military conflict or through piracy and smuggling rings and with the history of slave trade between cultural spaces and continents. At the same time, processes of immobilization (i.e., the serf bound to the soil, or a convict tied to a prison, a camp or a remote plantation) are equally crucial for understanding the 'logic of deployment' of the workforce by an employer. Spatial mobility therefore must include short-, medium- and long-distance migration as well as voluntary and coerced forms of mobility. What needs to be studied here, therefore, is the dialectics between the spatial mobilization and immobilization of the workforce. In order to study both processes simultaneously, we addressed the question of how mobilization and immobilization were entangled in specific sites and institutions of dependency (e.g. the plantation, the household, the military, etc.). Thirdly, this research area explored workers' practices for coping with dependency, reducing the degree of coercion and expanding their own autonomy. By looking at (a) individual and collective everyday practices, (b) organizations, (c) relationships with institutions (e.g. the use of laws and norms), and (d) anti-systemic practices, this research area made it possible to map dependency on an alternative scale, between autonomy and coercion, and to increase the awareness of the dependents' scope of action and their options for social mobility.

3. Research Lenses

3.4. Labour and Spatiality

Dennis Mario Beck. *Systems of Dependent Labour in Roman Imperial Quarries. The Chaîne Opératoire as a Method for Identifying Dependencies* (Berlin: EB Verlag, 2023).

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1. Introduction and Methodology

In the last twenty years, ancient quarries have become an interdisciplinary research topic for scholars who are particularly interested in technical and structural organization, trading networks and infrastructure, as well as the individual workforces, work processes and resource exploitation. Due to the influence of New Institutional Economics (NIE) theories on the study of ancient networks and supply chains in particular, and the ancient economy in general, the study of individual actors and of production and organizational processes has become an important research focus and it also introduced new methods into research, such as network analysis or the chaîne opératoire.[1] Research into ancient quarries, their

[1] See, Alfred M. Hirt, "Chresimus, procurator a marmoribus und der Strassenbau. Überlegungen zu Logistik und Transportwesen kaiserlicher Steinbrüche," in *Siedlungen und Verkehr im Römischen Reich: Römerstrassen zwischen Herrschaftssicherung und Landschaftsprägung; Akten des Kolloquiums zu Ehren von Prof. H. E. Herzig vom 28. und 29. Juni 2001 in Bern*, ed. Regula Frei-Stolba (Bern: Fritz Lang, 2010): 115–34; Henrik Mouritsen, *The Freedman in the Roman World* (Cambridge: Cambridge University Press, 2011); Wim Broekaert, *Navicularii et Negotiantes. A Prosopographical Study of Roman Merchants and Shippers*, Pharos 28 (Rahden: Verlag Marie Leidorf, 2013); Paul Erdkamp, Koenraad Verboven and Arjan Zuiderhoek, eds., *Ownership and Exploitation of Land and Natural Resources in the Roman World* (Oxford: Oxford University Press, 2015); Wim Broekaert, "Freedmen and Agency in Roman Business," in *Urban Craftsmen and Traders in the Roman World: Oxford Studies on the Roman Economy*, ed. Andrew Wilson and Miko Flohr (Oxford: Oxford University Press, 2016): 222–53; Cameron Hawkins, *Roman Artisans and the Urban Economy* (Cambridge: Cambridge University Press, 2016); Seth G. Bernard, "Workers in the Roman Imperial Building Industry," in *Work, Labour, and Professions in the Roman World*, ed. Koenraad Verboven and Christian Laes, Impact of Empire 23 (Leiden: Brill, 2017); Elio Lo Cascio, *Die neue Wirtschaftsgeschichte des Römischen Reiches. Paradigmen und Ansätze*, Beiträge zur Wirtschaftsarchäologie 1 (Bonn: Habelt, 2017). For the use of the term chaîne opératoire, see Nathan Schlanger, "'Suivre les gestes, éclat par éclat'. La chaîne opératoire d'André Leroi-Gourhan," in *Autour de l' homme: Contexte et actualite d'André Leroi-Gourhan*, ed. Françoise Audouze and Nathan Schlanger (Antibes: Editions APDCA, 2004): 127–47; Joanna E. Fairlie and Lawrence S. Barham, "From Chaîne Opératoire to Observational Analysis: A Pilot Study of a New Methodology for Analysing Changes in Cognitive Task-Structuring Strategies Across Different Hominin Tool-Making Events," *Cambridge Archaeological Journal* 26, no. 4 (2016): 643–64; Ben Russell, "Roman Stone Carvers and Their Chaîne Opératoire," in *The Value of Making: Theory and Practice in Ancient Craft Production*, ed. Helle Hochscheid and Ben Russell, Studies in Classical Archaeology 13 (Turnhout: Brepols, 2021): 71–88. For network analysis in history and archaeology, see, e.g., Ulrich Müller, "Netzwerkanalysen in der Historischen Archäologie: Begriffe und Beispiele," in *Historia archaeologica. Festschrift für Heiko Steuer zum 70. Geburtstag*,

exploitation and in particular the trade of stones and marbles were, from the very beginning, closely linked to the study of imperial slaves and freedmen in these economic systems. Already in the nineteenth century, Luigi Bruzza studied the offices and individuals mentioned in inscriptions with regard to their participation, organisation and tasks in the Roman marble trade, using mostly marble blocks and columns that came to light during the excavations directed by Pietro Ercole Visconti at the Emporium in Rome.[2] In the course of the twentieth century, the material base for this research was continually expanded by the discovery of additional marble depots, for example, the marble yards in Ostia and Portus as well as in the city of Rome, and by the investigation of several quarry sites throughout the entire Mediterranean region.[3] Current research draws on a quite small number of individually and comprehensively investigated quarry sites throughout the Mediterranean, in particular concentrated in modern Egypt, Tunisia, Italy, Greece and Turkey – all former parts of the Roman Empire.[4] The investigation of quarries as

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Ergänzungsbände zum Reallexikon der Germanischen Altertumskunde 70 (Berlin: De Gruyter, 2009): 735–54.

2 Luigi Bruzza, "Iscrizioni dei marmi grezzi," *Annali dell'Instituto di corrispondenza archeologica* 42 (1870): 106–204; Luigi Bruzza, "Gli scavi dell'Emporio," in *Triplice Omaggio alla Santità* di Papa Pio IX nel suo giubileo episcopio (Rome: Tipografia della Pace, 1877): 39–46. Further investigations were conducted by Otto Hirschfeld and Charles Dubois with the then-known stock of inscriptions from some quarries; see Otto Hirschfeld, *Die kaiserlichen Verwaltungsbeamten bis auf Diocletian* (Berlin: Weidmann, 1905); Charles Dubois, *Etude sur l'administration et l'exploitation des carrières (marbres, porphyre, granit, etc.) dans le monde romain* (Paris: Fontemoing, 1908). The quarries were thus one of the first areas of the ancient economy to be investigated with regard to the roles of slaves and freedmen in dependencies, and their personal relationships to the emperor. On this issue, see J. Clayton Fant, "The Roman Emperors in the Marble Business: Capitalists, Middle-men or Philanthropists?" in *Classical Marble: Geochemistry, Technology and Trade*, ed. Norman Herz and Mark M. Waelkens, NATO ASI series E: Applied Sciences 153 (Dordrecht: Springer Science + Business Media, 1988): 147–58, with an influential and, until today, often quoted contribution on the emperor and his role in the marble trade, which also contains an almost complete list of the early investigations and studies from the nineteenth and twentieth centuries.

3 For an overview of the scholarship, see Martin Maischberger, *Marmor in Rom: Anlieferung, Lager- und Werkplätze in der Kaiserzeit* (Wiesbaden: Reichert-Verlag, 1997): 13–31; for this early period of research, see Alfred M. Hirt, *Imperial Mines and Quarries in the Roman World* (Oxford: Oxford University Press, 2010).

4 Maischberger, *Marmor in Rom*; Hirt, *Imperial Mines*; Patrizio Pensabene, *I Marmi nella Roma antica* (Rome: Carocci Ed., 2013); for the localisation of the quarries, see Ben Rus-

archaeological sites emerged predominantly from a first wave of interest and studies, mainly during the second half of the twentieth century, in the origin and distribution of stones used in antiquity, especially in the Roman imperial period, and from an interest in the technical and organizational aspects of quarrying processes, transports and logistics.[5] In addition to these basically well-studied quarries from the Roman

sell, "Gazetteer of Stone Quarries in the Roman World," Version 1.0 (2013), https://oxrep.web.ox.ac.uk/sites/default/files/oxrep/documents/media/russell_2013_gazetteer_of_roman_stone_quarries.pdf [accessed 07.02.2023]; Lorenzo Lazzarini, "Ancient Mediterranean Polychrome Stone," in *The Contribution of Mineralogy to Cultural Heritage*, ed. Gilberto Artioli and Roberta Oberti, EMU Notes in Mineralogy 20 (London: European Mineralogical Union and the Mineralogical Society of Great Britain & Ireland, 2019): 367–92.

5 In general: Maischberger, *Marmor in Rom*: 13–31; Hirt, *Imperial Mines*; Ben Russell, *The Economics of the Roman Stone Trade* (Oxford: Oxford University Press, 2013); Russell, "Gazetteer"; Hirt, "Centurions, Quarries, and the Emperor," in *Ownership and Exploitation of Land and Natural Resources in the Roman World* (Oxford: Oxford University Press, 2015): 289–314, which includes a summary on Egypt; Lorenzo Lazzarini, "The Distribution and Reuse of the Most Important Coloured Marbles in the Provinces of the Roman Empire," in *ASMOSIA 7. Actes du VIIe colloque international de l'ASMOSIA. Thasos 15–20 septembre 2003*, ed. Yannis Maniatis, Bulletin de correspondence hellénique, Suppl. 51) (Athens: École française d'Athènes, De Boccard Édition, 2009): 459–81; Lazzarini, "Ancient Mediterranean." For Simitthus/Chimtou, see Josef Röder, "Die Steinbrüche des Numidischen Marmors von Chemtou," in *Simitthus I. Die Steinbrüche und die antike Stadt*, ed. Friedrich Rakob (Mainz: Philipp von Zabern, 1993): 17–53; Mustapha Khanoussi, "Les officiales marmorum Numidicorum," in *L'Africa Romana. Atti del XII convegno di studio. Olbia, 12–15 dicembre 1996*, vol. 2, ed. Mustapha Khanoussi, Paolo Ruggeri and Cinzia Vismara (Sassari: Editrice Democratica Sarda, 1998): 997–1016; Stefan Ardeleanu, "Giallo Antico in Context. Distribution, Use and Commercial Actors according to New Stratigraphic Data from the Western Mediterranean (2nd c. BC–1st c. AD)," in *ASMOSIA 11. Proceedings of the Eleventh International Conference of ASMOSIA, Split, 18–22 May 2015*, ed. Daniela Matetić Poljak and Katja Marasović (Split: University of Split, 2018): 155–65; Dennis Mario Beck, *Simitthus 6. Marmor Numidicum. Gewinnung, Verarbeitung und Distribution eines antiken Buntmarmors* (Wiesbaden: Reichert-Verlag, 2024, in press). For Dokimeion, see John Clayton Fant, *Cavum Antrum Phrygiae. The Organization and Operations of the Roman Imperial Marble Quarries in Phrygia* (Oxford: BAR Publishing, 1989); Patrizio Pensabene, "Cave di marmo bianco e pavonazzetto in Frigia. Sulla produzione e sui dati epigrafici," *Marmora: International Journal for Archaeology History and Archaeometry of Marbles and Stone* 6 (2010): 71–134. For Luni, see Patrizio Pensabene, "The Quarries at Luni in the 1st Century AD: Final Considerations on Some Aspects of Production, Diffusion and Costs," in *Interdisciplinary Studies on Ancient Stone. Proceedings of the IX ASMOSIA Conference (Tarragona 2009)*, ed. Anna Gutiérrez Garcia-Moreno, Pilar Lapuente Mercadal and Isabel Rodà de Llanza (Tarragona: Indústries Gràfiques Gabriel Gibert, 2012): 731–43.

imperial period, during which the distribution of stone throughout the Mediterranean was a well-organized business for the first time in history, much smaller and often only locally and regionally used quarries began to be studied in the last two decades – to both complement and differentiate the overall picture.[6] Apart from a few recent studies, however, the quarry sites have mostly been studied on their own and independently from each other.[7] This data situation was examined from several perspectives through models and theories from the New Institutional Economics. The influence of the NIE on ancient studies has constantly led to systematic, overarching and interdisciplinary approaches and studies of quarrying processes, the organization of labour and the actors involved that employed new models, an approach that has expanded and deepened our general knowledge considerably over the last couple of years.[8] This area of research is particularly important for the overall picture as it pays much closer attention than before to questions about the every-

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6 Ameur Younès, Mohamed Essghaier Gaied and Wissem Gallala, "Quarries in Tunisia," in *Encyclopaedia of the History of Science, Technology, and Medicine in Non-Western Cultures*, ed. Helaine Selin (Dordrecht: Springer Science + Business Media, 2014): 1–9; Matthias Bruno and Fulvia Bianchi, *Marmi di Leptis Magna* (Rome: L'Erma di Bretschneider, 2015); Matthias Bruno and Fulvia Bianchi, "The Limestone Quarries of Wadi Gadatza in the territory of Leptis Magna," in *Interdisciplinary Studies on Ancient Stone. ASMOSIA 10. Proceedings of the Tenth International Conference of ASMOSIA. Association for the Study of Marble & Other Stones in Antiquity. Rome, 12–26 May 2012*, ed. Patrizio Pensabene and Eleonora Gasparini (Rome: L'Erma di Bretschneider, 2015): 35–42; Stefan Ardeleanu, *Numidia Romana? Die Auswirkungen der römischen Präsenz in Numidien (2. Jh. v. Chr.–1. Jh. n. Chr.)* (Wiesbaden: Reichert-Verlag, 2021); Dennis Beck, "The Quarries," in *Studies on the Urban History of Meninx (Djerba): The Meninx Archaeological Project 2015–2019*, ed. Stefan Ritter and Sami Ben Tahar, Archäologische Forschungen 43 (Wiesbaden: Reichert-Verlag, 2022): 197–202.

7 Fant, *Cavum*; Röder, "Die Steinbrüche"; Valeria A. Maxfield and David Peacock, "The Roman Imperial Porphyry Quarries: Gebel Dokhan, Egypt," *Journal of Egyptian Archaeology* 82 (1996): 15–19; Hélène Cuvigny, *Mons Claudianus. Ostraca Graeca et Latina III. O. Claudi. 417 à 613* (Cairo: Boustany's Publishing House, 2000); Pensabene, "Cave"; Pensabene, "The Quarries at Luni"; Adam Bülow-Jacobsen, *Mons for Mons Claudianus: Ostraca Graeca et Latina IV—The Quarry Texts: O. Claud.* (Cairo: Boustany's Publishing House, 2009): 632–896; Bernard, "Workers"; Ardeleanu, "Giallo Antico."

8 See Hirt, *Imperial Mines*; Russell, *The Economics*; Hirt, "Centurions"; Bernard, "Workers"; Russell, "Roman Stone"; Hélène Cuvigny, "The Organization Chart of the Personell of an Imperial Quarry According to an Ostracon of Mons Claudianus," in *Rome in Egypt's Eastern Desert*, ed. Roger S. Bagnall, ISAW Monographs (New York: New York University Press, 2021): 181–212; Beck, *Simitthus*.

day operation of the quarries and the different labour and status groups required for the numerous different processes. Due to this interest and these different approaches, both epigraphic and archaeological finds came into sharper focus, allowing us to draw conclusions about specialized workforces and craftsmen, organizational structures, workplaces and thus dependencies in systems and networks, especially regarding the interconnectedness of people in different legal status groups. Numerous Latin and Greek inscriptions both at quarry sites and on quarried objects in marble depots – such as semi-finished or finished and stored columns or blocks as well as other ancient media like tablets, ostraca, papyri, and ingots – can provide concrete insights into these structures and individuals, for instance, during production based on a division of labour or specialization in crafts. These new insights have recently been summarised in some overviews, mainly for the roman imperial period.[9]

At the current state of research, we have some information about the archaeological and socio-historical contexts of different organizational structures of labour in quarries, and about the various actors and institutions involved. However, there are now more comprehensive observations, interpretations based on them and models of the imperial marble trade or its structures than there are individual observations on specific quarry sites that take into account new questions and methodological approaches.[10] If we take, for example, the question of the emperor's influence on marble extraction, the evidence from individual quarry sites was mainly used selectively to generate overarching models of the imperial marble trade.[11] Although, as mentioned, theories from the New

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9 For a summary of the scholarship, see Bülow-Jacobsen, *Mons*; Hirt, *Imperial Mines*: 10–47; Russell, *The Economics*: 2–5; Pensabene, *I Marmi*; Patrizio Pensabene, "Marmi pubblici e marmi privati. Note in margine ad un recente volume di Ben Russell," *Archeologica Classica* 66 (2015): 575–94; Bruno and Bianchi, *Marmi di Leptis*; Lazzarini, "Mediterranean"; Beck, *Simitthus*.

10 On this issue, see Beck, *Simitthus*.

11 Special mention should be made of the influential publication by Ward-Perkins and Fant. See, in brief, Russell, *The Economics*; Hirt, *Imperial Mines*; Dennis Mario Beck, "Use, Aesthetics and Semantics of Coloured Marble Columns in the Western Mediterranean during the Late Republic and Early Roman Empire," in *Materiality in Roman Art and Architecture. Aesthetics, Semantics and Function*, ed. Annette Haug, Adrian Hielscher and M. Taylor Lauritsen (Berlin: De Gruyter, 2021): 95–112.

Institutional Economics offered new approaches and broadened the view substantially. Comparable approaches were very rarely used before in the quarries themselves. Connected with this is an essential aspect of the problem of identifying dependency in these organizational structures in quarries, the question of whether the influence of the Roman emperor made itself felt – and if so, to what extent, and as a result, what individual developments and changes were due to imperial control over the quarries and their operation. This paper will examine these questions both in terms of how they contrast with divergent or earlier organizational structures and from a long-term perspective in the Roman Empire.[12] Based on the work done on the topic in the last twenty years and the sources now available, some quarries are particularly well-suited as objects of comprehensive study of the ancient economy, since both imperial as well as private and municipal officials interacted there in several perspectives, and different legal status groups were involved in the system.[13] In addition to the Roman imperial organizational structures, there was the mass of non-imperially operated or influenced quarries, which were often managed by private entrepreneurs or municipal officials. Here, too, questions can be asked about dependencies, personal relationships and the actors involved in these processes – they cannot, however, be considered in detail in this contribution.[14] Several questions arise from the results and observations in research: Who was affected by personal dependencies? Which sources can we use to infer the various dependencies, and also to compare them? What levels of depend-

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12 See the different approaches by Fant, "The Roman Emperors"; Fant, *Cavum*; John Clayton Fant, "Ideology, Gift, and Trade: A Distribution Model for the Roman Imperial Marbles," in *The Inscribed Economy: Production and Distribution in the Roman Empire in the Light of Instrumentum Domesticum*, ed. Wiliam V. Harris (Ann Arbor: University of Michigan, 1993): 145–70; and Röder, "Die Steinbrüche." For recent debates, see Hirt, *Imperial Mines*; Russell, *The Economics*, and Pensabene, *I Marmi*. A similar approach can be found in Bryan Pfaffenberger, "Mining communities, chaînes opératoires and sociotechnical systems," in *Social Approaches to an Industrial Past: The Archaeology and Anthropology of Mining*, ed. Eugenia W. Herbert, A. Bernard Knapp and Vincent C. Pigott (London: Routledge, 2013): 291–300.

13 This was first postulated in a particularly insightful and convincing manner by Hirt, *Imperial Mines* and Russell, *The Economics*, in the general discussion on the study of the marble trade and the people involved.

14 On this topic, see Hirt, *Imperial Mines*, chapter 7; Russell, *The Economics*: 53–60.

ency existed between the individual actors? To what extent was the organization of work based on personal and structural dependencies and relationships, and what structures of dependency can we identify with the approach proposed? Which actors were needed mandatorily in the networks to establish a stable and continuous system?

The methodological approach to answering these questions has so far been based on the objects found in both the quarries and marble depots; therefore, the evidence not only varies quantitatively but is also only comparable to a limited extent and under certain circumstances. In order to arrive at a systematic basis for comparison, I propose to use the chaîne opératoire method and to apply it in the second part of this paper to one of the quarries – namely the marble quarries at Simitthus/ Chimtou in present-day Tunisia. This method will make it possible to analyse the quarrying process of one case in detail in its individual steps and, in addition, to answer specific questions on the basis of the primary sources originating at this quarry. The results are therefore compared as far as possible with those of other quarries and industries in order to gain further insights and make more general statements.

2. Types of Sites and Differences in Spatiality

In both Greek and Roman antiquity, the majority of large stone objects were always further processed on site after quarrying to prepare them for transport both within and especially outside of the quarry[15]. Quarries were numerous and therefore need to be further defined as objects of study.[16] As mentioned above, my focus is on the Roman imperial period, during which there were, broadly speaking, three different administrative structures for the quarries. These will also guide the selection of my examples in what follows: 1. Imperial quarries, where actors dependent

[15] "Large stone objects" are defined as larger than hand size and heavier than can be carried by one person alone. Stone pieces were usually not completed until at the construction site, a process that happened in several steps. On this issue, see Russell, *The Economics*: 95–140; Bernard, "Workers."

[16] For the most widely used marbles in antiquity, see Russell, "Gazetteer"; Lazzarini, "Mediterranean."

on the emperor were predominantly responsible for both the organisation and operation of the quarries; 2. Municipal quarries, where mainly municipal officials and private entrepreneurs (individuals and groups are testified) were responsible for the operation and infrastructure; and, lastly, 3. Private quarries, where exclusively private individuals or groups oversaw the entire operation.[17] In categories 2) and 3), usually there were no interactions with imperial officials; or to be more precise, no indications of such interactions have been preserved in the archaeological and epigraphic evidence. Due to my focus on dependency on the emperor, both by individuals and in the structural organisation and operation, the focus of the present paper will be on the first type, the quarries with imperial officials.

2.1 The Imperial Quarries in the Roman Empire

Since the beginning of the study of ancient stones and marbles, the imperial quarries in the Roman Empire have received by far the most attention among all quarry sites. One reason for this is the large number of quarried materials and remains that have been preserved from them in archaeological contexts, another is scholars' interest in the use to which the emperors put these prestigious and expensive stones, especially in Rome, but also in other cities in the empire. At this point, I can only mention in passing the long history of this research, which has been summarized in recent studies by Martin Maischberger, Ben Russell, Alfred M. Hirt and other scholars.[18] As a starting point, let me briefly mention results from recent research in order to provide the basis for further deliberations: One characteristic of the imperial quarries above all was the fact that over a period of approximately 200–250 years, in a few quarries in the Mediterranean region, officials in personal dependence

[17] For details on these categorisations, see Hirt, *Imperial Mines*; Russell, *The Economics*; Russell, "Gazetteer."

[18] Hirt, *Imperial Mines*; Russell, *The Economics*. For a complete list of earlier scholarship, especially for the marble depots in Rome, Ostia and Portus, see Maischberger, *Marmor in Rom*: 14–15; for the late republican and early imperial marble economy, see Pensabene, *I Marmi*; Beck, "Use, Aesthetics and Semantics."

on the emperor or the wider imperial family, often imperial slaves and freedmen, were involved in the procurement, or the quarrying and distribution, of marble. These quarries included, among others, those at Mons Claudianus and Mons Porphyrites in Egypt; Chios, Paros, Penteli and Karystos in Greece; Teos and Dokimeion in Turkey; Simitthus in Tunisia, and Luni in Italy.[19] Imperial officials are mainly attested by inscriptions on workpieces that have been found either in the quarries, at urban collection points and port depots, or in archaeological contexts.[20] A central result of recent studies is that these actors were active in several networks at the same time, but that only individual sites can ever be inferred from the combination of sources. Interestingly, while the administrative structures in each quarry were slightly different, they also shared certain similarities, especially from the second century AD onwards. This is quite likely closely related to the inconsistent development of and allowance for local conditions in the administrative structures and the actors involved in the first century AD.[21] It is therefore

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19 Peacock and Maxfield, "The Roman Imperial Porphyry Quarries"; Maischberger, *Marmor in Rom*: 20 note 55; Hirt, "Chresimus"; Bülow-Jacobsen, *Mons*; Hirt, *Imperial Mines*: 295–96 and 307–9; Pensabene, "Cave"; Pensabene, "The Quarries at Luni"; Pensabene, *I Marmi*; Russell, "Gazetteer"; Lazzarini, "Mediterranean"; Mustafa Adak and Musa Kadıoğlu, "Die Steinbrüche von Teos und 'Marmor Luculleum'," *Philia* 3 (2017): 1–43; Ardeleanu, "Giallo Antico"; Cuvigny, "The Organization Chart"; Beck, "Use, Aesthetics and Semantics"; Beck, *Simitthus*.

20 See Patrizio Pensabene and Matthias Bruno, "Aggiornamenti, nuove acquisizioni e riordino dei marmi di cava dal canale di Fiumicino," in *Marmi Antichi II. Cave e tecnica di lavorazione provenienze e distribuzione,* ed. Patrizio Pensabene (Roma: L'Erma di Bretschneider, 1998): 1–22; Röder, "Die Steinbrüche"; Matthias Bruno, "Blocchi, marchi e sigle di cava di Leptis Magna," *Marmora: International Journal for Archaeology History and Archaeometry of Marbles and Stone* 5 (2009): 71–94; Hirt, *Imperial Mines*; Russell, *The Economics*; Bernard, "Workers"; Lo Cascio, *Wirtschaftsgeschichte*; Beck, *Simitthus* for the inscriptions and their interpretation. In a few cases, additional offices and actors are known from honorary and funerary inscriptions that can be linked to the marble trade and the emperor.

21 Based on the archaeological and epigraphic evidence at the quarry sites and on the basis of the empire-wide distribution of only a few types of marble in the Mediterranean region, scholars no longer uniformly assume that the emperors took complete control of quarrying in the early imperial period, but rather that there was a multiplicity of local administrations by urban elites and entrepreneurs in the late republic and early imperial period, which would differ from place to place. If necessary, in the early imperial period, the emperor used middlemen to procure materials. Those middlemen appear in the inscriptions as *rationarii*. They were not based at the quarries,

key to consider the history of each quarry individually, and only then to formulate overarching questions.

An important change, which, however, only occurred in a few quarries in Trajanic and Hadrianic times, was the creation of specific, high-level offices for marble procurators (named in the inscriptions as *procuratores marmorum* or *procuratores montis/metallorum*) with an arguably narrowly defined area of responsibility, which is indicated by the designation added to their title (e. g., *procurator marmorum Numidicorum*). This led to a standardisation and targeted change in the different organizational structures in the quarries (fig. 1).[22] The office of procurator was predominantly held by imperial freedmen, more rarely by slaves. We know from some cases in other quarries that officials and intimates of the imperial family were drawn from the ranks of the military, although this has so far been proven only for Egypt.[23] In fact, the offices were clearly based on personal dependencies on the emperor, for example, in Simitthus, which can be seen from the fact that imperial freedmen held the office of *procurator marmorum*, and imperial slaves were part of the staff.[24] The procurators were certainly at the top of the hierarchy in the individual quarries, although in local interactions with some officials of cities or estates, the responsibilities cannot be clarified for all quarries, and competences and responsibilities certainly varied from quarry to quarry[25]. With the institution of the office of procurator in the quarrying industry, a separate organisational structure was created for the first time in the second century AD, independent of other administrations, for example, the provincial administration. The trigger for this process of specialisation may have been material needs and shortages due to the expansion of cities throughout the empire, especially at Rome in the late

but in Rome, and probably at ports and transhipment hubs. The emperor's influence on the local administration and processing of workpieces in the quarries was therefore small, and the emperor was merely one of many interested parties. On the late republican and early imperial history of quarry organisation, see Hirt, *Imperial Mines*, 2010: 80–82; Hirt, "Centurions": 306–14; Beck, "Use, Aesthetics and Semantics."

22 Hirt, *Imperial Mines*; Pensabene, "Marmi pubblici."

23 See the appendix in Hirt, *Imperial Mines* for a nearly complete list of all *procuratores marmorum.*

24 Röder, "Die Steinbrüche"; Hirt, *Imperial Mines*; Hirt, "Centurions"; Beck, *Simitthus*.

25 Hirt, *Imperial Mines*: 202–60.

first and early second centuries AD.[26] The testimonies of these *procuratores* provide valuable insights into local administrative structures and hierarchies, enabling us to infer interactions between different actors, which will be the objects of the reflections in the following section, using the example of Simitthus.

2.2. Case Study: Imperial Administrative Structure in the Quarries of Simitthus/Chimtou

Both the urban development and the quarries have been studied by the German Archaeological Institute and the Institut National du Patrimoine, Tunis, since the 1960s.[27] Recent excavations and research have revealed some new evidence about the early inhabitants of Simitthus in the first millennium BC. The earliest traces of settlement found so far at the site date to the fifth century BC, although some archaeobotanical evidence has been carbon-dated to the eight century BC.[28] It is thought that marble quarrying started in a later, still pre-Roman settlement period from the late second century BC onward.[29] The first building entirely constructed of *marmor Numidicum* was a large Hellenistic monument on the top of Chimtou's 'temple hill', which was probably built by the Numidian king Micipsa.[30] Large funerary monuments document the increasing

26 Russell, *The Economics*: 232–38.

27 For an overview of the scholarship, see Philipp von Rummel, Stefan Ardeleanu, Dennis Mario Beck, Heike Möller and Moheddine Chaouali, "Simitthus/Chimtou, Tunesien. Die Arbeiten der Jahre 2016 bis 2018," *e-Forschungsberichte des DAI* 2019, no. 1 (2019): 197–205; see also Ardeleanu, *Numidia*; Beck, *Simitthus*.

28 For the topographic and chronological development of the city, see Friedrich Rakob, "Zur Siedlungstopographie von Chemtou/Simitthus," in *Simitthus I. Die Steinbrüche und die antike Stadt*, ed. Friedrich Rakob (Mainz: Philipp von Zabern, 1993): 1–16; von Rummel et al., "Simitthus."

29 Röder, "Die Steinbrüche"; Ardeleanu, "Giallo Antico"; Beck, "Use, Aesthetics and Semantics"; Beck, *Simitthus*.

30 Friedrich Rakob, "Numidische Königsarchitektur in Nordafrika," in *Die Numider. Reiter und Könige nördlich der Sahara*, ed. Christoph B. Rüger and Heinz Günther Horn (Bonn: Rheinland-Verlag; Habelt, 1979): 119–71; Friedrich Rakob, "Der Tempelberg und seine Heiligtümer," in *Simitthus II. Der Tempelberg und das Römische Lager*, ed. Friedrich Rakob (Mainz: Philipp von Zabern, 1994): 1–38; Josephine Crawley Quinn, "Monumental Power: Numidian Royal Architecture in Context," in *The Hellenistic*

wealth of the population by at least the end of the Iron Age and the beginning of the Hellenistic period. In 46 BC, after the defeat of Pompey and Juba I, Chimtou and its surrounding area probably became part of the Roman province of *Africa*. It acquired the status of a roman *colonia* under Augustus, named *Colonia Iulia Augusta Numidica Simitthensium*, in 27–25 BC.[31] Marble from Chimtou was in high demand as a luxury good in the Roman Empire from the first century BC onward[32], causing an increase in marble quarrying activities. While the running of the quarry was very probably in municipal hands before and also after the founding of the roman colony, from the Augustan period and into the reign of Trajan, there is occasional evidence of a few imperial slaves acting as *rationarii*[33], who were involved in marble quarrying and probably also trading in cooperation with local workshops within the framework of *locatio-conductio*-contracts – the standard form of Roman contracts in economic systems.[34]

West. Rethinking the Ancient Mediterranean, ed. Josephine Crawley Quinn and Jonathan Prag (Cambridge: Cambridge University Press, 2013): 179–215.

31 Rakob, "Zur Siedlungstopographie":1; Hirt, *Imperial Mines*: 25–27.

32 For a complete list of the ancient literary sources, see Rolf-Michael Schneider, *Bunte Barbaren. Orientalenstatuen aus farbigem Marmor in der römischen Repräsentationskunst von Augustus bis Trajan* (Worms: Wernersche Verlagsgesellschaft Worms, 1986): 142–60; Röder, "Die Steinbrüche"; Lazzarini, "Mediterranean"; Beck, "Use, Aesthetics and Semantics"; Ardeleanu, "Giallo Antico"; Beck, *Simitthus*.

33 The *rationarii* are controversial in their interpretation. They bore responsibility for quarried material, since they are named exclusively in the inscriptions on quarried marble. Possibly they are individual and independent entrepreneurs who have an area of responsibility in their own or rented unit of account (ratio)/ account-holders. Probably the accounting in a ratio is connected with a contractually fixed quarrying quantity, which would give rise to the logic of counting the workpieces and found comparisons in other economic systems based on contracts. On the *rationarii*, see Hirt, *Imperial Mines*: 305 and 312; Russell, *The Economics*: 46.

34 Within the *locatio conductio*-contracts, a distinction is made between *locatio conductio operis* and *locatio conductio rei* on the basis of the old laws that have been handed down. This means that the quarry administration as *conductor* could lease the rights to the quarry to private entrepreneurs as *coloni*, under the terms of a *locatio conductio rei* contract, for a general fee or a share of the production. The *locatio conductio operis* contracts, on the other hand, give the quarry administration the possibility to hire contractors to carry out a certain type of work, e.g., quarrying a certain amount of marble blocks, pillars or generally working in a quarry area. In research, it is generally assumed that these contracts were concluded with terms of five years, although this was probably also more flexibly manageable. On the *locatio-conductio*-system, see Hirt, *Imperial Mines*: 117–19; Sophie Schmall, "Patrimonium und Fiscus. Studien zur kaiser-

However, in addition to the imperial *rationarii*, private entrepreneurs and municipal magistrates were also involved in the quarrying and trading of marble, resulting in its wide distribution during the early imperial period.[35] In parallel with the intensification of quarrying and trading activities, the city of Simitthus expanded and gained political importance on a regional level and prospered during the height of the Roman imperial period, especially under the reign of the Antonine and Severan emperors, as did most other towns in North Africa. The city's prosperity is so far evidenced by several monumental entertainment buildings, such as a theatre, an amphitheatre, several baths, and huge administrative and political buildings around the forum, as well as many temples in the urban area and a major cult centre on the so-called 'temple mount' in the second to fourth centuries AD.[36]

However, with the creation and establishment of the office of the *procuratores marmorum Numidicorum* during the reign of Hadrian, the previously regularly mentioned *rationarii* disappeared completely from the inscriptions in Simitthus. The leasing and operating systems must have changed along with the whole procurement structure. This is reflected in the facts that from 137 AD onwards, the emperor is mentioned as the owner of the quarried material on almost all workpieces, and that his *procurator marmorum* was responsible for the contracts and overseeing the quality of materials, as the formula *sub cura* in the inscriptions very probably indicates.[37] Moreover, the marble procurators were on site, as is evidenced by several dedications in sanctuaries, repairs and donations of buildings, and sometimes also funerary monuments for citizens.[38] The archaeological and epigraphical evidence in Simit-

lichen Domänen- und Finanzverwaltung von Augustus bis Mitte des 3. Jahrhunderts n. Chr." (PhD-diss., Rheinische Friedrich-Wilhelms-Universität Bonn, 2011): 161–65; Russell, *The Economics*: 45; Hirt, "Centurions": 300, with examples. For the evidence from the quarries, see Ardeleanu, "Giallo Antico": 158–59; Beck, *Simitthus*.

35 Röder, "Die Steinbrüche"; Lazzarini, "Mediterranean"; Ardeleanu, "Giallo Antico"; Lazzarini, "The Distribution"; Beck, "Use, Aesthetics and Semantics"; Beck, *Simitthus*.

36 Rakob, "Zur Siedlungstopographie"; Rakob, "Tempelberg"; von Rummel et al., *Simitthus*.

37 For summaries on this issue, see Hirt, *Imperial Mines*: 421–24; Hirt, "Centurions": 305; Beck, *Simitthus*.

38 Röder, "Die Steinbrüche"; Hirt, *Imperial Mines*: 117–19 and 421–24.

thus from the Roman imperial period therefore offers the opportunity to investigate the interactions and the underlying dependency structures both within the organizational system and in their connection to the imperial family. Moreover, it is possible to examine the personal dependencies of imperial slaves and freedmen as well as of private individuals and other office holders in the quarry administration, too. To approach this systematically, chapter 3 will present a scenario using the chaîne opératoire method, applied to the production of a column during the high imperial period.

3. Chaîne Opératoire: The Logic of Procedure

In essence, the method of the chaîne opératoire makes it possible to illuminate the production chain of an object in temporal and spatial reflection and with a detailed focus on the actors involved. The method has been widely used in archaeological research, and various new approaches have been added in recent years, adapting and developing the original concept of André Leroi-Gourhan.[39] In the present paper, the method provides the observational framework and thus pursues a new aspect that has so far never been explored for the issues of ancient quarries and their operation.[40]

The initial question concerns the different actors in the quarry at Simitthus, their legal statuses and personal dependencies, especially those on the emperor, but also on each other. I will briefly list the actors concerned below (see 3.1 and fig. 1). There is a broad consensus among scholars that a *procurator marmorum* was responsible for a single quarry

[39] For the chaîne opératoire, see André Leroi-Gourhan, *Le Geste et la Parole. I, Technique et langage* (Paris: Albin Michel edition, 1964); Schlanger, "Suivre les gestes": 127–47; Fairlie and Barham, "From Chaîne Opératoire": 643–64; Russell, "Roman Stone."; Pfaffenberger, "Mining communities, chaînes opératoires and sociotechnical systems": 291–300 for mines.

[40] Apart from Ben Russell, who recently mentioned a similar idea; see Russell, "Roman Stone."

or a region with several quarries.[41] He would have stood at the head of the quarry's administration. In the roman senatorial provinces, this office most likely evolved from that of the regional procurator, who was in charge of all imperial property in a given region, including its resources (imperial domains).[42] At Simitthus as well as in some other quarries, it is likely that this office was predominantly, if not exclusively, filled by imperial freedmen who were replaced in a regular cycle of not more than three years.[43] The emperor therefore acted as owner of the quarries and could appoint direct administrators, with a local representative for the resources, especially if they were located in senatorial provinces like Africa Proconsularis or Asia (figs. 1 and 4).[44] These *procuratores marmorum* therefore headed the respective workshops and work units, by virtue of their imperial prestige and the authority conferred on them by both their office and the relation to the emperor (fig. 4). The sources do not allow us to infer who worked in the quarry workshops, but we can assume that slaves, freedmen and *coloni*, i.e., partially free citizens, worked side by side, or were at least connected on a contractual level (fig. 1).[45] Moreover, we can identify less than a handful imperial slaves in the inscriptions who probably worked on the procurator's staff.[46] They would have been placed in the hierarchy at a level below the procurators, but in an area that is difficult to classify in relation to the respective work units due to their responsibilities and skills (fig. 4). These actors also had a personal relationship with and

41 Hirt, *Imperial Mines*: 107–49, with details; Russell, *The Economics*: 43–45; Beck, *Simitthus*.

42 See Hirt, "Chresimus"; Schmall, *Patrimonium*: 472, on the development and status of procuratorial offices.

43 Cf. Hirt, *Imperial Mines*; Beck, *Simitthus*.

44 For several comparisons, see Schmall, *Patrimonium*; Hirt, *Imperial Mines*.

45 See Russell, *The Economics*: 344–51, on this subject and with an example of the production of sarcophagi. Further examples are mentioned in Miriam. J. Groen-Vallinga and Laurens E. Tacoma, "Contextualising Condemnation to Hard Labour in the Roman Empire," in *Global Convict Labor*, ed. Christian G. de Vito and Alex Lichtenstein, Studies in Global Social History 19 (Leiden: Brill 2015): 49–78.

46 For an overview, see Theodor Kraus, "Steinbruch- und Blockinschriften," in *Simitthus I. Die Steinbrüche und die antike Stadt*, ed. Friedrich Rakob (Mainz: Philipp von Zabern, 1993): 55–64; Hirt, *Imperial Mines*: 155–67, on the "subaltern staff"; Ardeleanu, "Giallo Antico"; Beck, *Simitthus*.

dependence on the emperor, but the authority to issue instructions was the responsibility of the procurators. There is controversy among scholars as to whether military units and prisoners, the so-called *damnati ad metalla*, were present in the quarries both in general and in Simitthus and involved directly in the quarrying work.[47] The findings of archaeological investigations in a large building complex north of the quarries and the town tell us that slaves and prisoners may have been housed in a building briefly used as an *ergastulum* (dormitory for slaves and small workshops) and guarded by military units.[48] As Alfred M. Hirt pointed out, the *damnati ad metalla* had even fewer rights than other slaves, so that they were probably assigned the heaviest and most dangerous work in the quarries.[49] However, the number of prisoners and working slaves housed in the *ergastulum* remains indeterminable[50].

The method of the chaîne opératoire is particularly revealing in showing the individual connections between these actors, as I will show in the following section.

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47 Khanoussi, "Les officiales"; Michael Mackensen, *Simitthus III. Militärlager oder Marmorwerkstätten. Neue Untersuchungen im Ostbereich des Arbeits- und Steinbruchlagers von Simitthus-Chemtou*, ed. Friedrich Rakob (Mainz: Philipp von Zabern, 2005); Hirt, *Imperial Mines*; Beck, *Simitthus*. Groen-Vallinga and Tacoma, "Hard Labour": 49–53, summarize on the basis of Roman law for forced labour. Moreover, for the evidence in ancient sources see D. Lassandro, "I 'damnati in metalla' in alcune testimonianze antiche," in *Coercizione e mobiltà umana nel mondo antico*, ed. Marta Sordi (Milan: Vita e pensiero, 1995): 271–77. See also the discussion regarding controversial evidence for the presence of a small military detachment at Mons Claudianus to supersivse convicted criminal labourers: Adam Bülow-Jacobsen, ed., *Mons Claudianus, ostraca Graeca et Latina. IV: The quarry-texts: O. Claud. 632–896* (Cairo: Institut français d'archéologie orientale, 2009): 2; Groen-Vallinga andTacoma, "Hard Labour": 75–76*;* summarized by Hirt*, Imperial Mines*: 93–98.

48 See below, chapter 3.3; Khanoussi, "Les officiales"; Mackensen, *Simitthus III*: 100; Beck, *Simitthus*.

49 Hirt, *Imperial Mines*: 97 and 223. This fact was also addressed by Groen-Vallinga and Tacoma, "Hard Labour": 53. 60–63. with some examples from Egyptian quarries in the imperial period.

50 Groen-Vallinga and Tacoma, "Hard Labour": 53 argue that the number of working slaves and prisoners was probably always larger than is generally assumed; so also Manuel Fernández-Götz, Dominik Maschek and Nico Roymans, "The Dark Side of the Empire. Roman Expansionism Between Object Agency and Predatory Regime," *Antiquity* 94 (2020): 1635–38.

3.1. Case Study of the Production of a Marble Column in the Quarries

Actors: The abbreviations listed in the legend indicate the social and legal status of the actors where this information can be gleaned from the sources or plausibly inferred through comparisons to other economic sectors:

(S) = slave(s)
(IS) = imperial slave(s)
(F) = free citizen(s)
(FM) = freedman/men
(IFM) = imperial freedman/men
(IPM) = imperial *procurator marmorum*
Other abbreviations:
ind. = indeterminable
< 8h = this information refers to less than one working day
> 8h = this information refers to more than one working day

No	**work step**	**space**	**duration**	**actor(s)**	**source(s)**
1	Ordering/ acceptance by imperial *procurator marmorum* (IPM), *locatio-conductio-operis*-contract	Simitthus	ind.	Several options; emperors to traders (F; FM)	Epigraphic sources: cf. Hirt, *Imperial Mines*
Quarrying					
2	Sighting + selection of quarry area	quarry	ind.	Experts (FM, S), possibly *procurator marmorum* (IPM)	Test drillings in several quarries in the Mediterranean
3	Preparation of quarrying	quarry	ind.	S, ind.	Röder, “Die Steinbrüche”: 36 f. fig. 19, 3, Tav 53 b, c

No	work step	space	duration	actor(s)	source(s)
4	Scraping of the column blank	quarry	20h per worker and sqm, cf. Röder	Experts (F, S, FM), unskilled workers (F, S)	Archaeological evidence; traces of wedge-shaped grist Röder, "Die Steinbrüche": 32 fig. 18. 47 f.
5	Wedging and scraping the column	quarry	several days	Experts (F, S, FM), unskilled workers (F, S)	Archaeological evidence; traces of wedge-shaped grist; Röder, "Die Steinbrüche": 47
Processing and finishing of the prefabricated column (workpiece)					
6	Rough finishing	quarry workstation	several days	Experts (F, S, FM)	Archaeological evidence for workplaces, cf. Röder, "Die Steinbrüche": 42–4
7	Fine work	quarry workstation	several days	Experts (F, S, FM)	Archaeological evidence
8	Inscription	quarry workstation	ind. < 8h	Experts (F, S, FM)	Archaeological and epigraphic evidence
Röder calculated that the production of a semi-processed column of l: 8 m and diam: 1 m in Simitthus took approximately 864 man-hours or 108 days, assuming a working day of eight hours. It would have taken four skilled workers approx. 27 days.					
Quality inspection by the *Procurator marmorum* (IPM)					
Transports within the quarry					
9	Transport with logs and sledges	quarry workstation to loading bay	ind.	Experts (F, S, FM), unskilled (F, S, FM)	Archaeological evidence; cf. Korres, *Penteli*: 26-31; Rakob, "Zur Siedlungstopographie": 50; Russell, *The Economics*: 101
10	Loading onto a wagon	loading bay in quarry zone	ind. < 8h	Experts (F, S, FM)	Archaeological evidence; plausible assumption

No	work step	space	duration	actor(s)	source(s)
Transport from Simitthus to Carthage					
11	On transport wagons or sledges to the river	streets	ind. strongly depend-ing on quarry area	Experts (F, S, FM), unskilled (F, S, FM) IFM; IS military?	Röder, "Die Steinbrüche": 49
12	Loading by crane	harbour, Simitthus	< 8h	Experts (F, S), unskilled (F, S); mili-tary?	Archaeological evidence
13	Transport by River Med-jerda	river	Wilson, "Rivers," 1–2 days	Freight for-warder/trader (F, FG, S), military?	Cic. Att. 1, 8, 2. 1, 9; Wilson, "Rivers": 111–14 and 118
14	Loading by crane and transport to Carthage	harbour, Carthage	usually < 8h	Experts (F, S, FM)	Plausible assumption

Detailed description and interpretation of the single steps

In the passages below, I will describe the individual steps for the production of an assumed column up to its delivery in Carthage on the basis of a chain of operations during the high imperial period. The diagram above can be referenced for the description below. (1) I have assumed that the production of a column of approximately 8 m in length was governed by a fixed-lease contract based on *locatio-conductio-operis*, which was concluded between the *procurator marmorum* by mandate of the emperor and a workshop owner after a request by a third party.[51] We do not know from the ancient sources whether a particular quarry area was selected in connection with a specific order. The fact that the marble variants of certain quarry areas were definitely preferred and appropriate for

[51] On the fragmentary nature of the evidence regarding the initial stages of such treaty negotiations, see Hirt, *Imperial Mines*: 205; Russell, *The Economics*: 24 and 45–53.

certain objects makes this very likely, but the selection process cannot be deduced from the sources so far. In Simitthus, there are both deep fractures for column quarrying and near-surface quarrying (fig. 2).[52] The selection of the quarry areas was certainly done by specialists, as numerous test drillings in the quarries show. In Simitthus, it was possible to quarry marble in all areas due to the technical capabilities of the craftsmen using the wedge-slot technique in quarrying.[53] (2) After selecting the quarry area, the surface was cleared of vegetation and debris, mainly by unskilled workers, mostly slaves and probably convicts, too.

Quarrying[54]

Because of numerous traces of the extraction of columns using the wedge-shot technique in the quarries in Simitthus, which are still partly visible today, we are able to reconstruct the individual steps exactly and with important details of the process[55]. (3) After the surface had been prepared, the process of cutting free the whole length of the column body began, with a surplus for protection. Skilled and unskilled craftsmen cut deep furrows into the rock with pointed chisels and mallets to first isolate a rectangular block on all sides (fig. 3). (4) For orientation, the circle line served as the centre point on both sides of the column head. From here, the diameter of the column was calculated and worked out.[56] Individual shafts were driven deep into the rock, with depths of up to one metre being not uncommon in Simitthus for quarrying large columns.[57] Röder calculated that approximately 20 man-hours were needed

52 See Röder, "Die Steinbrüche": Suppl. 4.

53 Röder, "Die Steinbrüche": 37–41 on the wedge shot technique, "Keilschrottechnik." In this technique, iron and wooden wedges are inserted at regular intervals into previously knocked-out holes in the rock. Once the wedges are put into the rock, the wedges are rhythmically struck with hammers until the rock dislodges from the bedrock.

54 For illustrations of individual processes, see Pensabene and Bruno, "Aggiornamenti": 1–22; Manolis Korres, *Vom Penteli zum Parthenon: Werdegang eines Kapitells zwischen Steinbruch und Tempel* (München: Glyptothek, 1992); Röder, "Die Steinbrüche."

55 Röder, "Die Steinbrüche": 32, fig. 18; 47–48 has a detailed description.

56 Röder, "Die Steinbrüche": 45–47.

57 Röder, "Die Steinbrüche": 45.

for quarrying one square metre of marble.[58] This required experienced craftsmen who could monitor the breaking process and react in case of mistakes. (5) After the column had been broken free on both sides, the column was worked on at each end. This could be done either in a semi-circular form or in a full curve.[59] The next step was the shaping of the semi-circular column, which was done with pointed chisels, hammers and mallets. The surface of the column was worked on piece by piece between the rounded corners along the entire length of the column. For this, the deeply hewn shot from the first step was relevant, as the workers had to climb into the shot and sometimes work in uncomfortable positions. As soon as the rounding was created, the decisive event of detaching the workpiece was executed. We can deduce from the blanks lying in the quarry zones that it was during this part of the process that most errors happened. The semi-cleared column was wedged off the rock or partially cleared by deeper cuts.[60] These steps were carried out by several trained workers who kept the rock under tension or wedged it directly with wooden slats.

Preparing the column

After the column shape had been detached from the rock, it was moved from the quarry site to the work site with ropes, hoists and beams and then suspended so that it could be worked on all around. For the transport of a column of about 8 metres in length and a weight of about 20 tonnes, draught animals were probably necessary. (6) At the work site, any projecting material was removed with different tools, mostly with iron or wooden chisels. This was followed by a rough trimming, during which the broken material was checked. (7) At this point at the latest, the mason's marks would be put on one end of the workpiece, if this had not already been done beforehand when the compass point was applied. For the production of a semi-processed column of 8 metres in length

58 Röder, "Die Steinbrüche": 49.
59 Röder, "Die Steinbrüche": 47.
60 Röder, "Die Steinbrüche": 47 and tav. 47c. 57c with some examples.

and one metre in diameter in Simitthus, Röder calculated an average of 860 man-hours, which, if we assume an eight-hour working day, corresponds to approximately 108 days. If at least four workers were permanently assigned to the stonemasonry work, it would have taken them 27 days until a column with these dimensions was ready for transport.[61] Whether an inspection and examination of the column was carried out by the *procurator marmorum* or his staff cannot be proven, but it is plausible, since the responsibility for the workpiece included the delivery of defect-free material. An inscription or other markings may also have been added during this process (8).

Transport within the quarry

(9) We can assume that during transport, our column was securely fixed and that experts did the work. The preserved post holes in the quarries (fig. 2) make it likely that the column had been lowered onto a sledge or wooden rollers for transport.[62] Depending on the specific point of origin of the column, it may have been possible to roll it down the southern slope so that it would have reached the north-south road that ran there. The length of the road, its course and its proximity to the quarry areas cannot be determined in the north, but in the south, it probably led to a loading station on the Medjerda River. Our column would most likely have been transported to this station on wooden sledges with logs.[63] (10) Transport experts would have been responsible for this, as the column had to pass through the city and many draught animals were needed.[64]

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61 Compare Röder, "Die Steinbrüche": 47–49 to these calculations.

62 Korres, *Penteli*: 26–31; Röder, "Die Steinbrüche": 1993, 50.

63 See Colin E. P. Adams, *Land Transport in Roman Egypt* (Oxford: Oxford University Press, 2007): 67–68, with comparisons from Egypt; Hirt, "Chresimus"; Hirt, *Imperial Mines*: 332–342; Russell, *The Economics*: 98.

64 See Russell, *The Economics*: 99–100, with comments on the draught animals in such transports.

To what extent experienced military personnel were involved in these transport operations cannot be inferred for Simitthus.[65]

Transport to the export port in Carthage

(11-12) For lifting and loading of columns of this size, there must have been permanently installed cranes at a river site in Simitthus, most likely slewable cranes, which could have been used for these purposes.[66] For a column weighing 20 tonnes, it needed a balancing ballast as cargo on a small river ship.[67] For river transport across the Medjerda, vessels with a loading capacity of up to 100 tonnes were probably common.[68] In general, flat-bottomed boats (e.g., prahms) would have been used for river transport.[69] The transport was most likely organised by private skippers who acted in cooperation with the *procurator marmorum* or other middlemen and were financially remunerated for these activities.[70] Depending on the vessel's loading capacity and ballast, they could load additional goods and sell them along the route and at the destination.[71] To ensure a continuous supply, transport needed to be well-organised. This was possibly one of the reasons why a *procurator marmorum* was appointed in Simitthus in the second century AD. We can assume that the shipping network on the Medjerda was as stable as that on the Tiber in the imperial period.

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65 Hirt, *Imperial Mines*: 179–85, doubts the involvement of soldiers in Simitthus in the transports as they were much more likely to guard the prisoners in the camp; contra Russell, *The Economics*: 41, 100–103.

66 Maischberger, *Marmor in Rom*: 31.

67 Röder, "Die Steinbrüche": 51.

68 Maischberger, *Marmor in Rom*: 29–30; on cargoes and river ships, see Ronald Bockius, "Antike Prahme. Monumentale Zeugnisse keltisch-römischer Binnenschifffahrt aus dem 2. Jh. v. Chr. bis ins 3. Jh. n. Chr.," *Jahrbuch des Römisch-Germanishcen Zentralmuseums Mainz* 47, no. 2 (2000): 439–93.

69 Maischberger, *Marmor in Rom*: 29–30; for a detailed discussion of this issue and the relevant ancient sources, see Bockius, "Antike Prahme": 439–93.

70 Pascal Warnking, *Der römische Seehandel in seiner Blütezeit. Rahmenbedingungen, Seerouten, Wirtschaftlichkeit* (Rahden: Verlag Marie Leidorf, 2015).

71 See Warnking, *Der römische Seehandel*: 154, on the division of labour between *gubernatores* and *magistri naves* on the ships.

After several days, the skippers and forwarders would bring the column to the mouth of the Medjerda in Utica. (13) There, they would transfer their goods for Carthage either to some form of land transport or to another ship; or they would have continued to the port of Carthage by sailing along the coast. In the latter case, they would have had the advantage that after unloading their cargo, they could load new trade goods for interested parties and trading partners and return to the hinterland (14).[72] Whether marble products were temporarily stored in Carthage or not depended on the onward transport. In any case, cranes would again have been necessary to transfer our column to a larger ship due to its great weight. These operations were probably organised by several middlemen in the harbour.[73]

3.2. Relations and Dependencies among the Workers within each Worksite

The examination of this chaîne opératoire exemplifies what was probably the most common method of procuring workpieces from Simitthus in the mid and late second century AD. The majority of the quarried columns were the results of *locatio-conductio*-contracts with leases and subleases, which ensured both the continuous work of the quarries and the constant procurement of material, and so met the demand of both the emperor and the interested parties in the market. Guided by the supervision of the *procurator marmorum*, the workshops worked out the contracted quantities of blocks and columns according to the defined orders, and very probably for a quarry-to-stock system, so that this material was available for delivery to its destinations and the flexible use afterwards[74] (fig. 4).

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72 See Simon Keay, "The Port System of Imperial Rome," in *Rome, Portus and the Mediterranean*, ed. Simon Keay, Archaeological Monographs of the British School at Rome 21 (London: The British School at Rome, 2012): 46, on similar procedures with the boatmen on the Tiber and the *naves caudicariae*.

73 For references, see Bockius, "Antike Prahme"; Warnking, *Der römische Seehandel*.

74 Russell, *The Economics*: 314–16 for make-to-stock in the imperial period.

There were several dependencies within this marble procurement system in the quarries, which I have divided into systemic-structural and personal dependencies. The operation of the quarries, or the areas of the quarry that were part of an imperial possession, depended heavily on this system (fig. 4). Without the *procurator marmorum* as the highest official of the administration on site – the local workshops which carried out the quarrying and processing, and the interested parties – the operation of the quarries would not have been possible and successful over this long period. The various dependencies are taken into account in the respective contracts, whereby profit margins are calculated, and these dependencies kept the system in continuous operation and in a certain balance. This means that not only was the *procurator marmorum* dependent on the emperor – as owner and at the same time as the highest awarding authority of the quarry concessions – but that the emperor was also dependent to a certain extent on the procurator and his staff, who were able to generate profits for him and profits for themselves, too. The emperor and the procurator, as well as the imperial slaves, were also tied together by their individual personal dependencies.[75] Here, almost every individual was dependent on the other in order for the whole chain to function. In fact, everyone was forced to work together in this system. An inscription from Simitthus, which commemorated a local resident woman, was commissioned by a man named Galata, who described himself as the emperor's *verna* (a house-born slave). This not only shows Galata's close personal connection to the emperor, but also demonstrates that a slave could erect and finance a large tomb for a deceased female citizen of the city.[76] His personal connection to the imperial house as well as his work within an imperial economic system therefore allowed

[75] For examples, see Paul Richard Carey Weaver, *Familia Caesaris. A Social Study of the Emperor's Freedmen and Slaves* (Cambridge: Cambridge University Press, 1972), with some details on the *familia Caesaris*; Koenraad Verboven, *The Economy of Friends. Economic Aspects of Amicitia and Patronage in the Late Republic*, Collection Latomus 269 (Brussels: Latomus, 2002); Hirt, *Imperial Mines*; Mouritsen, *The Freedman*.

[76] Khanoussi, "Les Officiales"; AE 1991, 1681; Mustapha Khanoussi, "L'armée romaine et les carrières impériales de marbre numidique," in *Simitthus I. Die Steinbrüche und die antike Stadt*, ed. Friedrich Rakob (Mainz: Philipp von Zabern, 1993): 65–68; AE 1994, 1883.

the slave to raise the funds and endow the building. Moreover, and similiarily, as a member of the *familia Caesaris* (and part of the imperial slaves and freedmen), the procurator worked for his patron, while imperial prestige could elevate him to a higher legal status level. His office made him a colleague to other procurators in the province, some of whom held the rank of knights and enabled him to do business with senators and knights to whom he was otherwise subordinate in his status as a freedman.[77] Buildings donated by the *procurator marmorum* at Simitthus carry dedications both to the emperor and to the governor of the province and they also show the close connection between the procurator and both the emperor and the governors as well as the participation in official representational activities of cities as benefactor[78].

Contracts created further dependencies, both structural and personal, between the workshops as well as the other contractual partners and the *procurator marmorum*. The workshops supplied the material according to the orders and contracts, and were highly dependent on orders and profit margins. High demand and many orders, above all, enabled increasing profits. This in turn allowed the workshop owners to increase their influence and in the long run also to rise socially, at least in their local surroundings.[79] The workshop owners acted as contractors (*conductores*); they got their concession from the emperor, or through his procurator, and with this, the right to quarry. The workshop owners also used their own capital and staff in this way, but the emperor, as owner of the quarries, was especially dependent on the workshops, which guaranteed the provision of the material to him and could negotiate conditions.[80] The extant archaeological and written evidence allows us to answer the question of individual relationships or dependencies between the workers in a given workshop only to a very limited extent, because almost nothing is known about the personal composition of the workshops in the quar-

[77] For detailed examples, see Weaver, *Familia Caesaris*; Schmall, *Patrimonium*.
[78] On the *procuratores marmorum Numidicorum* as benefactors see Beck, *procuratores*.
[79] For some examples, see Hirt, *Imperial Mines*: chapter 7; Mouritsen, *The Freedman*.
[80] Russell, The *Economics*: 54.

ries[81]. It is also unclear whether the workshops employed convicts, who were certainly considered cheaper labour. Although the labour force in the quarries is well documented overall, virtually no self-testimonies of convicts and slaves have been preserved. We can only deduce some individual tales from inscriptions in the quarries at Simitthus. One of the rare examples is a dedicatory inscription by the slave Dorus. He worked in the workshop named Junonis and donated a votive to the god Saturn to fulfil a vow he had made.[82] In the inscription, Dorus reports that he is being sexually abused (*pedicatur*, sodomised), although he does not say by whom. This shows his lack of freedom and his inability to decide about his own body. This testimony may not represent a general picture of the people in the workshops, but it provides concrete insights into everyday life. The majority of the workers will have been men, although this cannot be proven from the sources; it is, however, generally assumed and widely accepted, as well as very plausible, due to the physically demanding nature of the work.[83]

The personal relationship between imperial slaves and slaves of private entrepreneurs is an interesting factor, but this information cannot be obtained from the sources in the quarries. Very likely, the slaves of interested parties would have carried out the ordering and procurement of marble for their masters, so that there must have been interactions, although these probably did not take place with fellow slaves, but rather with imperial administrative personnell, due to the authority of their patron.[84] Sometimes the slaves of city dignitaries interacted with imperial slaves, but this can only be assumed because of logical processes,

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81 For Simitthus, the only names known are those of the workshops listed by Hirt. We do now know enough to be able to say how the workshops were staffed, Hirt, *Imperial Mines*: 420–28. In general, see Groen-Vallinga and Tacoma, "Hard Labour": 67.

82 AE 1994, 1876; Theodor Kraus, "Steinbruch- und Blockinschriften," in *Simitthus I. Die Steinbrüche und die antike Stadt*, ed. Friedrich Rakob (Mainz: Philipp von Zabern, 1993): 59 Neu 29, Tav. 61 b.

83 Some women are testified as workshop owners (*officinatrices*), and they were probably active in several sectors of the economy; see Päivi Setälä, "Women and Brick Production – Some New Aspects," in *Women, Wealth and Power in the Roman Empire*, ed. Päivi Setälä et al. (Rome: Institutum Romanum Finlandiae, 2002): 181–201.

84 On this subject and the agency of slaves see Groen-Vallinga and Tacoma, "Hard Labour": 63.

and is not mentioned in the sources explicitly. Alfred M. Hirt has comprehensively discussed these questions of interagencies on the basis of the available sources in his volume about imperial mines and quarries.[85]

Inside the workshops, there were probably hierarchically structured work units at least due to the division of labour in several steps of production (see 3.1; fig. 1). With regard to the workshops, however, it is important to consider the individual legal statuses of the workers and the significance of these statuses within the system in a differentiated way. It was quite possible for slaves to be specialists in the manual processing of workpieces and to take on important tasks within the process chains. The specialization and division of work within a quarry crew is likely to have led to the temporary disappearance of status significance. Slaves as specialized craftsmen may also have organized the work of free citizens and freedmen who worked in the quarries as day labourers, and may have been mostly unskilled workers. Therefore, it must have been possible, at least for the slaves of workshop owners, to earn money through certain tasks, and even to buy their freedom. These observations have already been made in several fields of work. This permeability in status and rights is particularly important within the entire Roman economy. In some institutionally supported sectors of the economy, an individual's legal status could be less important than their expertise and specialization.[86] This issue has been defined by Arjun Appadurai with the concept of the 'social landscape'.[87]

The permeability and different statuses definitely did not include the convicts and *damnati ad metalla*, who usually worked in the quarries until they died. Without doubt, they formed the lowest group within the

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85 Hirt, *Imperial Mines*: chapter 7, "Private Partner to Imperial Operations: *Occupatores/Coloni* and *Conductores*," on the subject of private slaves and entrepreneurs; see also Russell, *The Economics*: 54–56.

86 See Mouritsen, *The Freedman*; Broekaert, "Freedmen": 222–53.

87 The term and concept of the "social landscape" have been defined in Arjun Appadurai, "Disjuncture and Difference in the Global Cultural Economy," *Theory, Culture and Society* 7 (1990): 295–310, and Martin Albrow, *The Global Age – State and Society beyond Modernity* (Cambridge: Polity Press, 1996). According to this concept, the social landscape is composed of social networks of individuals who form collective identities and interactions with each other based on their life circumstances or common undertakings and occupations.

hierarchy of the quarry. It is commonly held in scholarship on the imperial quarries that criminals and convicts were sent to the quarries for punitive labour in the Roman imperial period. However, these so-called *damnati ad metalla* are far from being well-studied.[88] During the peak period of quarrying in the second century AD, this group would have made up only a small percentage of the enormous amounts of labour required.[89] The bulk of the work must have been carried out by slaves who were either hired out or bought by private individuals or interest groups, especially since labour had to be constantly available.[90] The convicts were dependent to the highest degree on the *procurator marmorum* and workshop owners, as their lives lay in the hands of the local administration and workers: the *damnati* had already been sentenced to death, as it is evidenced for instance by a rescript under Hadrian[91]. They were subject to the harshest punishments if they did not do the work, so that they not only worked under coercion, but were also forced to work without respite.

3.3. Interagency and Spatial Relations as Indicators for Dependencies

In the study of personal dependencies, a particular focus lies on the sites of interaction. This was where the different status groups came together and acted in terms of their (institutional or personal) tasks. The guiding concept of interagency can therefore be combined with the method of

88 Gaius, Dig. 28.1.8.4; see Hirt, *Imperial Mines*: 97, on the issue of the *damnati ad metalla*; while Russell, *The Economics*: 41, disputes the archaeological and epigraphical evidence on the *damnati ad metalla* in the quarries.

89 See Groen-Vallinga and Tacoma, "Hard Labour": 53; 60 on the problem of quantifying the number of *damnati.* See Beck, *Simitthus*, for references and a discussion of a possible parallel structure by exclusively imperial quarry teams in the quarries that were run by military officials and where convicts very probably worked.

90 Hirt, *Imperial Mines*: chapter 7; Russell, *The Economics*: 41.

91 Gaius, Dig. 28.13–14: *qui in tempus damnati erant, in perpetuum damnarentur, qui in perpetuum damnati erant, in metallum damnarentur, qui in metallum damnati id admiserint, summo supplicio adficerentur*; Gaius Dig. 48.19.8,7 for a similar descripton of penalties; see also Groen-Vallinga and Tacoma, "Hard Labour": 53.; 63–65 on the Roman penal system.

the chaîne opératoire, thus allowing for renewed individual observations at places.[92] All actors are reflected in their interactions with other actors, and therefore their activities are linked to spaces and times as methodological frames. This results in a detailed view of the actors themselves, distinct from or in combination with the others, including their fields of action.[93] One characteristic is the study of individuals who interact according to their professional tasks and are only visible in the sources in those specific terms. The name of a workshop, of a contractor or even the responsibility for a quarry area belonging to the emperor become visible within the interlinked actions.

Let us take as an example the *procurator marmorum* and his dependence on several people and groups (fig. 4). To separate the local from the distant and superordinate, the interdependencies according to networks can be divided into global and local.[94] Starting with a global perspective, the procurator and the emperor were personally and structurally interdependent within the marble business. In addition, there were certainly several other imperial freedmen, slaves and contractors who were dependent on the procurator in a global perspective, in particular in the marble business. In local terms, the procurator was in interaction with nearly all possible status groups by the authority of the emperor: senators and members of the provincial and city elites could have dealt with him and signed contracts. Interaction with the local administration of the city of Simitthus and the surrounding area as well as neighbouring cities must have been very important for representa-

92 On the term "interagency," see Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler and Stephan Conermann, "On Asymmetrical Dependency," *Concept Paper* 1, Bonn Center for Dependency and Slavery Studies (2021): 10–11, https://www.dependency.uni-bonn.de/en/publications/bcdsss-publishing-series/bcdss-concept-papers [accessed 13.04.2023]; see further Christoph Antweiler, "On Dependence, Dependency, and a Dependency Turn," *Discussion Paper* 1, Bonn Center for Dependency and Slavery Studies (2022) for additional definitons of the terms dependence and dependency.

93 On this, see Winnebeck et al., "On Asymmetrical Dependency": 6; for the concept of interagency, see Juliane Schiel, Isabelle Schürch and Aline Steinbrecher, "Von Sklaven, Pferden und Hunden. Trialog über den Nutzen aktueller Agency-Debatten für die Sozialgeschichte," *Schweizerische Gesellschaft für Wirtschafts- und Sozialgeschichte* 32 (2017): 17–48.

94 Müller, "Netzwerkanalysen": 736 fig. 1.

tion and participation in social life. The procurator's staff might include other freedmen and slaves, so that here, too, similar and lower status groups worked together.[95] On basis of the inscriptions found at Simitthus, the staff consisted at least of a *dispensator*[96] and a *vicarius*.[97] Both inscriptions can be dated to the second century, and both officials were slaves. However, this does not prove that these offices were permanently part of the procurator's staff.[98] In fulfilling their tasks, the procurators were heavily dependent on their subaltern staff, for which they needed experts and specialized, skilled people[99]. In addition, procurators interacted with free citizens, with Roman or other citizenships, who worked in the workshops and who, strictly speaking, were part of the contracts concluded (fig. 4). However, these organizational structures were far from being solid. Although the hierarchies were certainly clarified in the quarry administration, the procurator acted as local representative of the emperor in dependence on the latter. Urban elites up to senators and representatives of the provincial administration were therefore in contact with both the emperor and the procurator for possible business. Here, the differences in status of the actors existed in principle, but the high position of the emperor probably enabled the procurator to negotiate contracts on equal terms. Furthermore, the procurator very probably had direct contacts to members of the military of different ranks, although no authority to issue directives can have existed due to the competence and status differences. At Simitthus there are no sources for the interaction of the military and the marble procurator, although there

95 Hirt, *Imperial Mines*: 165; Russell, *The Economics*.

96 AE 1991, 1681; AE 1994, 1883; see Mustapha Khanoussi, "Les officiales marmorum Numidicorum," in *L'Africa Romana. Atti del XII convegno di studio. Olbia, 12–15 dicembre 1996*, vol. 2, ed. Mustapha Khanoussi, Paolo Ruggeri and Cinzia Vismara (Sassari: Editrice Democratica Sarda, 1998): 997–1016; further Beck, *procuratores*; Beck, *Simitthus*.

97 AE 1994, 1884; Mustapha Khanoussi, "*Les oficiales*": 1009 nos. 25. 26.

98 The epigraphic evidence is not suitable for determining the responsibilities and precise functions of these officials within the organisation of the quarries. Only in the case of Mons Claudianus does the internal correspondence between the imperial officials provide enough information to assess their role in the administration of the quarries, see on Mons Claudianus and some other evidence Hirt, *Imperial Mines*: 251–60.

99 On the functions of the imperial procurators and the imperial staff see Hirt, *Imperial Mines*: 258–60.

clearly must have been cooperation on the ground due to the division of tasks. Insofar as the commander of the military unit was responsible for the supervision and punishment of prisoners and slaves, there was interaction between procurator and commander.[100]

In addition to the theoretical reflections on interdependence, it is above all spatial relations and temporal contexts that provide a more precise picture of individuals and groups in interaction. In the quarries, the workplaces are specific spaces that must be studied in detail to identify actions and actors, as well as dependencies between actors and between actors and the place and their tasks. The quarries must therefore be examined for usable traces and remains in terms of archaeological and epigraphic sources. Unfortunately, actual workplaces or workshops are extant in only very few places.[101] Problems in identifying such workplaces include the fact that buildings have been destroyed, there were later alterations or remodelling, as well as backfilling or even the absence of permanent workspaces. However, in very few cases, for example, at Simitthus and in some Egyptian quarries, there were specialized workshops and shelters in the Roman imperial period which can still be investigated in terms of their actors and their social status. Inscriptions found in the quarries make it possible to locate individual workshops within the quarry areas, and also to date their working period (fig. 2). Some processing remains, and saw marks also show the technical aspects of quarrying and allow these to be hypothetically linked to certain work processes and workshops.[102] However, the mapping of the workshops only shows the distribution and concentration of the work areas. There are areas close to the city as well as more distant areas, although the remains do not reveal any details about ownership. In the quarries, the material was not only quarried but also largely processed

[100] In this case, too, the Egyptian quarries provide evidence of interaction between the military and procurators, but some tasks in the quarries of Egypt could only be managed and supervised by soldiers, see Hirt, *Imperial Mines*: 94–98; Groen-Vallinga and Tacoma, ”Hard Labour”: 62.

[101] Röder, “Die Steinbrüche”; Hirt, *Imperial Mines*; Beck, *Simitthus*.

[102] See Röder, “Die Steinbrüche,” with some descriptions and observations in combination with fig. 2.

and manufactured for transport. Specialized craftsmen worked side by side with unspecialized workers (see 3.1).

Moreover, at Simitthus, a partially excavated large building complex – the so-called labour camp or, in German, 'Arbeits- und Steinbruchlager' – makes it possible to study actors and (inter)actions at work in space.[103] The architectural context can be complemented by archaeological and epigraphical finds to form an overall picture. The archaeological findings as well as inscriptions testify to its use as a so-called *ergastulum* (a prison-like building) where slaves were housed and very probably kept under surveillance by the Roman military during the first phase of the building.[104] Individual remains of discarded workpieces as well as substances like sawdust are archaeological legacies of the activi-

[103] For the investigations at the camp in Simitthus, see Khanoussi, "L'armée romaine": 65–68; Friedrich Rakob, "Das römische Steinbruchlager (praesidium)," in *Simitthus II. Der Tempelberg und das Römische Lager*, ed. Friedrich Rakob (Mainz: Philipp von Zabern, 1994): 51–139; and Mackensen, *Simitthus III*.

[104] The area was discovered during aerial surveys by the Service Topographique Tunis in 1962. In a joint project of the Institut National du Patrimoine, Tunis, and the German Archaeological Institute, the first excavations took place between 1968–1974 and 1978–1979. They focused on the central building with its six naves. Excavations in the eastern sector were carried out under the direction of Mustapha Khanoussi. The most recent excavations were carried out by Michael Mackensen in 1998; see Mackensen, *Simitthus III*. Geophysical investigations in 2010–2013 brought further information on the internal organization and extent of the complex; see von Rummel et al., "Geophysikalische Prospektionen in Simitthus (Chimtou, Tunesien). Vorbericht zu den Kampagnen 2010–2013," *Kölner und Bonner Archaeologica (KuBA)* 3 (2013): 203–16. The construction process of the central building has been dated to the 170s AD by means of an inscribed block from the year 154 AD with a terminus post quem (earliest possible date for the building process), ceramics, coins and construction techniques. In the first phase, the building complex was 95 m wide, 105 m long and covered an area of 0.96 ha. All buildings were oriented north to south. There were no excavations in the western district, but in light of the same *opus africanum* construction technique and wall thickness there, it may belong to the same phase. The building with six naves was 37 m wide and 80 m long. The foundations of the nave walls were two metres deep; the perimeter wall, 4.5 m high. In the second phase, starting in the 3rd century AD, the central building was converted into a *fabrica* (factory) with a new internal organisation and the construction of grinding machines, small workplaces and sawing devices. Huge layers of rubble were found inside the building during the excavations. It can only have been used as a *fabrica* from about the 230s until 253 because large parts were destroyed when the ceiling collapsed. At that time, the entire complex covered an area of 1.8 ha; buildings were added to it along the sides. After several modifications, marble was processed in the central building until the 280s, when a collapse brought production to a halt. For the chronology, see Mackensen, *Simitthus III*: 100.

ties in the respective workshop areas. These show a general separation. Larger workpieces were always processed in the quarries at workplaces or stations, while only smaller workpieces were processed in the workshops. In the so-called labour camp, the central building has six naves with narrow entrances and workplaces between the sleeping quarters.[105] Since the sleeping quarters are located between the workplaces and are generally cramped, scholars assume that a large number of slaves and convicts were housed here. The gates of the massive building could only be locked from the inside, which is why surveillance by military units is always assumed in research[106]. Due to the accommodation of slaves and prisoners as well as soldiers and possibly the imperial quarry administration in various buildings within the large complex, security measures were immense. The separation of the different groups was possible inside the buildings, but in the quarry area slaves and prisoners worked side by side with free citizens and workshop personnel, so that supervision by the military was necessary. The heavy work in particular required a large number of workers, who together might start a mutiny.[107] In addition, the inhabitants of the nearby civilian town of Simitthus also had to be protected from attacks or escaping prisoners. The presence of military units is a strong indicator of interdependence of provincial administration and imperial quarries, because the soldiers must have worked for the provincial governor and belonged to the legion stationed in the province.[108]

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105 Röder, "Die Steinbrüche"; Rakob, "Das römische"; Mackensen, *Simitthus III*; Beck, *Simitthus*.

106 Khanoussi, "Les Officiales"; Mustapha Khanoussi, "L'armée romaine et les carrières impériales de marbre numidique," in *Simitthus I. Die Steinbrüche und die antike Stadt*, ed. Friedrich Rakob (Mainz: Philipp von Zabern, 1993): 65–68; Hirt, *Imperial Mines*; Beck, *Simitthus*.

107 See Groen-Vallinga and Tacoma, "Hard Labour": 53; Fernández-Götz et al., "Dark Side": 1635–38.

108 See Hirt, *Imperial Mines*: 210, on this issue. "Army detachments deployed on guard duty, and possibly for the technical support of imperial quarrying establishments, usually came from the same provinces where the quarries were located, with the exception of the administrative or technical specialists brought in for specific tasks. *Procuratores metallorum* (and *marmorum*) could very probably rely on military commanders and officials to assume additional administrative functions if required to do so. As the legions and/or auxiliary units stood under the command of the provincial governor, he probably ordered their deployment to the imperial quarries or mines. Moreover, the

It was therefore probably mainly slaves and prisoners who carried out the grinding work on the marble objects inside the building. At this location, parallel to the workshops in the quarry, there was thus another space for interaction between actors of different statuses, especially since the administration of the quarries – the procurator and his staff – was housed in an adjacent building. In these workshop units, there were specialized workers who carried out the fine work, while others only carried out rough work and rubble clearance. The most dangerous work took place in the quarries themselves, namely the quarrying of blocks and columns as well as their removal and transport. These most dangerous tasks were probably carried out by the unskilled workers and convicts, especially those that involved mortal dangers, to which slaves from private workshops or imperial slaves would not have been readily exposed. By contrast, despite their confinement, the workers in the labour camp were likely to have been skilled craftsmen assisted by less skilled people. Different officials of the administration, possibly the procurator himself, were probably also present in the workshops during inspections of the material. Both areas, the quarries and the workshops, were dependent on the constant supply of workers, labour and also on the constant training of specialists. Although the imperial administration was in charge under the direction of an imperial freedman as *procurator marmorum*, the chaîne opératoire analysed above and the further considerations of place-space analyses and interdependencies show that probably the provincial administration, citizens of the city of Simitthus and various private entrepreneurs were also always involved in the operation of the quarries. Marble procurement was therefore strongly dependent on the different actors and status groups, while these were to some degree dependent on the system in order to rise socially, to extract resources or to earn money.

provincial governors also remained responsible for the pay and supply of the troops with basic provisions."

4. Summary and Further Questions

To sum up, the rich evidence at Simitthus allows for the reconstruction of process chains in the quarrying of marbles as well as the administrational networks, which were mostly based on individual and economical dependencies between the emperor, imperial freedmen, contractors, slaves, and convicts. I have thus been able to show different degrees of both asymmetrical and strong asymmetrical dependencies at the quarries. Both personal and structural dependencies were driving forces in the processing of marbles in several quarries in the Roman Empire, Simitthus included. For this system to work, the emperor relied on a whole network of people and institutions who were mainly, albeit in varying degrees, dependent on him. In fact, the interconnection of individual, personal and economical dependencies, some of them strong, guaranteed both continuous quarrying and the constant supply of some highly valuable marbles during the high empire in general. However, these individual and economic dependencies were in some perspectives necessarily reciprocal. Freedmen, slaves and entrepreneurs in the business could benefit from them, as could the emperor, too. These administrative networks in quarrying and marble trading have comparable equivalents in other economic sectors. Similar contract models are known from the operation of imperial *latifundia* in Roman North Africa, for which we have information from the *lex Hadriana de agris rudibus* and *lex Manciana*. In addition, the procurement of material by freedmen and slaves was a common practice in the economy in the Roman world, usually based on the system of support, patronage and obligations. The *procuratores marmorum* were economically heavily dependent on the emperor because of their personal connection to the emperor as their patron. The more skilfully they operated, the higher were the profits they made from producing and marketing surpluses.

These results and hypothesis show a need for further research, especially in the interlocking of networks and groups in economic sectors. It should be emphasized that an individual's legal status could be less important than their expertise and specialization, and that the various dependency systems, such as the patron-client system or the Roman con-

cept of *amicitia*, also played a major role in the economic development of the quarries. On the one hand, the knowledge and specialisation of the individual slaves and freedmen were used specifically in the individual economic sectors. On the other hand, slaves were also used en masse, just like prisoners, to perform heavy and dangerous works. Slaves and convicts usually worked under the supervision of experienced persons from workshops and often supervised by guards and soldiers. In these cases, it can be assumed that they were considered as a mere mass of people necessary to carry out menial tasks. If there were experienced workers among these slaves, they were probably specifically employed for certain activities and thus bore greater responsibility than others in their status group. It is essential to realize that in almost all the central steps of marble extraction and processing, slaves and sometimes convicts were involved. Without their work, extensive production could not have taken place in antiquity. However, these are often not accessible through self-testimonies, which is why specific models have to be developed to ensure a comparable investigation.

Appendix

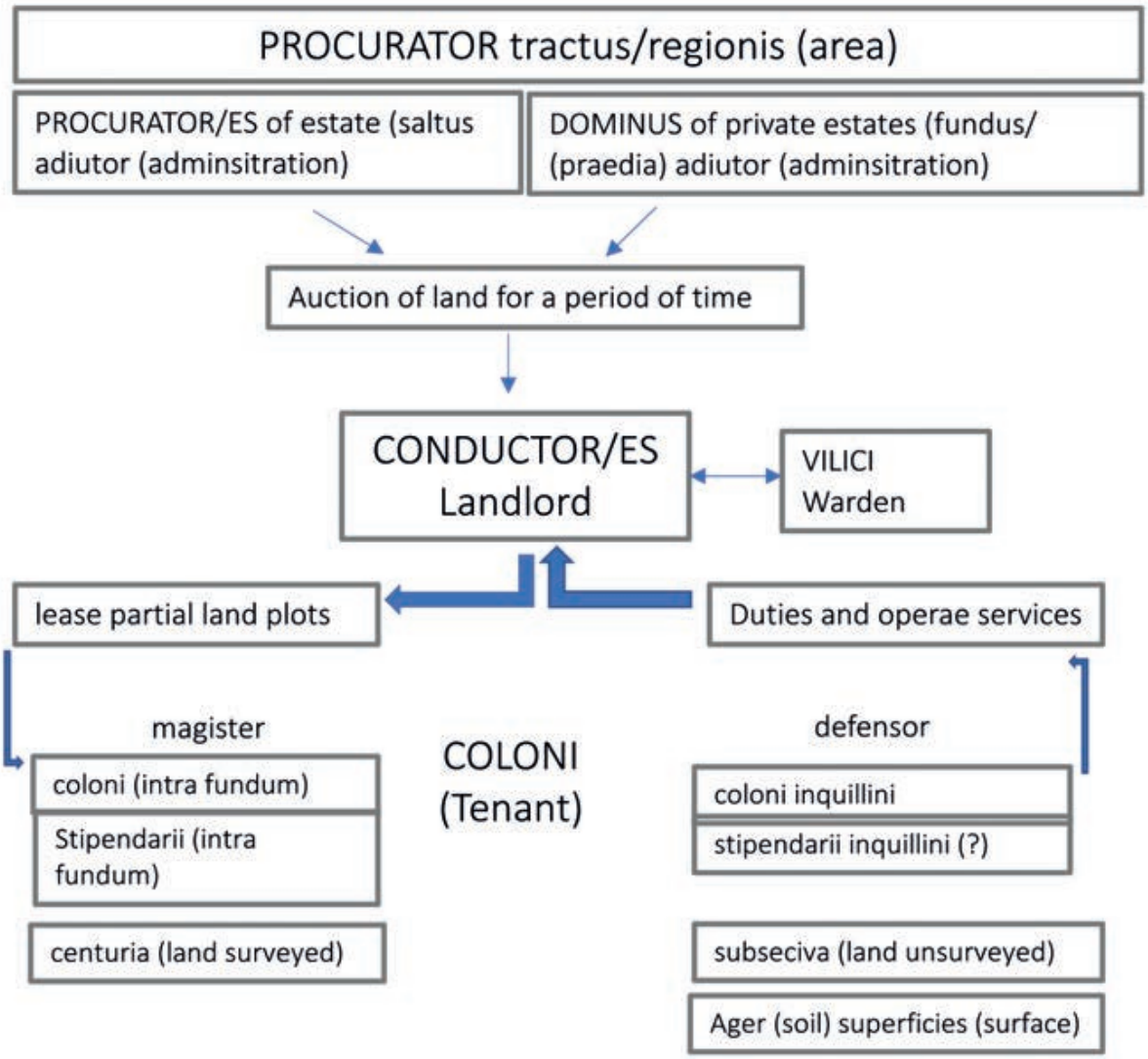

Fig. 1: Schematic of the administrative and organizational structure of imperial possessions based on the *lex Manciana.* Translated and modified according to the original by P. Scheding.

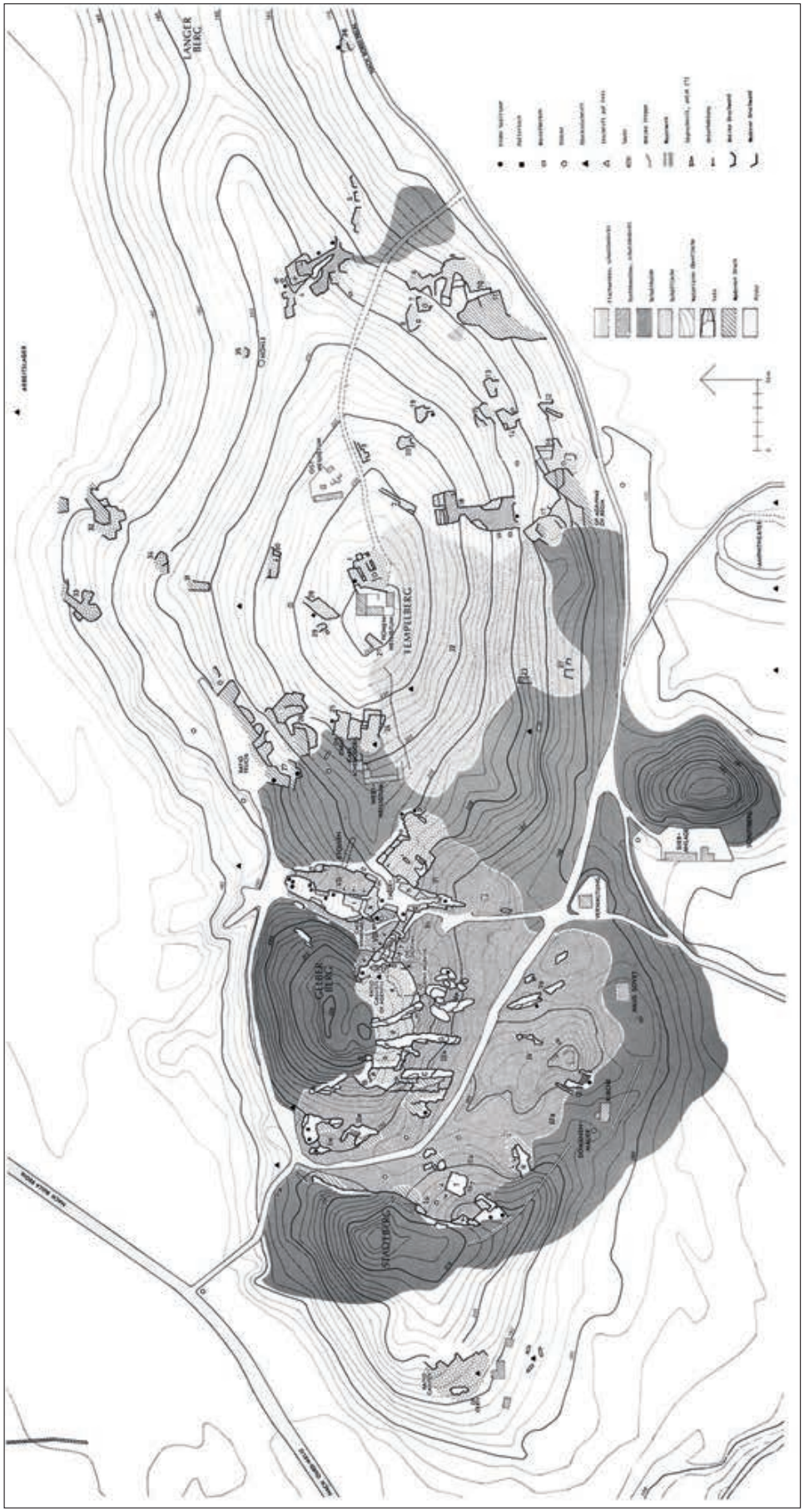

Fig. 2: Mapping of the quarrying traces by J. Röder in Simitthus; Röder, "Die Steinbrüche": Suppl. 4. Remains of quarrying operations were found in the dotted areas.

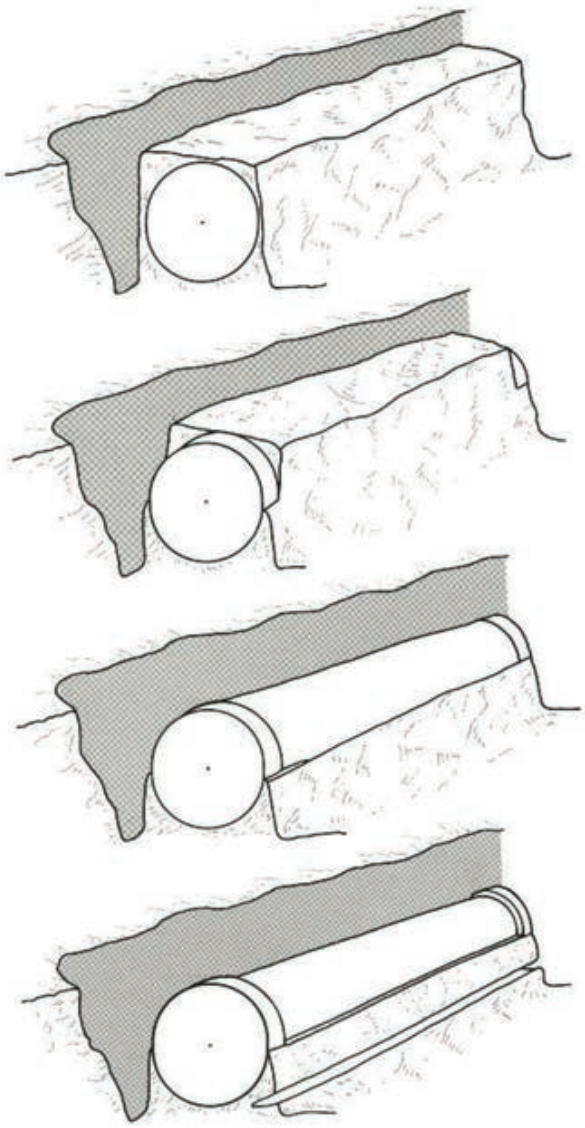

Fig. 3: Degradation process of a column.

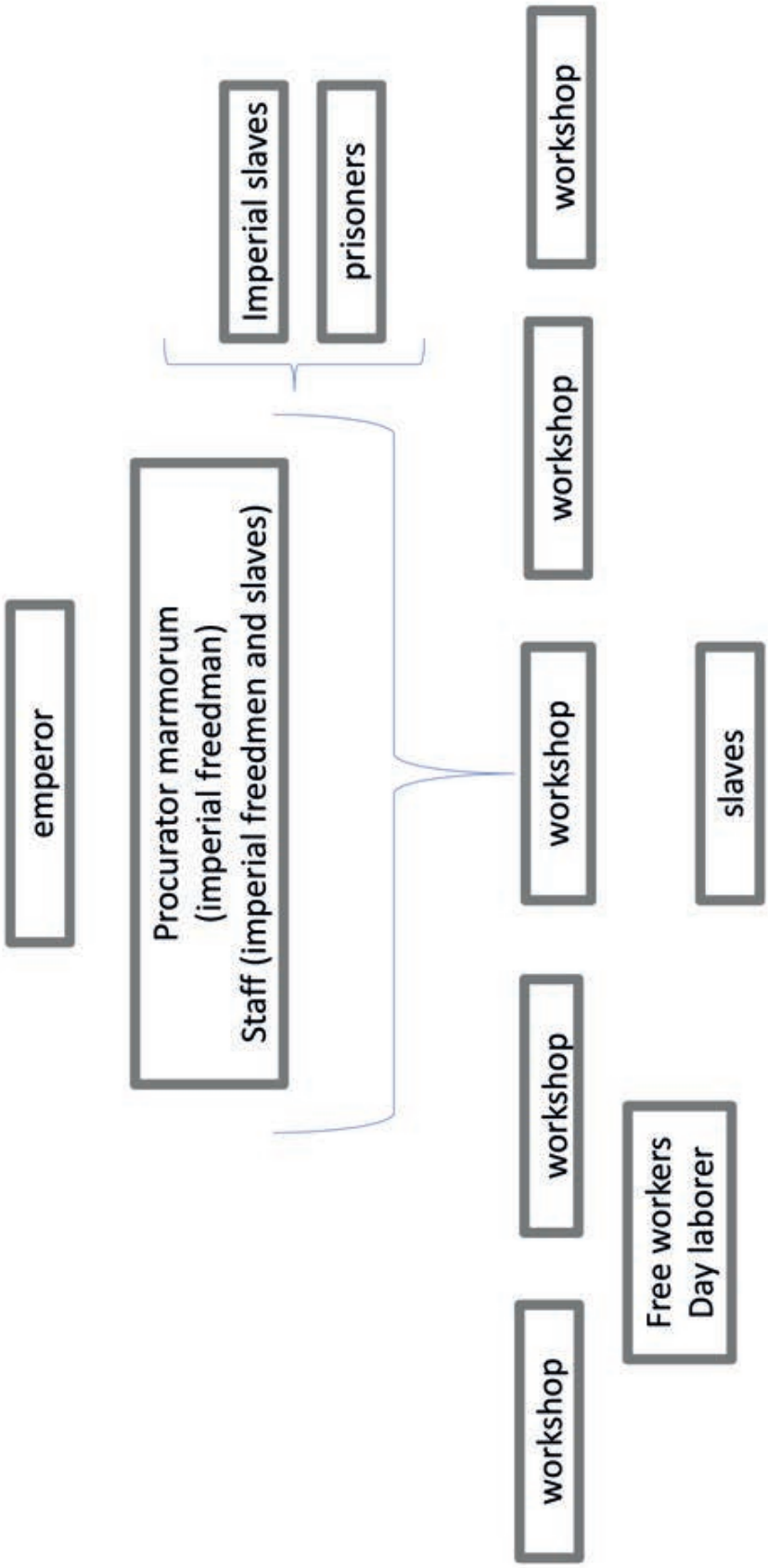

Fig. 4: Structure of administration in the quarries at Simitthus in the High Empire.

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Fig. 2: Röder, "Die Steinbrüche": "Beilage 4".
Fig. 3: Röder, "Die Steinbrüche": 48 fig. 20.
Fig. 4: Author.

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Quarries are an interdisciplinary research topic for scholars who are interested in technical organization, economy, work processes and supply chains. In antiquity, the quarrying and trade of stone were highly dependent on persons from a variety of legal status groups and their cooperation in networks and institutions. Research shows that during the high Roman Empire, some quarries both belonged to the Roman emperor and were operated by an administrative structure that was highly dependent on him. Although the administrations were organized in a strict hierarchy, they depended much more on the emperor and the officials he employed than on the legal statuses of individuals. Slaves and freedmen gained importance due to their specialization in business. Characteristic is the cooperation of these actors within different fields of work in the economy, but in many cases it cannot be determined in detail merely from the sources, and requires research models. By using the chaîne opératoire and analyzing the quarry at Simitthus as an example, the paper shows to what extent this methodology is suitable for identifying dependency relationships between individuals. In addition, interagency and spatial relations can serve as indicators of dependencies among the actors, and network analysis offers insights into administrations in imperial quarries.

THE AUTHOR

Dennis Mario Beck is a classical archaeologist, employed at the Department for Classical Archaeology at the Institute for Archaeology and Cultural Anthropology at the University of Bonn. He uses both archaeological data and literary sources to study different forms of dependency in the Punic, Greek and Roman worlds. His focus is on the ancient economy and network systems that were based on various forms of personal and institutional dependencies in the extraction and trading of resources, especially stone. He has researched the operation of ancient quarries such as the marble quarries at Simitthus, taking into account various hierarchically structured networks of different social groups and their collaboration and interaction. His current research focuses on different actors in economic processes working together in networks of exploitation, trade, and completion, as well as on the methodological framework for investigating these actors, for example by mapping production chains.

3. Research Lenses

3.4. Labour and Spatiality

Mònica Ginés-Blasi. "The 'Coolie Trade' via Southeast Asia: Exporting Chinese Indentured Labourers to Cuba through the Spanish Philippines," in *Slavery and Bondage in Asia, 1550–1850: Towards a Global History of Coerced Labour*, ed. Kate Ekama, Lisa Hellman and Matthias van Rossum (Berlin: De Gruyter, 2023): 97–120.

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Mònica Ginés-Blasi

The 'Coolie Trade' via Southeast Asia: Exporting Chinese Indentured Labourers to Cuba through the Spanish Philippines

1 Introduction

This chapter explores various Spanish state-promoted and private commercial strategies regarding the use of the Philippines as an alternative route for the export of Chinese indentured labourers to Cuba in the midst and decline of the 'coolie trade'.[1] With this study, I aim at setting a starting point from which to develop future research on the interconnections between the transoceanic coolie trade and human trafficking to Southeast Asia. In a previous article, titled 'Exploiting Chinese Labour Emigration in Treaty Ports', I suggested that the exportation of Chinese indentured labourers to Cuba was one of the Spanish government's main objectives in China to satisfy Cuban demand for cheap labour, and also driven by the private and individual interests which Spanish consular officers in China had in this business. Following this previous postulate, in this chapter I argue that the strategy of exporting Chinese immigrants via Manila was a shared operation between private agents – mainly coolie traffickers – and the Spanish state. This further implies that the coolie trade to Cuba and Chinese emigration to the Philippines were interconnected, state-promoted enterprises, and a priority of Spain's international relations in China.

1 'Coolie' is a pejorative and sensitive term referring to servile Chinese labour immigrants, usually employed using indenture contracts. In this chapter I will use this term in reference to the trafficking of Chinese labourers, often known as the 'coolie trade', and when referring to sources which label certain Chinese immigrants as 'coolies'. For recent contributions to the problematization of the 'coolie question', see Diane Kirkby and Sophie Loy-Wilson, eds., *Labour History and the Coolie Question*, special issue, *Labour History* 113 (2017): iii–v; Mae M. Ngai and Sophie Loy-Wilson, "Thinking Labor Rights through the Coolie Question," *International Labor and Working-Class History* 91 (2017): 5–7. Key works in the field of indentured labour are Arnold J. Meagher, *The Coolie Trade: The Traffic in Chinese Laborers to Latin America 1847–1874* (Philadelphia: Xlibris Corporation, 2008); David Northrup, *Indentured Labor in the Age of Imperialism, 1834–1922* (Cambridge: Cambridge University Press, 1995); Walton Look Lai, *Indentured Labor, Caribbean Sugar: Chinese and Indian Migrants to the British West Indies, 1838–1918* (Baltimore: Johns Hopkins University Press, 1993).

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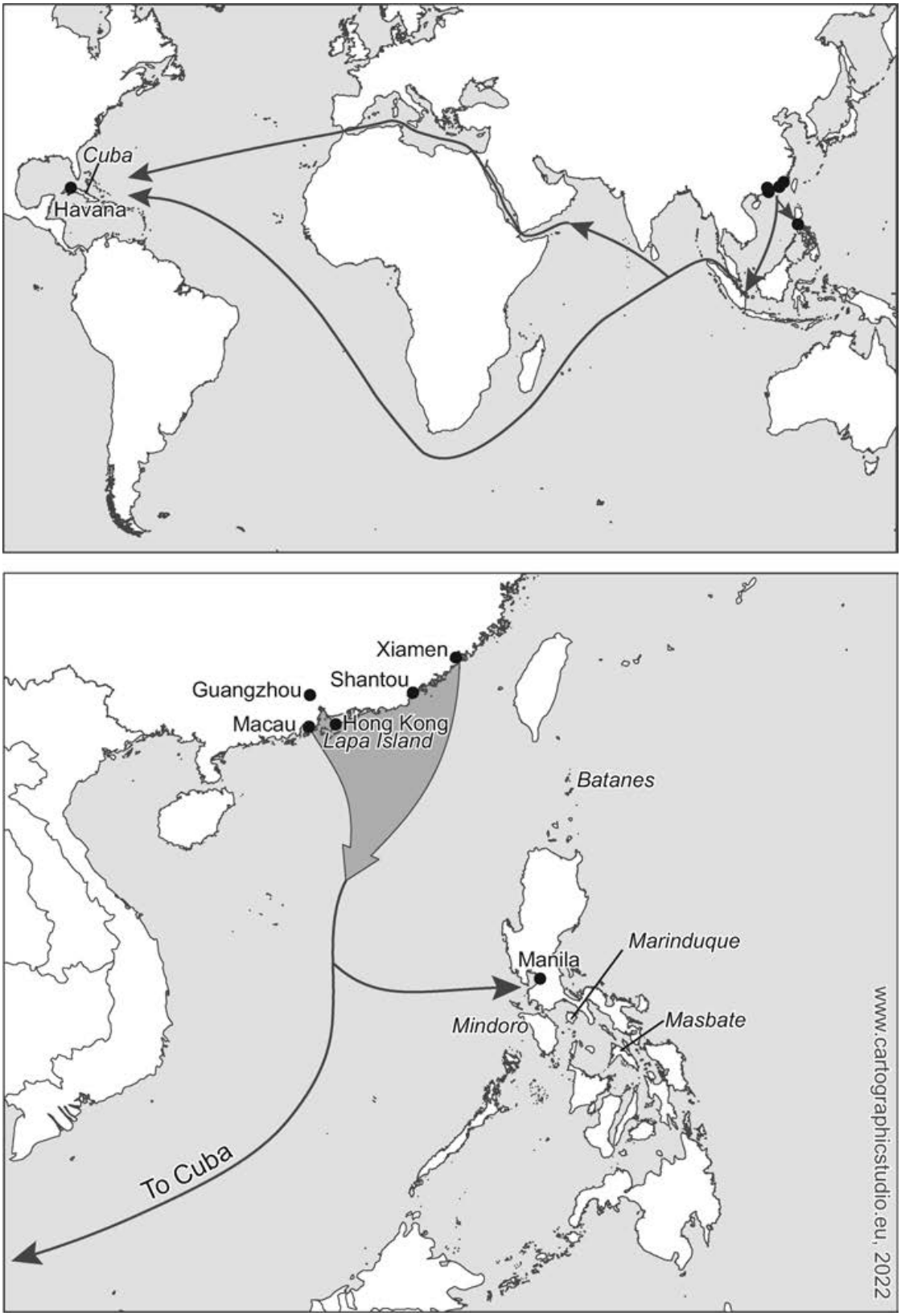
At a local level, this research tackles a long-unanswered question regarding whether there was a prearranged attempt to organize a trade in Chinese immigrants to the Philippines or, conversely, whether the influx of immigrants from the 1850s onwards just responded to a natural process of Chinese international mobility.[2] In particular, instead of focusing on whether there was a trade in indentured labour to the Philippines, as Elliott C. Arensmeyer, Charles J. McCarthy and I have done in previous publications, in this chapter I explore exclusively the strategic use of this colony in the transoceanic coolie trade.[3] In addition, in the context of the global coolie trade, this chapter portrays the deliberate use of colonial possessions to divert maritime migratory flows and transform them into sources of forced labour, drawing attention to the significant role of go-betweens. Through their actions, Western consuls and coolie agents, as well as Chinese brokers, were crucial in the transformation of 'free' emigrants into indentured coolies, revealing the processes which took place through the relationship between private agents and the state. The Spanish government's disregard for human exploitation to satisfy the commercial interests of its colonies overseas is due to the late entry of this country into the slavery business, coinciding with the pressure from the abolitionist movement.[4] From a global-historical perspective, Spain's late incorporation in the international slavery business – at the moment of its decline – pushed the Spanish government and entrepreneurs to seek alternatives to African slaves who might supplement them in slave-like conditions.

Certainly the fact that the silent and silenced agencies involved in the trade in humans – traders and migrants – were inconspicuous is a hindrance to researching the international and transoceanic migration of Chinese labourers. Moreover, the smuggling of emigrants to Southeast Asia, an unregistered trade, was common, and therefore the number, conditions, origin, and destination of these migrants are often difficult to assess. There is also a lack of reliable sources, since not only conflicts of interest often intervened in clearing up corruption around this trade, but official sources on this type of migration to the Philippines and Latin America are often erratic or incomplete. In particular, sources regarding the Spanish colonial government in the Philippines are either fragmentary or currently inaccessible. To elude these obstacles,

2 Elliott C. Arensmeyer, "British Merchant Enterprise and the Chinese Coolie Labour Trade, 1850–1874" (PhD diss., University of Hawaii, 1979): 274–75.

3 Elliott C. Arensmeyer, "The Chinese Coolie Labor Trade and the Philippines: An Inquiry," *Philippine Studies* 28, no. 2 (1980): 187–98; Charles J. McCarthy, "Chinese Coolie Labor Minimal in the Philippines," *The Annals of the Philippine Chinese Historical Association* 5 (1975): 8–29; Mònica Ginés-Blasi, "A Philippine 'Coolie Trade': Trade and Exploitation of Chinese Labour in Spanish Colonial Philippines, 1850–98," *Journal of Southeast Asian Studies* 51, no. 3 (2020): 1–27.

4 Josep Maria Fradera and Christopher Schmidt-Nowara, "Introduction: Colonial Pioneer and Plantation Latecomer," in *Slavery and Antislavery in Spain's Atlantic Empire*, ed. Josep Maria Fradera and Christopher Schmidt-Nowara (New York: Berghahn Books, 2013): 1–12.



Map 4: Chinese indentured labour migration flows to the Philippines and Cuba.

I have used a variety of multinational primary sources – some of which remain unpublished – scattered in archives in Spain, the Philippines, the UK, and Portugal.[5]

Beyond reaching for a wide range of archival material, I also challenge these research obstacles by looking into the various state-promoted policies and private commercial strategies that confronted the international condemnation of indentured trade to Cuba. I will first elaborate on how bondage and coercion manifested in the Chinese emigration systems to Cuba and the Philippines. Secondly, I will portray the earliest commercial endeavours to import Chinese indentured labour into the Philippines. I will afterwards focus on how the first Spanish representative in China and the Spanish metropolitan government planned on using Manila as a route for the export of Chinese labourers in the 1860s, and assess the success of their strategies. Finally, I will show how coolie traffickers still explored the Manila route in the 1870s to reinitiate the halted trade, and how they received the help and support of the Minister of Overseas Affairs through his extended network.

2 Chinese Emigration to Spanish Colonies

The migratory flow from the south China coast to Manila was long-standing and there were established maritime routes which British and Spanish naval commerce used for Chinese passenger conveyance.[6] The Spanish central government planned to use Manila for the supply of indentured labourers in order to avoid international condemnation of the trade when it became stagnant in the late 1860s. In the 1850s there were failed initiatives to introduce Chinese agricultural labourers to the Philippines. Spanish agents associated to Cuban planters, with the support of the Spanish Minister of Overseas Affairs (Ministro de Ultramar), also explored this possibility when planning to reinitiate the trade when it was officially restricted in 1874. This case highlights interconnections between the 'coolie trade' and the 'credit-ticket' or 'assisted migration' systems, stressing the permeability between these forms of labour mobility used for

5 These sources consist of correspondence between the Spanish legation and consulates in China with the Ministry of State and the Office, the Ministry of Colonial Affairs, ship captains and owners, and immigration agents, preserved at the Archivo Histórico Nacional (AHN) in Madrid and at the Library Balaguer (LB) in Vilanova i la Geltrú, Barcelona; the British Foreign Office (FO) and Colonial Office (CO) preserved at the National Archives (BNA). To a lesser extent, I am also citing sources consulted at the Arquivo Histórico Ultramarino (AHU), in Lisbon, and records of the Spanish colonial government in the Philippines kept at the National Archives of the Philippines (NAP). Access restrictions to the NAP's Spanish Section have compromised the availability of primary sources. Further research has been postponed in the hope of future accessibility to this Section.

6 I have recently researched the introduction of Chinese labourers to the Philippines in Ginés-Blasi, "A Philippine 'Coolie Trade'".

Cuba and the Philippines respectively.[7] Both originated in the same recruiting settings in treaty-port China's gathering stations – such as Xiamen – and developed bondage mechanisms. This chapter considers the role of intermediaries – the Spanish state and human traffickers – in the creation of an interconnected system of forced labour migration between China, Cuba, and the Philippines (Map 4). This transoceanic connection through the Spanish Empire serves as a case study of the transformation of bondage, from African slavery in Cuba, through Chinese indentured labour, and to 'free' emigration to the Philippines.[8]

Indentured labourers from China were the main workforce sought by Cuban planters to supplement African slaves in the second half of the nineteenth century. The abolitionist movement and the subsequent increase in the cost of slaves drove Cuban planters to look for an addition to African slave labour, which they found in the form of Chinese indentured contract labourers, who became indispensable to the Cuban economy.[9] Between 1847 and 1874 about 125,000 Chinese men were transported to Havana through a transnational mass-migration business venture, to work mostly on sugar cane plantations, providing reinforcements to African labour while slavery was being 'gradually abolished'.[10] Between 1850 and 1898, there was also an unparalleled inflow of Chinese immigrant labourers to the Philippines, which raised the number of Chinese residents to 100,000. As in the trade to Cuba, Chinese brokers and foremen, Spanish institutions and authorities in Manila, consuls in China, and Spanish and British ship captains obtained abundant profits from this migratory movement by overcharging extra fees and taxes to the labourers for their own personal economic benefit. The import to and abuse of Chinese immigrant labourers in the Philippines was constant throughout the second half of the

7 Philip A. Kuhn, *Chinese among Others: Emigration in Modern Times* (Singapore: NUS Press, 2008); Ei Murakami, "Two Bonded Labour Emigration Patterns in Mid-Nineteenth-Century Southern China: The Coolie Trade and Emigration to Southeast Asia," in *Bonded Labour and Debt in the Indian Ocean World*, ed. Alessandro Stanziani and Gwyn Campbell (London: Routledge, 2015): 153–64.

8 Oliver Tappe and Ulrike Lindner, "Introduction: Global Variants of Bonded Labour," in *Bonded Labour: Global and Comparative Perspectives*, ed. Sabine Damir-Geilsdorf, Ulrike Lindner, Gesine Müller, Oliver Tappe, and Michael Zeuske (Bielefeld: transcript, 2016): 9–34; Richard B. Allen, "Asian Indentured Labor in the 19th and Early 20th Century Colonial Plantation World," *Oxford Research Encyclopedia of Asian History*, ed. David Ludden (Oxford: Oxford University Press, 2017); Ulbe Bosma, Elise van Nederveen Meerkerk, and Aditya Sarkar, "Mediating Labour: An Introduction," *International Review of Social History* 57, no. S20 (2012): 1–15.

9 Evelyn Hu-DeHart, "Chinese Coolie Labor in Cuba in the Nineteenth Century: Free Labor of Neoslavery," *Contributions in Black Studies: A Journal of African and Afro-American Studies* 12 (1994): 38–54; Juan Pérez de la Riva, *El barracón: Esclavitud y capitalismo en Cuba* (Barcelona: Editorial Crítica, 1978); Juan Pérez de la riva, *La república neocolonial* (Havana: Ciencias Sociales, 1975); Juan Jiménez Pastrana, *Los Chinos en la historia de Cuba: 1847–1930* (Havana: Ciencias Sociales, 1983).

10 The official abolition of slavery in Cuba took place in 1886. See Arthur F. Corwin, *Spain and the Abolition of Slavery in Cuba, 1817–1886* (Austin: University of Texas Press, 2014).

nineteenth century.[11] The export of labourers to Cuba via Manila was somewhat successful, as some Chinese labourers in Cuba declared coming from the Philippines.[12] The interconnection between these two migratory flows has remained unexplored despite its potential to contribute to current discussions on the global coolie trade, as well as transitions between various forms of bondage. Yet while this chapter focuses on the interconnections between these two systems of mobility, further research needs to be done to ascertain the extent of emigration to Cuba via the Philippines, as well as where and how the workers were engaged – either before their departure from China or in the Philippines.

The recruitment and departure sites of Chinese indentured labourers on the south China coast underwent transformations throughout the period of the 'coolie trade' to Latin America to evade restrictions. For instance, Xiamen (also known as Amoy) changed from a port of departure to a gathering station in the 1860s, and Macau authorities suggested using the nearby island of Lapa to continue dispatching emigrants after the official halt of the traffic in 1876.[13] Authors Lisa Yun and Ricardo René Laremont have pointed to the use of the Philippines to smuggle coolies when their procurement became increasingly difficult due to British opposition in Xiamen.[14]

The Spanish government and immigration agents in China explored the use of the Philippines as a secondary route to avoid the international condemnation of the trade to Cuba and to ensure its continuity. This took place in two particular moments: after the trade's decline in 1868, and before its official halt in 1874, when agents and *hacendados* in Cuba foresaw the incoming restrictions to the trade.[15] Previously, Spanish entrepreneurs, with the support of authorities in the Philippines and representatives in China, considered the recruitment of Chinese indentured labourers to develop Philippine agricultural production. The Spanish government and human traffickers took advantage of the strategical maritime dominion of the Philippines to provide a substitute for the increasingly declining supply of slave labour in a subversive manner. This strategy had been used before, for instance to move the bulk of the trade from Xiamen to Macau, yet introduced unprecedented colonial connections in the coolie trade.

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11 Ginés-Blasi, "A Philippine 'Coolie Trade'."

12 *Chinese Emigration: Report of the Commission Sent by China to Ascertain the Condition of Chinese Coolies in Cuba* (Shanghai: Imperial Maritime Customs Press, 1876): 8.

13 Mònica Ginés-Blasi, "Exploiting Chinese Labour Emigration in Treaty Ports: The Role of Spanish Consulates in the 'Coolie Trade'," *International Review of Social History* 66, no. 1 (2021):1–24. Secretaria de Estado da Marinha e Ultramar, Direcção geral do Ultramar, Correspondencia de Macau e Timor, 1876, AHU-ACL-SEMU-DGU-005, Cx. 45.

14 Lisa Yun and Ricardo René Laremont, "Chinese Coolies and African Slaves in Cuba, 1847–74," *Journal of Asian American Studies* 4, no. 2 (2017): 112–13; Lisa Yun, *The Coolie Speaks: Chinese Indentured Laborers and African Slaves in Cuba* (Philadelphia: Temple University Press, 2008): 21.

15 José Luis Luzón, "Chineros, diplomáticos y hacendados en La Habana colonial. Don Francisco Abellá y Raldiris y su proyecto de inmigración libre a Cuba (1874)," *Boletín Americanista* 39 (1989): 147.

3 Bondage, Coercion and Chinese Emigration

The mechanism operating the emigration of Chinese labourers to Cuba and the Philippines was similarly abusive in many respects, particularly regarding their recruitment, transport, and in the entrance into conditions of involuntary debt bondage.[16] Bondage in Chinese indentured labour in Cuba has been portrayed in the historiography for more than five decades, from the work of established Cuban historians Juan Pérez de la Riva and Jiménez Pastrana in the 1970s and 1980s,[17] to more recent authors such as Evelyn Hu-DeHart, Lisa Yun, Kathleen López, Michael Zeuske, and Benjamin Nicolas Narváez.[18] Parallelisms with the previous and ongoing system of African slavery which indentured labourers experienced in Cuba have also been widely discussed by these authors. In contrast, the exploitation of Chinese emigrant labourers to and in the Philippines has only been recovered recently in Jely Agameo Galang's dissertation and in my article 'A Philippine "Coolie Trade": Trade and Exploitation of Chinese Labour in Spanish Colonial Philippines, 1850–1898', and also previously tackled by McCarthy and Arensmeyer in two articles published in 1975 and 1980 respectively.[19]

Coercion and bondage in the Cuban case are clear as they were inflicted in the three 'moments' which Marcel van der Linden has identified as characteristic of coerced labour: recruitment, the period of work, and the end of the labour relationship.[20] Chinese prospective immigrants were victims of many abuses inflicted in the

16 Marcel van der Linden, "Dissecting Coerced Labor," in *On Coerced Labor: Work and Compulsion after Chattel Slavery*, ed. Marcel van der Linden and Magaly Rodríguez García (Leiden: Brill, 2016): 300–301.

17 Jiménez Pastrana, *Los Chinos en la historia de Cuba: 1847–1930*; Juan Pérez de la Riva, "La situación legal del culí en Cuba: 1849–1868," *Cahiers Du Monde Hispanique et Luso-Brésilien* 16 (1971): 7–32.

18 Lisa Yun, "Chinese Freedom Fighters in Cuba: From Bondage to Liberation, 1847–1898," in *Afro Asia: Revolutionary Political and Cultural Connections Between African Americans and Asian Americans*, ed. Fred Ho and Bill V. Mullen (Durham and London: Duke University Press, 2008): 33; Kathleen López, *Chinese Cubans: A Transnational History* (Chapel Hill: University of North Carolina Press, 2013); Michael Zeuske, "Coolies – Asiáticos and Chinos: Global Dimensions of Second Slavery," in *Bonded Labour: Global and Comparative Perspectives (18th–21st Century)*, ed. Sabine Damir-Geilsdorf et al. (Bielefeld: transcript Verlag, 2016): 35–57; Benjamin Nicolas Narváez, "Chinese Coolies in Cuba and Peru: Race, Labor, and Immigration, 1839–1886" (PhD diss., University of Texas, 2010); Benjamin Nicolas Narváez, "Abolition, Chinese Indentured Labor, and the State: Cuba, Peru, and the United States during the Mid Nineteenth Century," *The Americas* 76, no. 1 (2019): 5–40.

19 Jely Agamao Galang, "Vagrants and Outcasts: Chinese Labouring Classes, Criminality, and the State in the Philippines, 1831–1898" (PhD diss., Murdoch University, 2019); Ginés-Blasi, "A Philippine 'Coolie Trade'"; McCarthy, "Chinese Coolie Labor Minimal in the Philippines"; Arensmeyer, "The Chinese Coolie Labor Trade and the Philippines".

20 Van der Linden, "Dissecting Coerced Labor": 298.

process of recruitment and embarkation: mostly coming from the provinces of Guangdong and Fujian, they were frequently enticed deceitfully with false promises of good wages and forced to sign up for emigration – and even tortured until they agreed to do so.[21] Sometimes, they were plainly kidnapped. Once taken to the port of departure – mainly Xiamen, Shantou (also known as Swatow), Macau, and Guangzhou – they were held in guarded receiving stations, known as 'barracoons' (a term derived from the barracks used to keep slaves in the African slave trade), where they were locked and banned from withdrawing their 'consent'.[22] The signing of contracts and embarkation had to be certified by Western authorities and consuls. In this process, when contracts had to be read to prospective emigrants, they were often misinformed as to the translation, or the Chinese translation was just not read to them. Sometimes, emigrants were misled into thinking that they were migrating to other sites in Southeast Asia, such as Annam or Singapore, and were not aware that they were being taken as far away as Latin America.[23] The abuses committed during recruitment and embarkation stirred up mutinies on board of ships as well as riots and conflicts against Westerners in treaty ports, such as the Amoy riot in 1852.[24]

Transoceanic voyages of Chinese migrant vessels stand out for the high average death rates on board – sixteen per cent in the Cuban case. They later suffered abuse in their working and living conditions, where they lived with a constant threat of physical harm or imprisonment if they decided to flee. They were confined in the same way as slaves – even shackled together –, with the same methods of physical control, such as shackles, traps, whippings, and lockups – tools of repression also employed on the vessels in these transoceanic voyages. The costs of transport, food, taxes, clothes, agency, passport, and legalizations had been advanced to the emigrant in China, so at the end of the eight-year contracts they had accumulated a debt with the *patrón* or *patrono* (the employer in Cuba) – who had bought their contracts from the contracting agency – which they could seldom pay back, and thus were obliged to enter a new contract.[25]

21 Oriol Regué-Sendrós is currently conducting in-depth research about the origin of Chinese immigrants in Cuba. He presented some of his preliminary findings in the talk 'Spanish Colonial Rule and the forced Chinese migration to Cuba (1850s–1860s)' at the 11th International Convention of Asian Scholars (ICAS11) in Leiden, 15 July 2019.

22 *Chinese Emigration: Report of the Commission Sent by China to Ascertain the Condition of Chinese Coolies in Cuba*, 6–8; Meagher, *The Coolie Trade*, 66–82.

23 *Chinese Emigration: Report of the Commission Sent by China to Ascertain the Condition of Chinese Coolies in Cuba*, 11.

24 Elliott Young, *Alien Nation: Chinese Migration in the Americas from the Coolie Era through World War II* (Chapel Hill, NC: University of North Carolina Press, 2014): 34–46.

25 Hu-DeHart, "Chinese Coolie Labor in Cuba in the Nineteenth Century"; *Chinese Emigration: Report of the Commission Sent by China to Ascertain the Condition of Chinese Coolies in Cuba*. Regarding the racialization of the Chinese in Cuba and the deprivation of their rights as 'free white settlers', see Oriol Regué-Sendrós, "Chinese Migration to Cuba: Racial Legislation and Colonial

As in the Cuban case, Chinese immigrants in the Philippines became tied to their creditors through debt, and this abuse persisted because it was financially fruitful for many actors. Despite the parallelisms between the Cuban and Philippine migratory movements, few authors have explored whether there was trade in indentured labourers to the Philippines. McCarthy and Arensmeyer looked into this possibility more than three decades ago, and focused on the lack of a contract labour system to disprove that there was coolie trade.[26] In contrast, I highlight the similarities in the arrangement of the two migratory fluxes in treaty ports and the use of debt bondage in the Philippines to argue that they were interconnected. The abusive emigration mechanism to Manila was also prearranged and tied these emigrants to bondage by debt from which it was difficult to break free.[27] Chinese brokers and foremen, Spanish institutions and authorities in Manila, consuls in China, companies operating in the Philippines, as well as Spanish and British ship captains and owners, all took advantage of these immigrants in China and in the colony, leading to an unprecedented inflow of immigrants. Thus, the flow of Chinese immigrants to both colonies was steady because a wide range of actors obtained pecuniary profits from it. These agents' actions, however, often remained in the shadows to protect their obscure business interests.[28]

Chinese immigrant labourers in the Philippines were also victims of bondage and coercion under a system of 'assisted migration'. Migrants entered debt bondage with their *cabecillas* ('gang leaders'), and would remain 'unfree' until they paid back all these advances from their wages – which the *cabecillas* retained.[29] The abusive taxes which they had to pay during the issuing of passports and legalizations in China significantly increased the debt with their creditors. Transportation to Manila was also a source of abuse. Chinese emigrants travelled in such overcrowded vessels – particularly the Spanish ones – that acting British consul Herbert A. Giles felt obliged to intervene. In 1881, Giles denounced how Spanish consuls in Xiamen obtained significant revenue from every Chinese citizen shipped to Manila through the issuing of passports. It was therefore in their personal interest to em-

Rule in the Mid-Nineteenth-Century Spanish Empire," *Journal of Iberian and Latin American Studies* 24, no. 2 (2018): 279–92.

26 McCarthy, "Chinese Coolie Labor Minimal in the Philippines"; Arensmeyer, "The Chinese Coolie Labor Trade and the Philippines."

27 Ginés-Blasi, "A Philippine 'Coolie Trade'."

28 McCarthy, "Chinese Coolie Labor Minimal in the Philippines"; Arensmeyer, *British Merchant Enterprise and the Chinese Coolie Labour Trade, 1850–1874*; Ginés-Blasi, "A Philippine 'Coolie Trade'."

29 For the use of monetary taxes to enter bondage see van der Linden, "Dissecting Coerced Labor": 303.

bark as many immigrants as possible, which led to overcrowding these steamers, a situation which led to 'much dissatisfaction' among the general public.[30]

The issue which remains the most unclear is the process by which a prospective emigrant went from a journey to the Philippines to ending up in Cuba. Those Chinese emigrants in Cuba who declared coming from the Philippines could have either been recruited in China and travelled via the Philippines; or they could have been recruited in the Philippines after emigrating there, or they could have been misled into believing that they were travelling to the Philippines, but were taken to Cuba instead.

The most significant difference between emigration to Cuba and to the Philippines is the use of contracts of indenture in Cuba, and the lack thereof – with some exceptions – in the Philippines. McCarthy and Arensmeyer thought that the assisted migration and credit-ticket systems that applied in the Philippines – which some contemporary witnesses confused with indenture contract labour – were less open to abuse. As in Cuba, in other situations where indenture was also practiced, such as Assam for instance, contracts gave planters the sought-after protection and rights over the workers, whom they perceived as an investment, as they had paid for their recruitment and journey to the plantations.[31] However, migrating to the Philippines without signing a contract of labour in China did not assure these emigrants' freedom in their place of destination. Chinese labour migration to the Philippines consisted in a kinship-based Chinese broker and foreman system. Richard T. Chu has indicated how the reliance on hometown networks, while sometimes helping newly arrived immigrants to settle quickly, was also a frequent source of exploitation, as the debt generated through the credit-ticket system left immigrants at their recruiters' mercy.[32] The lack of regulations was, therefore, the source of exploitation. In 1883, the British consul in Xiamen still complained how, although many Chinese departed from there without indentures, they would later become 'involved in the meshes of some kind of contract of which they have no information here'; thus, becoming recruited elsewhere for Latin America was possible.[33] At least some of the labourers migrating to the Philippines with contracts of indenture – such as for mining jobs – are reported to have been recruited in Macau through the

30 Herbert A. Giles to Thomas F. Wade, Xiamen, 12 Mar. 1881, in *To and from Amoy*, 1883, BNA, FO 228/721. Regarding the economic profits extracted from emigration and the overcrowding of vessels, see Ginés-Blasi, "A Philippine 'Coolie Trade'": 15–26.

31 Nitin Varma, *Coolies of Capitalism* (Berlin: De Gruyter, 2017): 1.

32 Richard T. Chu, *Chinese and Chinese Mestizos of Manila: Family, Identity, and Culture, 1860s–1930s* (Leiden: Brill, 2010): 110–11. Marcel van der Linden has identified kinship and community pressure as a form of entry into bondage, see van der Linden, "Dissecting Coerced Labor": 302.

33 *To and from Amoy*, 1883, BNA, FO 228/721. I am grateful to Douglas Fix for providing this reference to me.

same system as migrants engaged for Cuba and Peru. They shared the same vessels as their Cuban counterparts, and stopped over in the Philippines.[34]

4 Early Projects to Introduce Indentured Labourers into the Philippines

In the mid-nineteenth century, just when the coolie trade to Cuba and Peru began gaining momentum, some entrepreneurs in the Philippines also started to consider the mass introduction of Chinese indentured labourers for plantation development and mining. Primary sources indicate that leading human traffickers in the Latin American trade also provided the emigrating arrangements to the Philippines from Xiamen. This highlights the interconnection between the two systems, although in comparison with Cuba, efforts were made to provide fairer working conditions. Nevertheless, climate and geographical conditions – with the frequent threat of typhoons and shipwrecks – seemed an inexorable impediment to these plantations, and so these projects seemed to be generally unsuccessful in the long term.[35]

One particular merchant, Juan Bautista Marcaida – an energetic entrepreneur of Basque origin who held several official public positions in the Philippine administration – stands out for trying to develop the importation of Chinese labour as a means for speculation in the 1850s. During those same years, the Philippine Governor Urbiztondo had precisely facilitated the import of groups of Chinese agricultural workers.[36] In his book *Empresas agricolas, con chinos, en Filipinas, tomando por tipo lo que podrian producir en la isla de Mindoro*, Marcaida devised a plan for the introduction of more than 65,000 Chinese within ten years in Mindoro. The company would advance half of the emigration costs to the emigrant, who would work as a tenant farmer for 300 days a year and be paid 1.5 reales, the same as the locals' salary, as well as obtaining half the profits from their crops.[37] Marcaida was finally able to found and manage four farms based on Chinese labour on the islands of Batanes, Mindoro, Masbate, and Marinduque, although the first two had to be abandoned due to bankruptcy.[38] McCarthy

34 Galang, "Vagrants and Outcasts": 105–6.

35 See, for instance, the delays in the introduction of Chinese migrants to Batanes and Babuyanes due to severe weather conditions and a shipwreck. *Introducción de colonos chinos en Batanes y Babuyanes*, AHN, ULTRAMAR, 5162, Exp.48.

36 John Bowring, *A Visit to the Philippine Islands* (London: Smith, Elder & Company, 1859): 315.

37 Juan Bautista Marcaida, *Empresas agricolas, con chinos, en Filipinas, tomando por tipo lo que podrian producir en la isla de Mindoro* (Manila: Amigos del Pais, 1850): 3–15.

38 *Ensayo de la aplicación de filamentos del plátano por Juan Bautista Marcaida*, AHN, ULTRAMAR, 435, Exp. 3*; Erección de pueblo de Bohol, 1837. Exp. 4, S13–24. Oficio de Don Juan Bautista Marcaida, director de la Hacienda de Naro, de la Isla de Masbate al Excelentísimo Sr. Gobernador y Capitán General de Filipinas suplicándole vuestra Excelencia se ordene al Gob. Político Militar de*

suggests that the wealthy entrepreneur Mariano Rojas also imported unskilled Chinese labourers to work his estates in 1848.[39]

James 'Santiago' Tait, a British merchant who moved from Manila to Xiamen in 1846, provided the workers for Marcaida's project from Xiamen. Tait & Company was the main firm dedicated to the trafficking of Chinese emigrants to Latin America. Tait created this business in Xiamen after working for the Spanish company Eugenio de Otadui y Cª in Manila. When Tait moved to Xiamen in 1846, he also became acting vice-consul for Spain in Xiamen, a position which he used to obtain the monopoly of the trade in labourers and to commit abuses. Being the main supplier of workers to Latin America, Tait's business and the involvement in Marcaida's project strengthens the idea of Manila as a point of departure of Chinese emigrants to Cuba. Aside from being Marcaida's agent on that occasion, Tait also appears in some documents which connect him and Philippine companies to Chinese emigration to the Philippines and to Cuba. For instance, Tait hired a number of Chinese recruited for Cuba together with the Manila company Matia Menchacatorre, and he also appears in a document regarding the emigration of a hundred Chinese men on board of the ship *Juno* to Batanes, contracted for five years by a Manila company.[40]

In 1855 Tait was at the centre of a scandal involving the Spanish Consul General, Nicasio Cañete y Moral, who – like Tait – used his position to obtain personal profit from ship duties, legalizations and certifications in the embarkation and departure of coolie ships to Cuba. This episode shows how ferociously Spanish authorities in China fought to defend their private business profits while holding official responsibilities, and even using their position of authority to obtain the most benefit out of international human trafficking.[41] After a long quarrel between the consul and vice-consul, Tait was finally dismissed, and another Spanish merchant with business in Chinese emigration took over his position.[42] There is still one last piece of news that connects Tait and Chinese immigration to Manila, as it places him on the shipwrecked British steamship *Luzon* in December 1864. This vessel was sailing from Xiamen to Manila, and on board there were only Tait, a Spaniard named Rentería, and seventy Chinese

Bohol no se ponga obstáculo y se facilite la traslacion de los naturales de aquella provincia a la Hacienda de Naru de su propiedad, NAP, SDS 13936, Exp. 4, S13–24. Edgar Wickberg, *The Chinese in Philippine Life, 1850–1898* (New Haven, CT: Yale University Press, 1965): 57.

39 McCarthy, "Chinese Coolie Labor Minimal in the Philippines": 15–16.

40 Ginés-Blasi, "A Philippine 'Coolie Trade'." See Juan Pérez de la Riva, *Documentos para la historia de las gentes sin historia: El tráfico de culíes chinos* (Havana: Biblioteca Nacional, 1965): 82. *Embajadas y legaciones, China, 1836–1865*, AHN, Mº_EXTERIORES_H,1445. Ander Permanyer-Ugartemendia, "La Participación española en la economía del opio en Asia Oriental tras el fin del Galeón" (PhD diss., Universitat Pompeu Fabra, 2013): 394.

41 Ginés-Blasi, "Exploiting Chinese Labour Emigration in Treaty Ports."

42 *Tait, Santiago*, AHN, Mº_Exteriores_PP1013.

people. The conditions in which these Chinese were travelling, and their relationship with Tait, however, is still unknown.[43] All passengers survived the shipwreck.

Aside from these projects, female and male infant smuggling into the Philippines was systematic from every Chinese port and particularly common from Ningbo and via Macau – the main centre of the coolie trade – in the 1850s. The export of Chinese male infants to Cuba was also common, an aspect of the history of China's human trafficking which has not yet been researched in connection to the coolie trade.[44] One representative case of the connection of female infant smuggling with both the Philippines and Cuba is the case of the British vessel *Inglewood*, discovered in Xiamen to be harbouring forty-four little Chinese girls thought to be under eight years of age. The girls' final destination was an unsolved mystery, and it was never clear if they were bound for Manila or for Cuba, to join male coolies in Cuban plantations.[45]

In the second half of the nineteenth century, Chinese women were in high demand in both Spanish colonies, as these were significant destinations for the export of male Chinese labourers. This is because the objective of some Spanish authorities was providing these colonies with labourers who would settle and work on plantations long term. Spanish authorities in Asia and the Spanish metropolitan government were interested in the emigration of women and, better yet, of whole families. The intense demand for women from a country which presented sociocultural obstacles to their emigration stimulated the international smuggling of female infants.[46]

The export of females to Cuba, and the conveyance of female children to the Philippines were also state-supported initiatives. To promote the emigration of women to Cuba, the Spanish Royal Decree of 22 March 1854 established that one fifth of emigrants embarking for that destination had to be women; however, this had little success.[47] Furthermore, the demand for women in the Philippines sparked plans for using an orphanage, the Santa Infancia sisterhood in Fujian, to provide the Philippines with female Christian children, an idea which the Spanish Minister

43 *La Correspondencia de España. Diario Universal de Noticias*, Madrid, 19 March 1865. I am grateful to John Shufelt for providing me with this reference.

44 The recruitment into indenture of male children under the age of ten could have been a common practice also for the Atlantic coolie trade, see BNA, CO 885/1/19.

45 Meagher, *The Coolie Trade*: 82–91; Arensmeyer, "The Chinese Coolie Labor Trade and the Philippines": 192.

46 *Expediente general sobre colonización asiática en Cuba*, AHN, ULTRAMAR, 85, Exp. 3; Nicasio Cañete y Moral to the First Secretary of State and the Office, Macau, 9 April 1855, *Consulado de Macao*, AHN, M°_EXTERIORES_H1949. Júlia Martínez has already shown how the reliance of European colonialism upon Asian male migrant labour encouraged the trafficking of Asian women to Southeast Asia for prostitution, see Julia Martínez, "Mapping the Trafficking of Women across Colonial Southeast Asia, 1600s–1930s," *Journal of Global Slavery* 1, no. 2–3 (2016): 224–47.

47 *Expediente general sobre colonización asiática en Cuba*, AHN, ULTRAMAR, 85, Exp. 3.

Plenipotentiary in China, Sinibald de Mas, supported.[48] Mas believed that by 1858 2,500 children would arrive annually. He was in favour of developing a system of Chinese labour emigration to the Philippines, and supported Marcaida's project. According to John Bowring, however, this orphanage system was unsuccessful, and by 1859 not a single child had been supplied through the sisterhood's institution.[49] Nevertheless, the purchase of Chinese female children by *criollo* families in the Philippines – that is, Philippine-born families of Spanish origin – where they would be educated and work as servants, was common, as it was also common for girls to be bought by other women who would introduce them into prostitution.[50]

5 A Spanish State-Sponsored Strategy

The export of Chinese indentured labourers to Cuba via Manila became official by Spanish Royal Order on 12 December 1867, which approved the regulations for hiring Chinese immigrants in the Philippines to work on Cuban plantations.[51] This policy was a reaction to the latest British, French, and Chinese governments' agreement of 1866, which introduced new items regarding the payment of the return voyage and the number of years stipulated in the contracts – the latter were to run for five years instead of eight, as they had until then. These were important hindrances to Spanish business on the south China coast, as coolie traffickers would have to provide return tickets back to China and engage workers for shorter periods. Spanish representatives in China were concerned that if the business stopped being profitable to emigration agents and companies on the south China coast, the entire emigration enterprise would collapse and no more workers from China would be exported, thus endangering the Cuban economy.[52] Furthermore, the Sino-Western agreement was very untimely for Cuban planters: the African slave trade was diminishing, with the last shipment arriving in 1866. It was precisely in 1866 and 1867 that the coolie trade saw one of the most spectacular intensifications since its beginnings in 1847: 12,391 in 1866 and 14,263 in 1867.[53] Cutting

48 On Sinibald de Mas see David Martínez-Robles, *Entre dos imperios: Sinibaldo de Mas y la empresa colonial en China (1844–1868)* (Madrid: Marcial Pons Historia, 2018).

49 Bowring, *A Visit to the Philippine Islands*: 311.

50 Sinibald de Mas, *La Chine et les puissances chrétiennes* (Paris: Hachette, 1861): 135. I am grateful to David Martínez-Robles for pointing this reference to me.

51 Miguel Rodríguez Bérriz, *Diccionario de la administración de Filipinas* (Manila: Establecimiento tipo-litográfico de M. Perez (hijo), 1887): 186; Joaquín Rodríguez San Pedro, *Legislación Ultramarina, concordada y anotada por J. Rodríguez San Pedro*, vol. 10 (Madrid: Imprenta de Manuel Minuesa, 1868). Sinibald de Mas to the Minister of State (confidential copy), Paris, 20 June 1868, in *Expediente general sobre la colonización asiática en Cuba*, AHN, ULTRAMAR, 86, Exp. 3.

52 Sinibald de Mas, Macau, 13 September 1866, BNA, FO 697/2.

53 Hu-DeHart, "Chinese Coolie Labor in Cuba in the Nineteenth Century": 40–41.

down the supply of Chinese labourers was an important business obstruction to Cuban planters just when there was no other supply of labour. From 1867, the trade from the south China coast to Cuba began a critical decline.[54]

The use of Manila as a port of departure to Cuba was not new, and it had served this purpose before 1867. However, the number of indentured labourers sailing from the Philippines, and the question whether the flow increased from there after the application of this policy is, as of yet, difficult to assess. For instance, some of the Chinese labourers interviewed for the Chen Lanbin Cuban Commission in 1874 reported having sailed from Manila, and this city is also on the list of ports of departure for labourers who arrived in Cuba between 1847 and 1874.[55] However, the Cuban Commission Report does not provide comprehensive information on the dates of departure or the number of emigrants arriving from the Philippines.

At least one ship, the French vessel *Orixa*, is recorded to have conveyed 96 coolies from Manuelita, at Manila, to Cuba in 1851.[56] Also, according to Gely Galang, Chinese indentured labourers recruited for mine work were engaged in Macau using the same system as the ones for Cuba. He even alludes to one particular case in which the latter were transported together in the same vessel as indentured labourers recruited for Cuba, stopping in Manila on their way to Havana.[57] Arensmeyer also makes reference to some tentative efforts to connect Chinese ports, Manila, and Cuba.[58] Other historians have also pointed to the smuggling of Chinese immigrants into Cuba from tertiary sites, such as the US. For instance, Juan Pérez de la Riva claims that, between 1865 and 1875, thousands of Chinese from California entered Cuba via Mexico and New Orleans.[59]

One of the authorities supporting the 1867 Royal Order was Sinibald de Mas, whose main goal in China had been the signing of the Sino-Spanish Treaty, a mission which he achieved after long negotiations in 1864. While Spanish consuls in south China were fully involved in the coolie trade to the Caribbean, in 1865 Mas still knew nothing about this issue, and informed the Secretary of State in Madrid that he was going to study the question of Chinese immigration to Cuba for the first time.[60] By 1868, however, he had become rapidly implicated, as he declared that he had done much to bring about emigration to Cuba via the Philippines. He had pushed through

54 Hu-DeHart, "Chinese Coolie Labor in Cuba in the Nineteenth Century": 41.

55 *Chinese Emigration: Report of the Commission Sent by China to Ascertain the Condition of Chinese Coolies in Cuba*, 8.

56 Meagher, *The Coolie Trade*: 372.

57 Galang, "Vagrants and Outcasts": 105–6.

58 Arensmeyer, *British Merchant Enterprise and the Chinese Coolie Labour Trade, 1850–1874*: 274–75.

59 Meagher, *The Coolie Trade*: 206; Juan Pérez de la Riva, *Demografía de los culíes chinos en Cuba* (Havana: Biblioteca Nacional "José Martí," 1967).

60 Mas to Primer Secretario de Estado y del Despacho, Tianjin, October 1865, in *Embajadas y legaciones, China, 1836*–1865, AHN, Mº_Exteriores_H1445.

the emigration of more than 15,000 Chinese workers to Cuba between 1866 and 1867. This trade, however, had to be undertaken very carefully to avoid compromising the lucrative commerce between the Philippines and China. According to Mas, previously only Chinese persons engaged without contracts, by other Chinese, and transported in small numbers, had been going to the Philippines.[61]

Mas had a special interest in the development of commercial relations between the archipelago and China, which he had expressed in his book *Informe sobre el estado de las islas Filipinas en 1842*, and also in his correspondence with Marcaida. In the 1850s, he had agreed to promote Chinese emigration to the Philippines to foster the islands' agricultural development. He believed that '[a] Chinese peasant was as valuable as four Indian ones' (referring to indigenous Philippine inhabitants), that plantation owners in the Philippines would obtain as many thousands of them as they wished for a monthly salary of two pesos, and that 'a man who had 200 or 300 black men, or Chinese', at his disposal – paying them the arranged salary – could surely make a fortune.[62]

6 Francisco Abellá's Project to Reinitiate the Coolie Trade via the Philippines

Sinibald de Mas had given his support to these plans from China: a decade later, the Spanish Minister of Overseas Affairs, Víctor Balaguer i Cirera, still supported this scheme to solve the lack of labour in Cuba, and encouraged a coolie trafficker's project to reinitiate the trade via Manila. Spanish immigration agent Francisco Abellá y Raldiris, representative of the Cuban society of *hacendados*, or plantation owners, in China, also explored the use of the Xiamen-Manila route to reinitiate the traffic of Chinese immigrants to Cuba after 1874. However, his project was not successful, as Spanish consular officials in Xiamen – who had pecuniary interests from the fees charged to Chinese emigrants to the Philippines – never allowed this plan to take place.[63] They were cautious that their business might be uncovered and –

61 Sinibald de Mas to the Minister of State (confidential copy), Paris, 20 June 1868, in *Expediente general sobre la colonización asiática en Cuba*, AHN, ULTRAMAR, 86, Exp. 3. I am grateful to David Martínez-Robles for providing this reference to me.

62 Marcaida, *Empresas agricolas, con chinos, en Filipinas, tomando por tipo lo que podrian producir en la isla de Mindoro*, 14–15; Sinibald de Mas, *Informe sobre el estado de las Islas Filipinas en 1842* (Madrid: Imprenta de I. Sancha, 1843).

63 I have recently explored the role of consul-merchants in "Exploiting Chinese Labour Emigration in Treaty Ports."

like the coolie trade to Cuba – condemned by the international community and terminated by Chinese authorities.

Abellá had been experiencing difficulties in carrying out his business in China since 1872, when together with another agent of the planter Francisco F. Ibáñez, he had requested a permit to open an immigration house in Xiamen. However, they were unsuccessful and had to delay until the year after.[64] Moreover, in 1873, his coolie ship *Fatchoy* was directly targeted by British authorities and retained in Hong Kong using the new shipping ordinance, which prohibited ships equipped with restraining and imprisonment material, such as shackles, poles, iron nets, and prisons, from stopping in Hong Kong. British authorities were aware of the extreme abuses committed on this ship in the transport of Chinese indentured labourers to Havana, where the latter experienced 'the most unimaginable sufferings' and were treated 'with the greatest brutality'.[65] Upon its arrival in Hong Kong, as it was equipped with such items, it was retained and obliged to dispose of them, with the consequent great complaints by Abellá to the Spanish authorities about the immense economic losses he had suffered.[66]

That same year, when the multinational commission led by Chen Lanbin travelled to Cuba to assess the treatment given there to Chinese immigrants, *hacendados* in Cuba, expecting a negative review, looked for strategies to reach a new immigration agreement with the Chinese government. With this interest in mind, they created a society for the import of 'free workers', named *Sociedad de Importación de Trabajadores Libres*, which named Abellá their agent in China. Abellá designed a new system of emigration to Cuba, with suggestions on how to increase the benefits of the *hacendados*, and how to establish a new agreement between Spain and the Chinese government.[67]

Abellá's project consisted of a new system by which immigrants would be considered 'free workers', but continue to be indebted to the Society of *Importación*. Abellá investigated the possibility of emigration to Cuba from Hong Kong, Macau, or Manila, in order to avoid the control of the Chinese government. Abellá was given attention and encouragement by the powerful politician Víctor Balaguer, who held the position of Minister of Overseas Territories in Madrid discontinuously during the 1870s and 1880s. Abellá approached him in 1874 to present his free emigration project. In 1878,

64 Letter from Juan Ortiz to the Minister of State, Xiamen, 18 February 1872, in *Consulado de Emuy*, AHN, Mº_EXTERIORES_H1885.

65 *Correspondence Respecting the Macao Coolie Trade, and the Steamer 'Fatchoy'* (London: Harrison and Sons, 1873): 4.

66 *Consulado de Hong Kong*, AHN, Mº_EXTERIORES_H1925.

67 Francisco Abellá, *Proyecto de inmigracion y colonizacion libre para fomentar la Isla de Cuba presentado al Excmo. Sr. Ministro de Ultramar* (Barcelona: Imprenta y Litografía C. Verdaguer y Cª, 1875). *Colección de documentos sobre emigración china ofrecidos por Francisco Abellá á la Biblioteca Museo Balaguer*, 1888, LB, Manuscript. 9.

he also presented a plan to the Governor of the Philippines which suggested a connection between the archipelago and the coolie trade to Havana. The Governor, however, turned a blind eye, probably protective of the human trade already going on between Xiamen and Manila.[68] Precisely for this reason, Abellá encountered formidable obstacles which blocked this project: the Spanish consulate in Xiamen – the main port of departure for Chinese emigrants to the Philippines – generated significant revenue from issuing Chinese passports for travel there.[69] Consular duties produced between 30,000 and 40,000 pesos for the public treasury annually from emigration to Manila. Not only the consulate, but also – and particularly – the consulate's staff obtained abundant emoluments from every Chinese citizen shipped to Manila. Furthermore, concerned that these abuses could be disclosed by the international community and discovered by the Chinese government if it was ever connected to the infamous coolie trade, the Spanish consul in Xiamen, Emilio de Pereda, refused to grant permission for Abellá's last emigrant shipments to Cuba via Manila.

By the 1880s, the Spanish consulate was still obtaining significant revenues, which led to overcrowded Spanish steamers, as Giles denounced to Wade. When Giles confronted the Spanish Consul Lozano in Xiamen about a case of overcrowding on board the *Emuy* carrying emigrants to Manila, the Spanish consul answered that 'if he chose to clear vessels 'with forty or fifty over the authorised number', the responsibility was his', and not that of the British consul. In his letter to Wade, Giles acknowledged what lay at the root of the matter:

> For every Chinese emigrant shipped to Manila, the Spanish Government charges a fee of three dollars which goes into the Consulate chest. In addition to that, there is an unauthorised fee of, formerly sixty cents but now, one dollar per passenger, which is divided between the Consul-General, the Vice-Consul (when there is one), and the Chinese Linguist. Consequently, it is to the advantage of the members of the Spanish Consulate that all vessels for Manila should have as many on board as possible.[70]

Still, Abellá carried on with his project, and between 1879 and 1880 tried to embark more than 800 Chinese passengers in the German steamer *Hesperia* from Xiamen. However, his project was unsuccessful, even after counting with the help of Spanish Vice-Consul, Eduard Toda i Güell, of offering Chinese emigrants free passage to Cuba, and of paying a $25,000 commission to Xiamen's maritime customs to guarantee the vessel's return to China.[71] The end of the coolie trade to Cuba, and especially

68 Luzón, "Chineros, diplomáticos y hacendados en La Habana colonial": 155. LB, Ms. 9.

69 Chal Alabaster to Hugh Fraser, Quarterly intelligence report, Beijing, 26 Feb. 1878, in *To and from Amoy*, 1878, BNA, FO 228/606; Emilio de Pereda to the Spanish Ministry of State, Xiamen, 29 May 1879, *Consulado de Emuy*, AHN, Mº_EXTERIORES_H,1885.

70 Herbert A. Giles to Thomas F. Wade, Xiamen, 12 Mar. 1881, in *To and from Amoy*, 1883, BNA, FO 228/721.

71 Mònica Ginés-Blasi, "Eduard Toda i Güell: From Vice-Consul of Spain in China to the Renaixença in Barcelona (1871–84)," *Entremóns: UPF Journal of World History* 5 (2013): 8.

the last failed investment in the *Hesperia*, represented an enormous economic toll on Abellá, who ended up losing his business and going into bankruptcy.[72]

7 Conclusion

Chinese emigration to the Philippines and the global coolie trade were undeniably interconnected. The Philippines, a colony not usually connected with Chinese emigration to Cuba by historians of indentured labour migration, was the alternative sought by Spanish authorities and merchants to adjust the trade's route and shield it from international condemnation. The strategic location of the Philippines, close to China, with a long-standing and continuous flow of human transportation from Xiamen – marked also by the smuggling of Chinese migrants – was the ideal solution to avoid international regulations and maintain the flow of cheap labour to the Cuban archipelago.

The Spanish government and Spanish representatives in China clearly supported the coolie trade and encouraged its reestablishment in the two periods of decline of the trade, after 1867 and 1874, when international regulations and policies hindered the trafficking of labourers to Cuba. The use of the Philippines as an alternative route was, thus, a joint business strategy between human traffickers, Spanish representatives, consuls, and politicians in Spain, China, and the colonies. These, in vain, strived to keep Cuba's sugar economy afloat in the last throes of Spanish capitalist imperialism. This chapter highlighted the significance of intermediaries in the development of different forms of bondage, to the point of shaping institutional regulations and even defying them when these opposed their personal interest.

The powerful role of Xiamen's consular staff in keeping the smuggling of Chinese into the Philippines undetected to avoid international admonishment, as well as the obstruction of Chinese and international regulations, represented important deterrents to rerouting the trade to Latin America via the Philippines. While the latter attempt led by Francisco Abellá in the 1870s was unsuccessful, some sources indicate that some shipments via Manila to Latin America had been successful in previous decades. Further research is needed to ascertain the extent of these voyages and whether they were the result of Spanish policies, or conversely, if Spanish policies tried to normalize or intensify an existing maritime route.

The system used by these intermediaries to organize bonded labour to the Philippines and to Cuba always operated by means of debt and transport abroad. Coercion was applied interchangeably using indenture in the Cuban case or through the ties of

72 Abellá to Joan Oliva, Yokohama, 8 June 1896, LB, Ms. Oliva/1857; Oliva to Víctor Balaguer, Vilanova i la Geltrú, 13 August 1896, LB, Ms. Oliva/1921; Abellá to Oliva, Yokohama, 4 December 1896, LB, Ms. Oliva/2483.

Chinese kinship-assisted migration in the Philippines.[73] The difference between the two was the social context and the level of alienability in the two colonies. In Cuba, the workers were tied to a plantation through a contract from which it was difficult to break free by the imposition of unavoidable accumulative debts. In the Philippines, the kinship mechanism allowed them to eventually break free from the debts accumulated through assisted migration, but at the same time left them vulnerable to their creditors' mercy.

8 Reflection

This case study adds to the new theoretical tendencies which highlight the porosity between coexisting local and global systems of bondage – recently delineated by Matthias van Rossum – and in so doing joins other studies featured in this volume, such as those by Samantha Sint Nicolaas, Kate Ekama, and Hans Hägerdal.[74] To be sure, this chapter differs from the rest in this book in its chronological and geographical frameworks, as well as in the forms of coerced labour discussed. Most of the contributions have at least one of these aspects in common: they either focus on slavery; they are set in the Indian Ocean world, or in the seventeenth and eighteenth centuries. Yet there are significant points of encounter which suggest the need to consider the global and local interdependence found in these coercive labour regimes in a broader frame of reference in space and time. The relationship between Chinese immigration to the Philippines and Chinese indentured labour to Latin America shows how East Asian post-abolition coerced labour circulated not only within the western Pacific, but also to the Atlantic, and across the Indian Ocean. Lisa Hellman's chapter reminds us that interregional forced mobility also took place across overland routes.

With the exception of Hellman's contribution, other regimes portrayed in this volume are set in colonial contexts where Western powers coordinated coercive labour structures. The British Empire in India and the Dutch colonial regime present parallelisms in the coordination of coerced labour, both in its local and imported forms, as both were heavily institutionalized. Thus, their capitalist objective was – generally – aligned throughout the entire structure. For instance, in Amal Shahid's contribution, the East India Company investments and British policies were managed to achieve the

73 Christian G. de Vito, Juliane Schiel, and Matthias van Rossum, "From Bondage to Precariousness? New Perspectives on Labor and Social History," *Journal of Social History* 54, no. 2 (2019): 1–19.

74 Matthias van Rossum, "Global Slavery, Local Bondage? Rethinking Slaveries as (Im)Mobilizing Regimes from the Case of the Dutch Indian Ocean and Indonesian Archipelago Worlds," *Journal of World History* 31, no. 4 (2020): 693–727.

common goal of colonial control and justification of power. Similarly, in the case studies portrayed by Sint Nicolaas and Ekama's chapters in Batavia and Ceylon, the coordination of enslaving practices was subject to a common agenda. As Ekama shows, this was enclosed within a distinct and complex legal framework which also affected the circulation of enslaved people within the Dutch East India Company (VOC) Empire. For instance, regulating against the enslaving of locals spurred the importation of enslaved people.

In comparison with the British and Dutch regimes, the organization of coerced labour mobility to Spanish colonies was more fragmentary. The Spanish state, instead of functioning as an institutionalized coercive regime, supported a network of private businesses – from the agents in China to the *hacendados* in Cuba – providing the necessary legal frameworks to achieve a common capitalist enterprise.[75] Institutional support was expressed in multiple ways, from the work of representatives in China facilitating this emigration, through the political support of Spanish politicians, and, officially, with the 1867 Royal Order. The trafficking of indentured labourers acted more as a transnational network linked by intermediaries with disperse geographical interconnections, who were decisive in determining the circulation of labour.[76] In the long term, this led to a lack of control of the colonial territory.

This horizontal fragmentation is also visible in other contexts with multiple legalities, such as in the Euro-Japanese slave trade covered in Rômulo da Silva Ehalt's chapter. The Western colonial presence in Asia generated a complex setting for the development of territorialities which fomented the juxtaposition of various legal settings, for instance, in the extraterritorial legal order in treaty-port China. Together with Ehalt and Ekama's works, this research points to the importance of juridical frames – or the lack thereof – to create conditions of bondage and human trafficking. Human trafficking presents parallelisms with the trade of illicit commodities across the borders of colonial states, such as the importation and smuggling of opium on the south China coast and in Southeast Asia.[77]

75 Zeuske, "Coolies – Asiáticos and Chinos: Global Dimensions of Second Slavery."

76 Although from a sociological point of view, Mark Granovetter's mapping of network structures can be useful to define these commercial interactions, see "The Impact of Social Structure on Economic Outcomes," *Journal of Economic Perspectives* 19, no. 1 (2005): 33–50.

77 On extraterritoriality in China and its juridical consequences see Pär Cassel, "Extraterritoriality in China: What We Know and What We Don't Know," in *Treaty Ports in Modern China: Law, Land and Power*, ed. Robert Bickers and Isabella Jackson (London: Routledge, 2016): 23–42. Regarding the smuggling of goods and people in Southeast Asia, see Eric Tagliacozzo and Wen-Chin Chang, *Chinese Circulations: Capital, Commodities and Networks in Southeast Asia* (Durham and London: Duke University Press, 2011).

3. Research Lenses

3.4. Labour and Spatiality

Lisa Hellman. "The Eastward Routes: Swedish Prisoners and Overlapping Regimes of Coercion in the Russian, Chinese and Dzungar Empires," in *Slavery and Bondage in Asia, 1550–1850: Towards a Global History of Coerced Labour*, ed. Kate Ekama, Lisa Hellman and Matthias van Rossum (Berlin: De Gruyter, 2023): 161–178.

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Lisa Hellman

The Eastward Routes: Swedish Prisoners and Overlapping Regimes of Coercion in the Russian, Chinese and Dzungar Empires

When it comes to forced migration and long-distance slave trade, the bulk of the attention has been paid to the Atlantic world, and to maritime routes. In contrast, this chapter uses prisoners in early modern Central Asia to re-centre the story of past coercion to Asia, and might serve as a reminder to include overland slave trade routes and inland regimes in discussions of coerced labour in the past.

In the eighteenth century, Russia, the Qing Empire, a number of large and small nomadic and seminomadic polities as well as the nomad Dzungar Empire all had claims on the Central Asian borderlands – and all had separate and overlapping regimes of coercion. As a second contribution, this chapter presents an attempt to approach the history of coerced labour both from within and without: that is, simultaneously as a comparative history based on emic categories, and as an effect of inter-regional entanglements. The groups active in Central Asia offer a great variety of both notions and strategic uses of coercion, including technical and manual labour and large-scale migration, a use that stretched from the steppe and all the way to the imperial courts. These notions and systems can be considered *regimes* of coerced labour, regimes that at times worked in parallel, at times overlapped – and at other times affected each other.

To illuminate how diverse the experiences of coercion could be in this region, this chapter will be centred around a specific group: Swedish prisoners of war, moving in and out of several regimes of coercion, and producing sources as they went. In the early eighteenth century, Russia was involved in the Great Northern War (1700–1721). As a result of this war, which Sweden lost along with its Baltic empire, over 25,000 Swedes were captured by the Russian army. This group was diverse in terms of age, class and gender, origin and native language: it included officers, common soldiers, their wives and children, as well as servants and prostitutes. These male and female prisoners of war were gradually moved further and further eastwards, away from the western front, and some ended up in Dzungaria, the Qing Empire, Mongolia and the Kazak state. The Swedish prisoners' regional spread, their diverse status and the wildly differing paths they took make them ideal to capture the multiplicity of coerced regimes of this region.

To capture both the regimes and the entanglements between them, this chapter will use the prisoners' mobility – forced mobility, mobility as an imperial strategy, restricted mobility, and mobility as an opportunity – as a lens through which to

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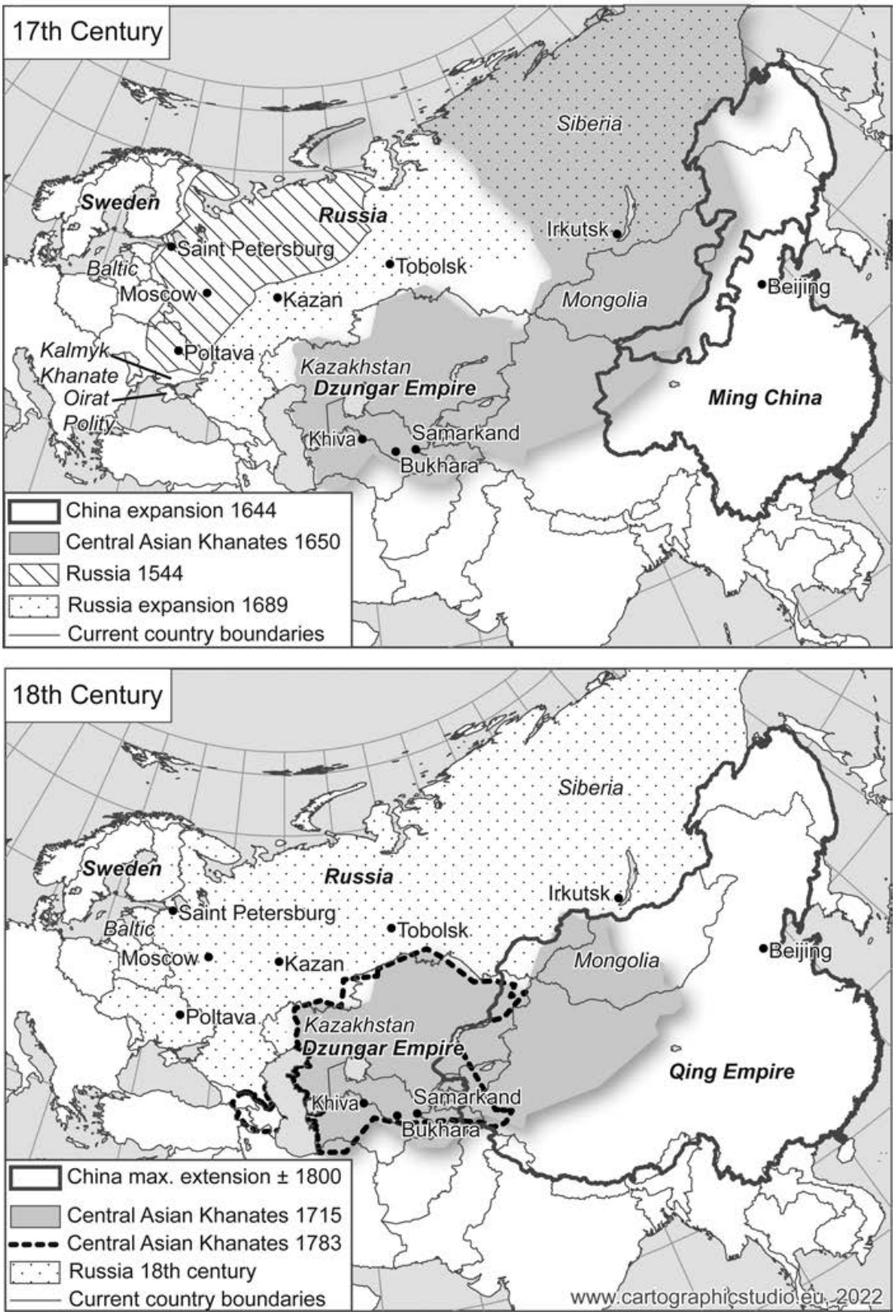

Map 5: Central Asia in the eighteenth century.

study the Central Asia borderlands.[1] The experiences of the prisoners will relate and nuance Marcel van der Linden's three 'moments of coercion', i.e. entry, work, and exit. In the sources, parallel to the word 'prisoner', the terms 'serf', 'slave' and 'captive' are used, and I attempt to mirror how they are used by the coerced actors themselves. Unavoidably, this means that the meaning and use of terms shift, depending on the actor, and over time. During the early modern period, the prisoner-of-war system included enslavement and captivity, in parallel with camps and formal exchanges.[2] While the Swedish prisoners of war constitute a small part of the flows of coerced labour moving across the Eurasian land mass, their mobility and immobility illuminate the diversity of such coerced groups, and their conditions.

Thematically and analytically, this relatively small group of prisoners offers an entry point into larger debates: a focus on prisoners' mobility and entanglements of regimes of coercion might allow for the reconsideration of the notion of separate regimes of coercion altogether, and might show the importance of integrating the eighteenth-century Central Asian borderlands into histories of coercion on a global scale.[3]

1 Mobility and Immobility within Regimes of Coercion

The entry into bondage, the entry-point into coercion as it were, is relatively straightforward: most of the men and women at the centre of this story were captured at the catastrophic (for the Swedes) battle of Poltava in 1709. In order to accommodate the influx of tens of thousands of prisoners, the Russian administration organised an increasing number of camps in which to intern the prisoners; the largest camp was in Tobolsk, which housed about 800 officers, not counting their families. The formation of the Russian camp system relied on older Russian models for dealing with prisoners. What differed in this case was the diverse skill sets of the prisoners, their sheer number, and the way camps were set up further and further east.[4]

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1 A key work for mobility studies is Tim Cresswell, *On the Move: Mobility in the Modern Western World* (New York: Routledge, 2006).

2 For views on the Russian and Swedish side, see Joachim Östlund, *Saltets pris: svenska slavar i Nordafrika och handeln i Medelhavet 1650–1770* (Lund: Nordic Academic Press, 2014): 26–28; Sergei Aleksandrovich Kozlov, *Russkie Plennye Velikoi Severnoi Voiny. 1700–1721*, ed. Zoja V. Dmitrieva. (St. Petersburg: Istoricheskaja illjustracija, 2011).

3 Marcel van der Linden, "Dissecting Coerced Labour," in *On Coerced Labor: Work and Compulsion after Chattel Slavery*, ed. Marcel van der Linden and Magaly Rodríguez García (Leiden: Brill, 2016).

4 Galina Shebaldina, *Shvedskie Voennoplennye v Sibiri: Pervaia Chetvert' XVIII Veka* (Moscow: RGGU, 2005).

During their imprisonment, the Swedish prisoners were subject to ongoing and forced mobility; mobility and bondage were two sides of the same coin. If we turn to the diary of the captured officer Leonard Kagg, the number and variety of their movements are striking. Kagg's capture at the battle of Poltava led to a long forced march first to Moscow, and then to Tobolsk.[5] In Tobolsk, hundreds of officers gradually arrived at the camp. The decade that followed was far from static. From the very beginning, prisoners came and went every week: sometimes arriving from other camps, and sometimes passing through Tobolsk, having been ordered even further away. At times, officers and their wives could receive permission to stay at Russian settlements, a *sloboda*, outside of the camps – at times, they were ordered to such settlements.[6] Within months of first arriving in Tobolsk, two prisoners were dispatched all the way back to Moscow, a journey that took them a month on horseback. Their task was to arrange alimonies for the prisoners from the Swedish war fund.[7] Every so often prisoners were offered service in the Russian army.[8] Even those who refused Russian service altogether could be assigned to missions. Kagg's diary tells the story of ensign Petter Damitz and quartermaster Lundgren who were sent out to inspect Russian mines, and captain Johan Müller, who took part in a three-month-long mission to Christianise the so-called Ostiaks.[9] However, such tasks were reserved for officers and those with special skills. Kagg does not take down the names of 'commoners', he simply notes their arrival in large numbers, and records how they were sent to work sites around the camp, and to other camps.[10] Punishment could also lead to mobility between camps: when a prisoner committed an offence, they were moved elsewhere.[11] This kind of exile was even more common for the Russian population: many of the settlers in Tobolsk had been sent eastwards as a punishment.[12] Several forms of coerced mobility, for prisoners and common citizens, coexisted in these camp sites.

There were recurring attempts to organise exchanges of prisoners between Sweden and Russia.[13] A spectacular example of the mobility of the prisoners is that of Johan Adolph Clodt von Jürgensburg. He was captured as Riga capitulated in 1710, but through negotiations with prince A.D. Menshikov secured a promise to work towards a prisoner exchange – an exchange that would include himself. To travel, he had to give his 'word of honour' and pay bail. Most importantly, he had to give over

5 Leonhard Kagg, *Leonhard Kaggs dagbok 1698–1722*, ed. Adam Lewenhaupt (Stockholm: Nord. bokh., 1912): 130–33, 145, 186.
6 Kagg, *Dagbok*: 189, 191, 194, 196, 203, 218–19.
7 Kagg, *Dagbok*: 186.
8 Kagg, *Dagbok*: 135.
9 Kagg, *Dagbok*: 206, 213–16.
10 Kagg, *Dagbok*: 189, 197.
11 Kagg, *Dagbok*: 202, 222, 226.
12 Kagg, *Dagbok*: 158, 187, 260.
13 Shebaldina, *Shvedskie Voennoplennye v Sibiri*: 115–16.

his sons 'to serfdom', should he abscond – demonstrating another possible route into coercion. Clodt worked hard for his own release but, as he would experience first-hand, few prisoner exchanges were carried out in this war. While King Charles XII created Clodt a baron, he refused an exchange, wherefore Clodt had to return to Russia in 1714 and spend the rest of the war, until 1720, with the other prisoners of war.[14]

Throughout the war, there were reports of how Swedish prisoners were treated in Russia, and of how Russian prisoners were treated in Sweden. Both sides attempted to use reprisals against prisoners in their own land to alter the treatment of their countrymen abroad: the systems of coercion affected each other.[15] There were not two, but at least three systems involved here: one of Sweden's allies in the war against Russia was the Ottoman Empire, and Swedes went into Russia (and were subsequently captured) across the Ottoman-Russian borders.[16] Over the course of the eighteenth century, Will Smiley argues, the Ottoman-Russian conflicts, and the ensuing problem of how to organise, treat and exchange these prisoners, led to the development of the modern prisoner-of-war system.[17] Following the Swedish prisoners of war can show the diversity of systems of bondage, and also reveal the formation of the modern system for prisoners of war.[18]

This prison system existed side by side with other systems, for example raids in the Baltic provinces of the Swedish empire, during which thousands of civilians were captured and deported. Also in this case, social standing was key. Those of a higher standing, such as aristocrats, but also civil servants and priests were quite well received by the local societies to which they were brought. Captured Baltic peasants, however, were sold into serfdom or into the slaving systems of the Ottoman and Central Asian empires.[19] The Swedish prisoners are a marginal group in the history of Russia compared to the various forms serfdom in the Russian empire.[20] However, as the examples from the Baltic make clear, these regimes might not be as separate as they first appear. The Swedes were well aware of the status of

14 Bertil Boéthius, "J. Adolph Clodt von Jürgensburg," in *Svenskt Biografiskt Lexikon*, vol. 8, ed. Bertil Boéthius (Stockholm: A. Bonnier, 1929): 653.

15 See for example *Sannfärdig berättelse, angående ryssarnes ochristelige och hårda förfahrande emot kongl. may:tz af Swerige högre och ringare fångne officerare, betiente och undersåtare, samt deras qwinnor och barn* (Stockholm, 1705).

16 See Hans Henrik Sylvius in Kagg, *Dagbok*.

17 Will Smiley, *From Slaves to Prisoners of War: The Ottoman Empire, Russia, and International Law* (Oxford: Oxford University Press, 2018).

18 Arnold Krammer, *Prisoners of War: A Reference Handbook* (Westport, CT: Praeger Security International, 2008); Juliette Pattinson, Lucy Noakes, and Wendy Ugolini, "Introduction: Incarcerated Masculinities: Male POWs and the Second World War," *Journal of War and Culture Studies* 7 (2014): 179–90.

19 Alf Åberg, *Karolinska kvinnoöden* (Stockholm: Natur och kultur, 1999): 15.

20 For an overview, see Christoph Witzenrath, ed., *Eurasian Slavery, Ransom and Abolition in World History, 1200–1860* (Farnham, Surrey: Ashgate, 2015).

and conditions for Russian serfs, but still used the terms serf and serfdom as a simile to describe their own situation.[21]

In Tobolsk, as in many other camps, the prisoners could walk around and move relatively freely – just not leave town without permission. Those who did try to escape, which a fair number of prisoners did, could be freely killed by farmers in the countryside, or captured anew after a few days.[22] The strategy of binding the prisoners to the camp was thereby twofold: isolation and poverty. In the prison camps, a labour regime awaited that kept the prisoners tied to the camps, and made use of their skills. This was not unique to Russia: in Sweden, Russian prisoners were an important source of labour, in a land drained from the long war.[23] There was some tension between their employment for public building works, such as mines and shipyards, constituting a nearly free work force for hard and dangerous labour, and times when they took part in market-oriented production, such as beer-brewing and international trade. There were ongoing attempts by the authorities to clamp down on this trade: if we return to the diary of Kagg, prisoners are over and over being 'sent away in disgrace' to other camps, away from Tobolsk, having been caught carrying on 'forbidden trade', most commonly brewing and selling alcohol.[24] However, the alternative sources of income for the prisoners were few, and the trade kept going.

It is crucial to consider the different social standing of the prisoners. Officers were afforded a fairly high degree of freedom of movement and trade within and around the camps, which could lead them to compete commercially with Russians, causing conflicts. For the common soldiers, hard manual labour awaited. In the mines particularly, the survival rates were low. Different classes had different survival rates. Only 5,000 of the 25,000 prisoners made it back to Sweden, and of the survivors, a great proportion were either officers or skilled craftsmen.[25]

To place the prisoners in Siberia killed two birds with one stone: it made the prisoners part of Russia's eastwards push, and it removed them from the western frontier. If we consider Map 5, we see how dramatically Russia expanded eastwards, and the multiple polities it clashed with in that expansion. The prison camps, researchers now argue, helped the Russian expansion militarily, economically and intellectually.[26] They underpinned the local economy, and made the camps high-functioning small

21 A typical example is the poetry collection of Georg Henrik von Borneman, "Sånger af en svensk fånge i Simbirsk" (1711), Lund University Library.

22 Kagg, *Dagbok*: 142, 183, 179, 186, 193.

23 Alf Åberg, *Fångars elände: karolinerna i Ryssland 1700–1723* (Stockholm: Natur och kultur, 1991): 18–21, 51–53; Gustaf Jonasson, "Krigsfångar som resurs," in *Historiska etyder*, ed. Janne Backlund (Uppsala: Historiska institutionen, Uppsala University, 1997).

24 Kagg, *Dagbok*: 207, 208, 233.

25 Carl Piper and Carl Gustaf Rehnschiöld, *Carl Pipers och Carl Gustaf Rehnschiölds mottagna brev 1709–1713*, ed. Lars Otto Berg (Stockholm: Kungl. Samf. för utgivande av handskrifter rörande Skandinaviens historia, 1997); Åberg, *Fångars elände*: 41–48.

26 Shebaldina, *Shvedskie Voennoplennye v Sibiri*.

towns. One tenth of the population in Tobolsk were Swedish prisoners. Furthermore, the camps functioned as rest stops between trade hubs, and helped connect the Russian market to that of Persia and the Central Asian city states. Finally, the camps were information hubs for Russian diplomats, traders and explorers going east, northeast, and southeast into China and the Central Asian border states.[27]

In the early eighteenth century, a large proportion of the Russian colonisers had arrived in Siberia either as punishment or as a form of exile. As argued by Dariusz Kołodziejczyk, who has traced the experiences of Polish, Lithuanian and Crimean prisoners of war, Siberia and Central Asia were to a significant degree colonised by exiles and prisoners from the west who were moved east.[28] Thus, the prison camps constituted hubs for mobility, points of connection with other regions, and part of the Russian colonisation of Siberia.[29]

2 Mobility between Systems of Coercion

Prisoners of war were subject to mobility due to coercion, but could also see mobility as an opportunity. The Swedish prisoners in Russia could be captured anew, lent to foreign powers, or be sent to the borders of the Russian empire – and beyond. A few prisoners' experiences can illuminate how interactions between regimes of coercion took place across the Eurasian steppe.

In a Swedish history of war, written by the Finnish scholar Arvid Moller, the battle of Sangaste in modern-day Estonia in 1702 is described. Following the defeat of the Swedish army, 'Kalmyks and Tatars swarmed the land' and 'took many hundreds of children to Tartary, to sell'.[30] This is part of the general trend to underline Asian minority groups or Asian allies to the Russian empire when attempting to stress the opponents' cruelty.[31] That said, there were cases when those in the Swedish army

27 Vladimir Stepanovich Miasnikov, ed., *Russko-kitaiskie otnosheniia v XVIII veke. Dokumenty i materialy. 1729–1733*, vol. 5 (Moscow: Pamjatniki istoricheskoe mysli, 2016).

28 Dariusz Kołodziejczyk, "Captive Colonizers: The Role of the Prisoners of War from Poland Lithuania and the Crimean Khanate in the Russian Subjugation of Eastern Siberia," *Journal of World History* (forthcoming 2022).

29 Peter C. Perdue, *China Marches West: The Qing Conquest of Central Eurasia* (Cambridge, MA: Harvard University Press, 2005): 88.

30 Arvid Moller, *Kort beskrifning öfwer Est- och Lifland, jemte undersökning om dessa Länders Inbyggares, i synnerhet det estniska och finska folckslagets ursprung* (Johan Laur. Horrn, 1755): 86; see Michael Khodarkovsky, *Where Two Worlds Met: The Russian State and the Kalmyk Nomads, 1600–1771* (Ithaca, NY: Cornell University Press, 2006): 217.

31 A typical example is *Ett uttag af några ifrån Steinau uthi Schlesien den 20 Julij 1707 daterade bref, om dhe muskowitiske callmuckers och cossakers grufweliga förfarande, med mördande, skiöflande och brännande, kring Lissa i Stor-Pohlen och de där wid gräntzande orter* (Stockholm: Johan Henr. Werner, 1707).

were captured by Kalmyks. One example is in 1709, when the captains Eric Reutenstierna and Gabriel Gyllenanckar were both 'captured by the Kalmyks'.[32] These two men were sent to Siberia, and made it back to Sweden after the war.[33] But not all captives found their way into the structure of prisoner-of-war camps and prisoner exchanges. There was a stream of prisoners of war going east, either as ransom slaves or labourers. Traditionally, war captives made up the greater part of the slave populations of Central and Inner Asia, including Poles, Ukrainians, Russians, and other Slavs, who had been seized by Tatars and others on the southern frontier and dispatched to Central Asian markets at Bukhara, Samarkand, Khiva or in the Crimea. These markets were primarily aimed towards the Mediterranean and the Ottoman Empire, but also provided Central Asia with slaves.[34] These prisoners, regardless of ethnicity, fed into one and the same regime.[35] In the context of coerced labour at large, the Swedish prisoners were but drops in a much larger stream.

The streams to Central Asia could take many forms. On one occasion, a foreign observer at the court of the tsar noted how a Bukharan emissary asked to receive – or buy – Swedish women. The tsar denied this request, but did 'gift' him two Swedish 'whores'.[36] As this example shows, both voluntary and forced mobility depended on gender and class. For some, notably male and educated officers with the necessary language skills, mobility could equal greater freedom to for example make money or to carry out scholarly investigations. For others, notably unmarried women, such movement or slippage was a marker of the vulnerable position they occupied within their system – from their precarious position they could slip into other regimes of coercion.

The mobility forced upon Swedish prisoners can provide an outside view of these other regimes. An example is Johan Christian Schnitser, who was imprisoned in Tobolsk as a Chinese mission to the Kalmyks passed through. He was then dispatched by the Russian governor to accompany and safeguard this Chinese mission. As is clear from the Qing reports, this mission illustrates both the growing diplomatic connections between the Qing Empire and Russia at this time, and the importance for both to establish and retain their relationships with Central Asian polities, such as the Oirat polity of the Kalmyk Khanate.[37] In his own travelogue, Schnitser remarks on the local slavery regimes. Initially, he mentions how they take people,

32 Kagg, *Dagbok*: 125.

33 Reutenstierna Diplomatica Muscovitiva 143, Beskickningshandlingar 1721–1723, Riksarkivet; Gyllenanckar Svenskt Biografiskt lexikon, vol. 17 (1967–1969): 523.

34 Richard Hellie, "Migration in Early Modern Russia, 1480s–1780s," in *Coerced and Free Migration: Global Perspectives*, ed. David Eltis (Stanford: Stanford University Press, 2002): 307–10.

35 See Kołodziejczyk, "Captive Colonizers."

36 Friedrich Christian Weber, *Das veränderte Russland* (Frankfurt, 1721).

37 Tulišen, *Lakcaha jecen de takūraha babe ejehe bithei/Man Han Yi yu lu jiao zhu*, ed. Zhuang Jifa (Taipei: Wen Shizhe Publishing House, 1983).

cattle and horses from their neighbours, but that 'the people, who they do not themselves need, they sell to other Kalmyks'.[38] Indeed, while the Kalmyks theoretically were allied with Russians at this time, and together with the Russians caused the Swedish defeat at Poltava in 1709, still in 1714 Schnitser noted the Kalmyk practices to secure bail from captive Russians ('against 50 to 60 good horses'). If someone was deemed guilty of an offence in this context, Schnitser claims he is 'given to the other as an eternal serf'.[39] Schnitser says the Kalmyk serfs were Bashkirs, Karalpakians, Kubans, and captured Russians.[40] These snippets demonstrate how ubiquitous these practices were, even for an outside observer. In several of the Central Asian polities, prisoners of war were sold into slavery if they could not be bailed out. This practice was well known in Russia, and for a long time complicated the border relations.[41]

In several places, Schnitser's travel writing has comments correcting the translation of local words, and titles.[42] The man who could confidently correct such terms was Johan Renat, who spent almost two decades in an ever-larger Oirat polity: the Dzungar khanate. In 1716, Renat, together with several other Swedish mining engineers, Swedish officers in Russian service, and Russian troops, was sent to the borders of Dzungaria. They were captured by Dzungar troops, and enslaved in this khanate. One of the women of the group, Birgitta Scherzenfeldt, describes the state of the Swedish prisoners as 'pitiful'.[43] The experiences of the Swedish prisoners were far from unusual: Dzungar society was built on the capture of slaves and military conquest – Michael Khodarovsky sees it as a key to understanding this entire region.[44]

In addition to the foreign captives, there was an in-group system of coercion, akin to serfdom. Peter Perdue argues that serfdom in the Dzungar Empire was set to solve similar structural problems as within the Russian empire, and that the differences between the two should not be exaggerated.[45] In both cases, the majority of the coerced labourers were agricultural workers, some of them Dzungar, others Kazak, Kirghiz and Chinese captives. The largest group were Muslim men and women forcibly transported

38 Johan Christian Schnitscher, *Berättelse, om ajuckiniska Calmuckiet* (Stockholm, 1744): 18.
39 Schnitscher, *Berättelse, om ajuckiniska Calmuckiet*: 19.
40 Schnitscher, *Berättelse, om ajuckiniska Calmuckiet*: 26.
41 Khodarkovsky, *Where Two Worlds Met*: 206.
42 Schnitscher, *Berättelse om ajuckiniska Calmuckiet*: 5–11, 20, 27–29, 31, 34, 42–44.
43 Brigita Scherzenfeldt, "Personalier öfwer lieutnantens herr Johan Gustaf Renats maka, fru Brigitta Schersenfeldt" (1736), 6–7, C.R. Berch's Collection, The Library of the Swedish Royal Academy of Letters; Kagg, *Dagbok*: 236.
44 Michael Khodarkovsky, *Russia's Steppe Frontier: The Making of a Colonial Empire, 1500–1800* (Bloomington, IN: Indiana University Press, 2002); these practices are also found in the Kazak state, see Jin Noda, *Ro-Shin teikoku to Kazafu hankoku* (Tokyo: Tokyo Daigaku Shuppankai, 2011); see also James Millward, *Eurasian Crossroads: A History of Xinjiang* (New York: Columbia University Press, 2007): 83.
45 Perdue, *China Marches West*.

to the Yili valley, a group known as the *tariyachin*.[46] When justifying the Qing conquest of this region, arguing that he saved the Muslim minority, the Qianlong emperor said that this group 'were made to work like slaves'.[47] The group of Swedes and Russians seems not to have primarily been put into agricultural labour. A Russian report, together with Swedish letters, suggest that they were employed in the weapons industry.[48] Dzungar military strength was a question of the khanate's survival: there were ongoing struggles with the Khalka Mongols, and the Russian and the Qing empires, and the latter intensified in the 1740s. In 1757, the khanate was wiped out. Many Dzungars were killed, but more were forced into slavery – constituting another type of entry into forced mobility and coercion. The Qing administration moved the enslaved Dzungars into other regions, and embarked on an ambitious settling campaign for the land, where exiles, convicts, rebels, entrepreneurs and merchants moved in.[49] No Swedish prisoners remained to see this shift. The last group of Swedish prisoners, together with a large group of Russians, around 150 people, left the Dzungars in 1734.[50]

The experience of the prisoners in Dzungaria does bring us to a final example of the mobility of the prisoners, namely the prisoners who went to the Qing Empire. For some of them, we know very little. For example, in December in 1712, the cornet Gustaf Neibau is only noted to have 'travelled with voivode Lubauski to the city of Nalim on the Chinese border'.[51] For others, we know significantly more. The prisoner Lorenz Lange, who took part in several Russian diplomatic missions to Beijing during the war, gathering as much information as he could for his Russian masters, wrote several books about his experiences. During the first of his journeys to China, in 1715–1716, he was questioned by the Chinese officials he met about Moscow, Sweden, and the Swedish-Russian war.[52] On this first journey, Lange wrote down observations of the nomadic and semi-nomadic people he encountered. After entering the Qing Empire, his notes become more sparse, and mention nothing of the coercive regimes in the places he passed. This is despite the fact that there was much to be observed. The regions he travelled through were in the middle of a great shift: not only were the north-eastern regions of the Qing empire used for exile, just like

46 James Millward, *Eurasian Crossroads*: 92–93.

47 Ma Dazheng, "The Tarim Basin," in *History of Civilizations of Central Asia: Development in Contrast: From the Sixteenth to the Mid-Nineteenth Century*, ed. Chahryar Adle and Irfan Habib, vol. 5 (Paris: UNESCO Publishing, 2003): 200.

48 Miasnikov, *Russko-kitaiskie otnosheniia. 1729–1733*, vol. 5: 509, 838; 'Letter from Johan Renat' (23 August 1739), the Archive of Gunnar Jarring, Lund University Library; 'Letter from Johan Renat' (25 April 1743), Brev till o från Andr. Norrenius g. 190, Uppsala University Library.

49 Khodarkovsky, *Russia's Steppe Frontier*.

50 Scherzenfeldt, "Personalier": 17–18.

51 Kagg, *Dagbok*: 197.

52 Lorenz Lange, "Journal du voyage de Laurent Lang a la Chine," in *Recueil de voyages au Nord, contenant divers memoires très-utiles au commerce & la navigation*, vol. 5 (3rd ed., Amsterdam, 1735): 395.

Siberia in the Russian empire, they were increasingly settled – a process that was partly voluntary, partly coerced.[53]

The Swedish prisoners do not give the full picture of the multiple and complex regimes they encountered – not the least because they saw and understood such limited parts of the regimes. What they saw depended on their class, gender, and to some degree their own luck, and what they wrote about it depended on their own aims for the diary, report or letter. Nevertheless, despite normally being written into a completely different history, that of (a failed) European empire building, the Swedish prisoners of war give an ant's-eye view of the forced migration across the Eurasian steppe, as part of the Qing, Dzungar and Russian expansion. That forced migration was key to early modern empire building has been demonstrated for European and maritime cases, but is more rarely connected to its Asian counterparts.[54]

3 Social Mobility

The Swedish prisoners can also illustrate a different kind of mobility altogether: that of moving between social circumstances, or out of the state of coercion altogether. Slavery and coercion took many forms during this time and in this region, from the Oirat law on penal enslavement, to Chinese debt slavery and Russian serfdom. All of these forms allowed for very different opportunities for social mobility.[55] Social, perhaps even more than physical, mobility and immobility therefore illustrate not an overview of the many regimes of coercion that overlapped and interacted in Central Asia, but rather a view from one specific group.

In 1711, the Ottoman offensive against the Russian empire ended. At this point, the Russian administration initiated a conscious effort to make use of the tens of thousands of Swedish prisoners of war, and to encourage in particular the officers to enter Russian service.[56] Their perceived usefulness to the Russian administration was an effect of the training in mapping, engineering and modern languages that Swedish officers were required to undergo. An equally helpful fact was that this highly trained personnel was also highly expendable, and eager to escape life in

53 Perdue, *China Marches West*: 328.

54 See for example Kerry Ward, *Networks of Empire: Forced Migration in the Dutch East India Company* (Cambridge: Cambridge University Press, 2009).

55 See for example Angela Schottenhammer, "Slaves and Forms of Slavery in Late Imperial China (Seventeenth to Early Twentieth Centuries)," *Slavery & Abolition* 24, no. 2 (2003): 143–54; Khodarkovsky, *Where Two Worlds Met*; Alessandro Stanziani, "Esclaves et captifs en Russie et en Asie Centrale (xvie-xixe siècles)," in *Les esclavages en Méditerranée: Espaces et dynamiques économiques*, ed. Fabienne P. Guillén and Salah Trabelsi (Madrid: Casa de Velázquez, 2017): 195–211.

56 Polnoye sobraniye zakonov Rossiyskoy Imperii [Complete Collection of Laws of the Russian Empire], vol. 5, no. 3208, 11.06.1718.

the camps. Many Swedish officers chose to join Russian ranks.[57] Most often we know little of their justifications. An exception is Birgitta Scherzenfeldt, who argued that while her husband Michael Ziems had been captured while in service of the Swedish army, the fact that he was a German national meant that he did not owe any loyalty to the Swedes.[58] Once in Russian service, prisoners could attain high-ranking positions. An example is the aforementioned Lange, who accompanied several Russian expeditions to Beijing. Little is known about Lange, other than that he was born in Stockholm, and at some point before 1714 entered Russian service.[59] After the war with Sweden was over, Lange was lent out from Russia to the Qing, to join a Chinese diplomatic mission to the Mongols.[60] Eventually, he became vice governor of Irkutsk, a position he held for ten years.[61] To enter Russian service could be a start of a successful new career.

Russian service as an 'exit' from captivity was not an alternative available to all prisoners, however. Most in the rank and file were used for hard, manual labour and were not sought after for their training or skill, nor were all of the officers of use to the Russian administration or army. Their skills notwithstanding, some prisoners attempted to use this opportunity to escape Siberia. In March 1717, two Swedes who reported for service were soon found to be useless at Russian, and were incarcerated anew.[62]

For some prisoners, the time in Siberia meant the start of a new life: they married and stayed in Russia. The prisoners' diaries commonly mention marriages between Swedish prisoners and prisoners' widows and daughters in the camps, but also intermarriages between Swedish men and Russian women. The prisoners were free to practice their own faith in Russia, but were supposed to convert to the Orthodox faith if they married. That choice, however, meant that they would no longer be welcome in Sweden, as only the protestant faith was allowed there. To prove their loyalty to their king and faith, some prisoners even produced accounts of how repulsive they found Russian women.[63] Some imprisoned couples returned to Sweden after the war, yet others stayed. The prisoners' accounts mirror the disparity of their experiences. On the one hand, there is the Swedish couple Ebba Catarina Sabelhierta and lieutenant Anders Hästesko, who were both prisoners in Siberia. At the time of the armistice, however, he returned to Sweden, while she chose to stay in

57 For examples see Kagg, *Dagbok*: 135, 197, 202, 204.

58 Scherzenfeldt, "Personalier": 6.

59 Lorenz Lange, *Tagebuch zwoer Reisen, welche in den Jahren 1727, 1728 und 1736 von Kjachta und Zuruchaitu durch die Mongoley nach Peking gethan worden* (Leipzig, 1781): 3.

60 Lange, *Tagebuch zwoer Reisen von Kjachta nach Peking*.

61 Mark Mancall, *Russia and China: Their Diplomatic Relations to 1728* (Cambridge, MA: Harvard University Press, 1971): 202–3, 218.

62 Shebaldina, *Shvedskie Voennoplennye v Sibiri*: 124.

63 Von Borneman, "Sånger af en svensk fånge i Simbirsk."

Russia, and to keep her two children with her. On the other hand, both daughters of John Berner, an officer in Russian service close to Kazan, married Swedish officers, and then shared the destinies of their husbands in camp.[64] To marry a free woman was not a certain way out of imprisonment.

Some Swedish women were subjected to forced marriage and conversion, and the civilians of the Baltic provinces were particularly vulnerable. The Swede Thomas Funck, trying to underline any and all signs of Russian cruelty, claimed to have walked around the slave markets of Constantinople, and found young Swedish women and whole families captured and sold by Cossacks and Kalmyks. Similarly, captain Carl von Roland claims to have 'taken over' his Finnish wife from his friend, the Livonian captain Jacob Johan Tiesenhausen, who 'bought her in the market like a piece of cattle'.[65] One example that has had much attention is that of Lovisa von Burghausen, who was kidnapped at the age of seven, was forced to convert, and to marry into first a Turkish and then an Armenian household, before being married to a Russian. Many years later, she was identified by a group of imprisoned Swedes, who 'bought her freedom'.[66] Such abductions of children, especially girls, were a common fear and a recurring theme in stories of captivity. However, despite the dramatic eighteenth-century presentation of von Burghausen's tale, where the Swedish girl represents purity and the foreign men are consistently blackguards, this was neither an unusual nor a solely Swedish experience. The forced removal of young girls for marriage and household labour can be found in multiple contexts in the Russian realm. In Siberia, young Central Asian girls were married off to Russian colonisers – something that the Russian administration long turned a blind eye to.[67] There is even evidence that women were disproportionately exiled to Siberia. Andrew Gentes interprets this as a conscious administrative strategy on the Russian part, forcing fertile women to help settle the borderlands, and thus help 'domesticate' the border.[68]

These practices of marriage, exile, and abduction show the gendered layer of the experience of captivity. For Swedish men, marriage to Russian women is presented in the literature as a way to integrate into Russian society. In contrast, for the Swedish, Russian, and Central Asian women supposedly forced into marriage, the union is presented as an entry point into another type of coercion, not as a road to a different society. That difference could reflect the actual gendered difference of the experience of intercultural marriage. One can also consider how this presentation

64 Åberg, *Karolinska kvinnoöden*: 115, 120.

65 Åberg, *Karolinska kvinnoöden*: 15–16.

66 Lovisa von Burghausen, "Rättelig Berättelse" (1733), Biografica, Riksarkivet; Åberg, *Karolinska kvinnoöden*: 20–29.

67 Andrew Gentes, "'Licentious Girls' and Frontier Domesticators: Women and Siberian Exile from the Late 16th to the Early 19th Centuries," *Sibirica: Journal of Siberian Studies* 3, no. 1 (2003): 3–20.

68 Perdue, *China Marches West*; Gentes, "'Licentious Girls' and Frontier Domesticators."

ascribes an agency to men that is denied the women.[69] This is one of many reasons why it is necessary to bring together an understanding of the early modern labels, such as when von Burghausen talks of herself as being 'abducted' and 'forced', with an analysis of how the social relations at the time worked – and for that, analytical terms, such as coercion, are useful.

Swedish prisoners who ended up in Mongol polities like the Dzungar Empire, were, just like in the Russian empire, used both for manual labour, and for their skills, such as engineering. The prisoners were employed to produce military machinery, for example, side by side with captives from Russia and from other parts of Turkish and Mongol polities of Central Asia.[70] The rights and duties of the captives were regulated in the Oirat law regarding 'foreign specialists', as they were called.[71] It seems possible that the Swedes might have had more opportunities than captured Russians, on the basis of their perceived exoticism. Having been captured at the Dzungar border, Scherzenfeldt claims to then have been gifted to the khan 'as she was from a strange and in this land unknown nation'.[72] Similarly, the reason why the Bukharan emissary was interested in buying Swedish women specifically, was the things he had heard about this nation.[73] At the same time, there are few signs of Swedes settling and integrating in any of the Mongol polities.

Coercion was not limited to captives of war, nor was it limited to manual labourers: the Dzungar rulers kept family members of their high-rankings retainers with them in the capital.[74] This guarantee for their loyalty is somewhat akin to the Tokugawa *sankin kōtai*-system in Japan. Central Asian traditions did not always conflate slave status with a loss of social identity – enslaved artisans produced advanced craftsmanship and pursued trades.[75] Several of the Swedish prisoners achieved a relatively good position with the empire, and stayed after the end of the war with Russia. Having secured their release, one group managed to return to Sweden. Among these, prisoners such as Mathias Brandt brought home a Dzungar wife and settled

69 For a longer discussion, see Claire Robertson and Marsha Robinson, "Re-Modeling Slavery as If Women Mattered," in *Women and Slavery: The Modern Atlantic*, ed. Gwyn Campbell, Suzanne Miers, and Joseph C. Miller (Athens, OH: Ohio University Press, 2007): 253–83.

70 Peter C. Perdue, "Crossing Borders in Imperial China," in *Asia Inside Out: Connected Places*, ed. Eric Tagliacozzo, Helen F. Siu, and Peter C. Perdue (Cambridge, MA: Harvard University Press, 2015): 205–7.

71 Roman J. Pochekaev, "Rossiiskie Puteshestvenniki o Pravovykh Otnosheniyakh v Dzhungarskom Khanstve XVIII v.," *Oriental Studies* 12, no. 1 (2019): 28–40.

72 Scherzenfeldt, "Personalier": 9.

73 Weber, *Das veränderte Russland*.

74 Jin Noda, *Ro-Shin teikoku to Kazafu hankoku*: 63; Dazheng, "The Tarim Basin": 193.

75 Pamela Kyle Crossley, "Slavery in Early Modern China," in *The Cambridge World History of Slavery*, vol. 3, ed. David Eltis and Stanley L. Engerman (Cambridge: Cambridge University Press, 2011): 199–200.

with her in Sweden, and Scherzenfeldt brought home slaves of her own.[76] Interestingly, Russian slaves who were captured and sold on to Central Asia, became freedmen if they returned to Russia – 'because of their suffering in captivity'.[77] A circuitous way out of one regime of coercion could be enslavement in another. In short, the prisoners' social mobility depended on their class, their gender, and where they had the fortune or misfortune to be moved.

4 Beyond Isolated Regimes of Coercion

The Swedish prisoners of war in the eighteenth century moved from northern Europe to eastern Asia. The prisoners were part of, left, entered, or observed systems of serfdom, prisoners of war, exile, enslavement, captives, hostages, as well as forced migration. While labels changed, some practices they experienced would remain long after they were gone, including punitive labour, forced migrations to north-eastern China – and using Siberia for exile. Placing mobility at the centre of the analysis shows the danger of equating mobility with freedom or, for that matter, equating a state of coercion with a state of immobility. Forced mobility was a hardship the prisoners endured, but mobility also provided them with opportunities. In this way, mobility highlights that coercion could be a whole spectrum.

Some, perhaps most, regimes of coerced labour were not located in one place only: regimes can span several regions, or depend on connections between regions. Prisoners of war are a natural example of a system that requires such connections, but so is the Central Asia trade enslaving prisoners. As Alessandro Stanziani has argued, coercion was rarely a strictly imperial or national phenomenon: there were multilateral imperial corridors between systems of coercion in both Europe and Asia.[78] Prisoners taken from the eastern or southern frontier of Russia could end up in the coerced settlement of the Fergana valley. The focus on coerced mobility and the transformation and entanglements of regimes of coercion allow for the reconsideration of the notion of separate regimes of coercion altogether.

The prisoners are somewhat complicated examples of all of Linden's three 'moments of coercion', i.e. entry, work, and exit: once captured, they could be captured again by other powers, which could lead either to a state of weaker, or of even stronger dependency. Their work could be a road to exit, even a successful career, or it could mean gradually being worn down, and not surviving to the end of the

76 Scherzenfeldt, "Personalier"; "Consistorii Ecclesiastici Protokoll, §. 2" (30 September 1736), vol. AI:13, Domkapitlets i Lund arkiv.

77 Khodarkovsky, *Russia's Steppe Frontier*: 23.

78 Alessandro Stanziani, *Sailors, Slaves, and Immigrants – Bondage in the Indian Ocean World, 1750–1914* (New York: Palgrave Macmillan, 2014).

war. The social standing of the prisoners is key to understanding their work circumstances. Similarly, while many officers and skilled craftsmen were offered the chance to join Russian service, this not only meant giving up on their homeland, but also entering into a strict military contract. Rather than finding a clear exit or entry point for those who moved within and between systems of coercion, it might be more useful to – as proposed by Noel Lenski and Catherine Cameron – consider an actor's degree of freedom or coercion over his or her lifetime. To do so offers a notion of higher and lesser degrees of intensity of coercion, and does not presume a distinct line when an actor enters or leaves a state of dependency.[79]

The difficulty of balancing bondage and opportunity is apparent in the ambivalence in previous studies on the Swedish prisoners. On the one hand, there is a focus on their lack of freedom and the ill-treatment they suffered at the hand of the Russians. On the other hand, there is a focus on their skills as translators and scholars, and their influence – in particular those who went beyond the Russian borders are presented as adventurers and scholars, not prisoners or captives.[80] These trends of seeing them as either completely unfree or as civilising adventurers, live on in parallel, sometimes even in the same works. However, the mortality rate of the prisoners is significant: part of what made them useful as colonial agents and go-betweens might have been their combination of education and expendability. The understanding of this spectrum of coercion, and a nuanced view of coercion, requires attention to the actors' social standing (class) as well as their gender.

The intercultural usage of terms is indeed a hard nut to crack for a historian. Using a word such as prisoners, instead of slave, can mask asymmetric dependencies and regimes of coercion, but also underline the severity of coercion; terms can both mask and exaggerate. The use of the word serf, the labelling of others as slaves, and calling rulers tyrants or despots, were all ways to orientalise and evaluate other polities and systems, a practice that went far beyond the early modern period.[81] The use of slavery and freedom, for the others and the self, is especially stark in discourses of the status of women: coercion of women is something that exists elsewhere, while the women at home are presented as free.[82] As such,

79 Noel Emmanuel Lenski and Catherine M. Cameron, *What Is a Slave Society?: The Practice of Slavery in Global Perspective* (Cambridge: Cambridge University Press, 2018).

80 Typical examples include Alf Åberg, "Karolinska Forskningsfärder," *Svensk Tidskrift*, December 1970, 257–61; Lena Jonson and Tamara Alekseevna Torstendahl Salytjeva, *Poltava: krigsfångar och kulturutbyte* (Stockholm: Atlantis, 2009); Christer Kuvaja, *Karolinska Krigare 1660–1721* (Helsingfors: Schildt, 2008); Gunnar Jarring, "Svenska folket genom tiderna : vårt lands kulturhistoria i skildringar och bilder," in *Svenskt kulturarbete i Österled* (Malmö: Allhem, 1939): 377–88.

81 Alessandro Stanziani, *After Oriental Despotism: Eurasian Growth in a Global Perspective* (London: Bloomsbury, 2014).

82 Carmen Nocentelli, *Empires of Love: Europe, Asia, and the Making of Early Modern Identity* (Philadelphia: University of Pennsylvania Press, 2013): 12, 84; Mrinalini Sinha, *Colonial Masculinity: The 'Manly Englishman' and the 'Effeminate Bengali' in the Late Nineteenth Century* (Manchester: Manchester

prisoners – in particular female prisoners or those writing about them – were simultaneously contributors to this epistemology of coercion, and assigned a particular symbolic place in it. Even if endemic categories for coerced labourers are used, these categories still depended on international connections and global intellectual currents of exchange.

The web of regimes presented in this chapter raises two analytical challenges. The first is the question of how to understand endemic terms. If a label such as prisoner, or serf, can only be understood as endemic categories, i.e., as a concept used within a society or system, what is the best way to approach intercultural forced mobility? Are historical actors moved between regimes, or does the whole coerced flow constitute a regime in and of itself? This leads to a different issue, that of when a regime stops or ends. The second challenge, based on the assumption that intercultural connections are key to a thick description of how regimes of coercion worked, is to overcome the fragmentation of our historiographies. There is perhaps a risk that the word regime brings to mind a notion of separate systems overlapping and interacting akin to world systems theory. Rather, regimes should be seen as webs, webs with thick threads of connections, nodes of exchange, and gaps with no exchanges at all. There is a wealth of excellent studies within Asian studies, and as part of the history of labour, and in the history of the Swedish, Russian, Kazak and the Qing empires. The intervention needed for the field to advance might be to combine hitherto separate historiographies, and lay supposedly separate regimes of dependency side by side.

5 Reflection

This volume offers multiple examples of the complex connections and intertwining routes of coercion in Asia during the last centuries. While many of the routes studied here are primarily maritime, not all were. The Swedish prisoners of war became part both of systems of coercion close to home, and in distant lands. As shown by James Fujitani, Rômulo Ehalt and Hans Hägerdal, Asian systems of coercion – whether those before, after or parallel to the European ventures – were not only local phenomena, but included far-reaching chains of human trade. The cases where the coerced groups were not from far away were not necessarily less complex: the chapters by Sanjog Rupakheti and Vinil Paul highlight the different ways population groups within a region could be constructed as enslavable – and indeed, as Rupakheti stresses, such a

University Press, 1995): 44; Leonard Blussé, *Strange Company: Chinese Settlers, Mestizo Women and the Dutch in VOC Batavia* (Dordrecht: Foris, 1986): 159; Felicity A. Nussbaum, *Torrid Zones: Maternity, Sexuality, and Empire in Eighteenth-Century English Narratives* (Baltimore: Johns Hopkins University Press, 1995): 11–57.

construction could be ascribed long historical roots and religious properties it did not have. Similarly, Hägerdal paints a picture of early modern Banda where the coercion involved dozens of ethnic groups, indigenous, from Southeast Asia, and from further abroad. He shows that who could be forced into a dependent situation was not necessarily a simple matter. This awareness helps us to understand the in-between positions of the prisoners of war: some prisoners were forced into hard manual labour with little chance of survival, some were sold into slavery, while others – such as those in Central Asia – could benefit from the relative exoticism of their origin, or even integrate into the society in which they were taken prisoner.

The rules regulating the prisoners, whether the Swedish, Russian or Dzungar law, only tell part of the story. As both Kate Ekama and Rupakheti show, once regulations are put in a societal and historical context, they reveal power relations. However, the regulations say little about their implementation – or adherence to them – and more about who chose a certain phrasing and term. Therefore, attention to the practices might help us overcome the difficulties that legal sources present. In doing so, finally, the diverse labour opportunities and demands of the Swedish prisoners of war connect to the general, and difficult, question put forward by Amal Shahid: when should work be seen as coercion, and when is it relief? For the prisoners in the Siberian camps, finding paid work was the only way to survive more than a decade of imprisonment. At the same time, it is not necessarily easy to place that work on a clear-cut scale of opportunity or coercion – the labour in the camps might well have to be understood as both.

3. Research Lenses

3.4. Labour and Spatiality

Winfried Schmitz. "Day Labourers and Servants. Poverty in Archaic Greece," in P*overty and Inequality in Early Civilisations. Proceedings of the International Conference November 17–18, 2017, University of Cologne*, ed. Richard Bussmann and Tobias Helms, vol. 4, Studien zur Wirtschaftsarchäologie (Bonn: Dr. Rudolf Habelt, 2020): 27–37.

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Day Labourers and Servants: Poverty in Archaic Greece

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For ancient philosophers, 'the poor' were those who did not own sufficient property to provide them with an income, so that they were forced to work to earn their living. Around 600 B.C., subsistence farmers in Attica fell into economic hardship and had to take on debts. Those who failed to repay their loans were forced into debt bondage or sold as debt slaves. This crisis was resolved by Solon, who cancelled all debt and banned pledging one's own body as surety for a loan. Scholarship has failed to take into account peasant servitude as a form of dependent labour. Members of the peasant class hired themselves out for a year for agricultural work. There were contracts, which were concluded orally, but which failed in a variety of ways to provide sufficient protection to workers. When other opportunities for labour became available in ports and cities, rural labourers would often migrate there instead.

Definition

'What kind of men do you call poor and rich respectively? The poor, I imagine, are those who have not enough to pay for what they want; the rich those who have more than enough'.[1] This definition of poverty and richness is part of a fictitious dialogue between Socrates and a young, rich Athenian named Euthydemos, provided by Xenophon, a scholar of Socrates, in his *Memorabilia* at the beginning of the Fourth century BC. This could be a modern definition of poverty as well, if Xenophon would not have added that, therefore, the poor are forced to work in order to earn their living. With this supplement the ancient and the modern concepts of poverty differ fundamentally.[2]

Xenophon wrote his fictitious dialogue from the point of view of a land owning rich upper class who had their land cultivated by slaves and their livestock herded

1 My thanks for this translation go to Ramona Lifland and Anja Haas. Translations of ancient sources are taken from the Loeb edition. I also have to thank the unknown reviewer for important hints. Xenophon, *Memorabilia* 4.2.37.

2 About this basic difference see Cecchet 2015, 30. Regarding both description and analysis of poverty in the ancient world, Claire Taylor advises against perceiving poverty only as an absence of the means of subsistence: "Poverty, therefore, should be defined not solely in terms of lacking wealth, but rather in terms of capabilities and functionings, that is, what a person is able to do or be based on the resources available to them and what they can actually achieve with those resources. … Thinking in terms of capabilities and functionings therefore enables us to consider poverty from a wider perspective than that based on economic factors alone" (Taylor 2016, 265-6; see also Taylor 2017, 19-24; comp. Galbois and Rougier-Blanc 2014, 17, 19). Concerning modern definitions of poverty, especially the differentiation of absolute and relative poverty, see Taylor 2017, 16-9; Dittmann and Goebel 2018, 22-3; Fritsch and Verwiebe 2018, 80-1: "Absolute Armut liegt vor, wenn Menschen nicht über die zur physischen Existenzsicherung notwendigen Güter wie Nahrung, Kleidung und Wohnraum verfügen. Relative Armut bemisst sich am allgemeinen Lebensstandard einer konkreten Referenzgesellschaft." Concerning different concepts of poverty in modern sociology Dittmann and Goebel 2018. Cf. also Barlösius 2018, 35: "Was mit Armut benannt wird – Not und Elend, unzureichende Mittel, Deprivation, soziale Exklusion –, scheint sich je nach Gesellschaft zu unterscheiden und zu wandeln. Tatsächlich bezeichnen diese Konkretisierungen von Armut im Wesentlichen dasselbe: eine gesellschaftliche Beziehung, bei der die gesellschaftliche Zugehörigkeit als gefährdet gilt." In the last few years many studies on poverty in the ancient world,

by dependent herdsmen; they engaged in politics and indulged in leisure. The point of view that only the rich are considered virtuous and capable of political activity as they have the leisure time necessary for it, whereas the poor have to work to earn their living, is described in detail and theoretically founded by the philosopher Aristotle. In his *Politics* he says that every community is consisting of households, some of which are rich, others poor and the third in between. Aristotle sometimes seems to rank the well situated farmers among the 'middle', but every 'member of the community', who has to work in order to earn his or her living, is to be counted generally among the poor (*pénētes*); not only the farmers but also the so-called *bánausoi*, the skilled workers, as well as the day labourers and the retailers.[3] According to Aristotle, an oligarchy exists when a minority of the rich is in power, whereas in a democracy the free citizens (*eleútheroi*) and 'those without means' (*áporoi*) are in the majority and rule.[4]

Athens was proud of giving, in its democratic constitution, the poor man the same rights of political participation as the rich; thus expressed by Euripides in the late Fifth century BC, who (in his *Suppliants* performed approx. in 425 BC) lets the mythical king Theseus answer the question of a Theban herald for the despot, the *týrannos*, in Athens as follows:

> 'To begin with, stranger, you started your speech on a false note by asking for the master here. The city is not ruled by a single man but is free. The people rule, and offices are held by yearly turns: they do not assign the highest honors to the rich, but the poor also have an equal share.
> …
> There is nothing more hostile to a city than a tyrant. In the first place, there are no common laws in such a city, and one man, keeping the law in his own hands, holds sway. This is unjust. When the laws are written, both the powerless and the rich have equal access to justice.'[5]

Therefore, the people described in ancient sources as *pénētes*, as 'the poor', represent a totally different population group than the people said to be poor nowadays. While today a person is poor if he or she does not own and may not acquire the means necessary for a basic subsistence and would be lost without the help of others, and while today both hunger and suffering from specific diseases caused by undernourishment are regarded as by-products of poverty,[6] in the ancient world – at least in the perception of the upper classes – the poor are those who have to work to earn their living. The *pénētes* are not fortuneless, they have average or little property and moderate but sufficient wealth, are farmers and may even own one or several slaves.[7] In my paper I would like to focus on two groups of 'poor people' complying with the modern definition of poverty: the farmers, who were in debt bondage in Athens in the late Seventh century BC and the *th□tes*. However, for a better understanding, I will first discuss the Greek society at that time.

Greek society in the Seventh and Sixth century

In the Seventh and Sixth century BC the Greek society was mainly an agrarian society that, depending on the geographic conditions, either preferred agriculture or stock breeding, but generally engaged in both at the same time: mainly agriculture on the alluvial soil in the valleys with stock breeding in the mountains. The most important products were grain (barley and wheat), olives and wine (the so-called 'mediterranean triad'). Other important food were different kinds of vegetables, especially the nutritious beans.[8] Like in

particularly concerning beggars have been published: Jacquemin 2013; Galbois and Rougier-Blanc 2014; Cecchet 2015; Hradil 2015; Helmer 2015, 2016; Taylor 2017. For a research history see Galbois and Rougier-Blanc 2014, 13-5.

3 Aristotle, *Politics* 4.3, 1289b 27-4.4; 1290b 20; 1291b 6-29. For Aristotle's and Plato's concept of poverty and wealth see Gehrke 1985; Winterling 1993; Pébarthe 2014; Helmer 2016.

4 Aristotle, *Politics* 4.4, 1290b 17-20.

5 Euripides, *Supplices* 403-8, 429-34. Compare Lenfant 2013; on poverty in democratic Athens see Taylor 2017. Regarding the image of poverty in the tragedies of Euripides: Cecchet 2015, 67-113.

6 von Hippel 2013, 7-8: "Armut schließt in ihrer elementarsten Form stets den Hunger ein. Hunger als Langzeit-Zustand ist die spürbarste Form von Armut. Bei extremen Formen des Hungers ist über die physischen und psychischen Schäden hinaus, die bereits ‚gewöhnlicher' Hunger auf Dauer bewirkt, mit gehäuftem Auftreten sogenannter Hungerkrankheiten zu rechnen, die in Kombination mit Infektionskrankheiten zahlreiche Opfer fordern."

7 Bolkestein 1939, 182. On ancient terminology and definition of poverty Coin-Longeray 2014; Cecchet 2015, 13-48.

8 Sarpaki 1992; see also Isager and Skydsgaard 1992.

many other agrarian societies, people were always in a precarious situation, as it may be assumed that bad harvests occurred approximately every seven years or even more frequently. The farmers tried to prepare for that by avoiding monocultures and growing various products instead. They usually applied an agricultural method of intercropping, in which, for example, grain and olive trees are planted on the same field. Those who could, tried to acquire fields in different locations or adjacent regions in order to reduce the risk from severe weather. In addition, they went hunting and fishing and gathered wild fruit and plants.[9]

Ancient historical research assumes that rich land owners who had their fields cultivated by free or dependent servants made up five up to ten percent of the population at the most.[10] Many people were subsistence farmers, who did not produce for the market but almost only for themselves. Thus, they only produced the grain they needed as well as oil, wine and olives and also owned some sheep and goats. They were independently working farmers, free and not bound to pay any dues to the rich land owners; they owned a house, fields and a plough team on a land of – estimated by research – approximately 5-10 hectare.[11] As in many other agrarian societies too, the plough team of one's own is a symbol of the independently working subsistence farmer. In his *Works and Days*, a rural didactic poem, the early Greek poet Hesiod provides a virtual definition of such a subsistence farmer:

> 'a house (*oíkos*) first of all, a woman, and an ox for plowing …
> and arrange everything well in the house.'[12]

Since farming always includes processing a farm's harvest in the house, a woman is required as well, due to the strict differentiation between male and female labour common in agrarian civilizations, in which the man worked in the fields and the woman in and around the house.[13] Yet, if not for the processing of grain, sheep's wool or milk, the field work would be of no avail. The farmers ensured their social status through neighbourly relations and a neighbourly solidarity in order to get help in case of emergency, in case of fire, when members of their flock had been killed by wild animals etc. In sayings the farmers assured each other of their common values and committed each other to being diligent, to the authority of the father in the house and to neighbourly solidarity.[14]

Presumably more than half of the population belonged to the class of thetes, the servants, who had to work for the farmers or the rich land owners.[15] Their life situation is to be described in more detail later on. In early archaic times the number of slaves was still low. At that time only the rich land owners owned slaves, which they had brought from raids or bought in slave trade.[16] We meet them in the houses of an Odysseus, a Menelaus or Nestor in the Homeric epics. Craftsmen were only of marginal importance: blacksmiths, potters and carpenters are mentioned, some of which went from village to village in search of work.

Debt bondage and debt slavery at the time of Solon

In late Seventh century Attica the independent farmers got into particular difficulty. They were threatened by debt bondage and debt slavery, because they had had to take up loans they could not pay off. We do not know the reason, but presumably this situation had been caused by repeated bad harvests, an increasingly leached soil, the division of real estate among sons or a more aggressive behaviour of creditors towards the

9 Osborne 1987, 34-40; Gallant 1991, 34-59.
10 For a discussion of the term 'noblemen' in archaic Greece see Stein-Hölkeskamp 1989; Ulf 1990, 2009; Duplouy 2006.
11 On the living and working conditions of subsistence farmers, see the field study by P. Halstead and G. Jones on the Greek islands of Karpathos and Amorgos (1989; cf. Halstead 1987). On the size of the rural estates Ameling 1998, 298; Van Wees 2011, 98.
12 Hesiod, *erga* 405/407. Refer to Schmitz 2004, 29-30.
13 Segalen 1989; Zoepffel 1989; Schmitz 2004, 83-7.
14 On neighbourhood in archaic rural society and proverbs as farmer's special language refer to Schmitz 2004, 42-101.
15 Their occupation is called *thēteúein*, occasionally *douleúein*, while they are named *th□tes*. According to von Hippel 2013, 15 the percentage of the lower classed is estimated around 50 % for the Fifteenth, 50-60 % in the Sixteenth, 30-40 % in the Seventeenth and 50-70 % in the Eighteenth centuries. On the composition of rural lower classes, diverse terminology, their vulnerable part in the community, their share of grazing rights and the different forms of work and dependence: ibid. 15-7; on farm hands in particular ibid. 23-5 and 80-2.
16 On the dispute about the number of slaves in the Homeric epics Lencman 1966 and Wickert-Micknat 1983. Comp. Schmidt 2017.

debtors.[17] In contrast, we know the consequences relatively well on account of the elegies of Solon who describes the agrarian crisis from his point of view and as a person politically responsible. In his elegies, recited in public, he accuses the rich of being greedy, but also warns the people of falling for demagogues:

> "But it is the citizens themselves who by their acts of foolishness and subservience to money are willing to destroy a great city, and the mind of the people's leaders is unjust."[18]
> However, the rich are even worse:
> "For they do not know how to restrain excess or to conduct in an orderly and peaceful manner the festivities of the banquet that are at hand.
> …
> they grow wealthy, yielding to unjust deeds.
> …
> sparing neither sacred nor private property, they steal with rapaciousness, one from one source, one from another, and they have no regard for the august foundations of Justice, who …"[19]

Solon warns of an impending uproar or even an internal war, which would destroy the precious adolescence of many. In order to avoid the impending civil war he enforced his reforms with 'strength and justice', as Solon expresses.[20] All existing debts were cancelled so that all farmers could start anew.[21] The boundary markers were removed, those in debt bondage being obliged to pay dues were released from compulsory labour and those having been enslaved abroad could return to Attica without risking to be caught again.[22] In retrospect Solon explains himself in an iambic poem:

> "In the verdict of time I will have as my best witness the mighty mother of the Olympian gods, dark Earth, whose boundary markers fixed in many places I once removed; enslaved before, now she is free. And I brought back to Athens, to their homeland founded by the gods, many who had been sold, one legally another not, and those who had fled under necessity's constraint, no longer speaking the Attic tongue, as wanderers far and wide are inclined to do. And those who suffered shameful slavery right here, trembling before the whims of their masters, I set free."[23]

According to archaic customs of obligations, if a debtor could not pay off a debt, the creditor was not only allowed to take possession of his land and house but also of the debtor himself – including his wife and children – and sell them as slaves. In this respect Solon admits that several debtors had been sold abroad in accordance with the law – a sad fate:

> "These are the evils that are rife among the people, and many of the poor are going to a foreign land, sold and bound in shameful fetters …"[24]

In his justification Solon distinguishes between the fates of different people: one group of debtors had been enslaved abroad. In ancient Greece 'exodoulie' existed, which means that slaves were always foreigners and not members of their own community, presumably as they would not have submitted themselves to slavery in their native place. Another group had been sold unjustly – presumably in these cases the creditors had taken rigorous action against their debtors and

17 Rhodes 1981, 89-97, 125-7; Almeida 2003, 26-57; Schmitz 2004, 249f.; Welwei 2005; Forsdyke 2006, 334-50. On Finley's view that the creditors wanted to keep the debtors dependent in the long term, see Zurbach 2013, 970 (cf. 960-3). Archaeological surveys suggest that a marked increase of the population and a lack of land may be excluded as causes (Welwei 2005, 41-3; Bintliff 2006; Zurbach 2013, 969f.). For farmers' strategies to avoid crop failure, see Gallant 1991, 34-59 and Osborne 1987, 34-40.

18 Solon fr. 4 West l. 5-7. On beggars and the poor in archaic literature see Coin-Longeray 2014, 2015; Werlings 2014, 68, 74.

19 Solon fr. 4 West l. 9-14.

20 Solon fr. 36 West (24 Diehl, 30 Gentili-Prato) l. 16: βίην τε καὶ δίκην ξυναρμόσας. Plutarch, *Solon* 14.3.

21 The clearing of debts was called *seisáchtheia:* Aristoteles, *Athenaion politeia* 6.1; 12.4 (including a quote by Solon fr. 36 West); Androtion FgrH 324 F34 (= Plutarch, *Solon* 15.2-3); Diodor 1.79.4; Plutarch, *Solon* 16.5; Plutarch, *Moralia* 343c, 807d; Diogenes Laertios 1.45. Faraguna 2012; on the term *seisáchtheia*: Mülke 2002, 375-6.

22 If by removing the *hóroi* Solon retracted the occupation of public land or holy ground (*hóroi* in the sense of "boundary stones") or if he thereby cleared existing debts, cannot safely be decided. Mülke 2002, 376-9 presents a research overview on this controversy. Harris 1997 postulated a metaphorical use of the term; Ober 2006 and Welwei 2005, 35-6 argue against this: The *hóroi* could have been "marking stones" labelling land burdened by levies; by removing these stones, Solon would have suspended the *hektḗmoroi*'s duty.

23 Solon fr. 36 West l. 3-15.

24 Solon fr. 4 West l. 23-5.

had taken their house and land before the repayment period had expired. And a third group had gotten into debt bondage in Attica itself. Instead of enslaving the debtors abroad, the creditors had obviously taken their land. The debtors cultivated the land and had to give a certain amount of its produce, presumably one-sixth, to their creditor.[25] Thus, they were in a position similar to that of tenants, although they were not allowed to leave the land as they had little chance of repaying the debt completely.[26]

The Solonian reforms initiated a decisive development in the Athenian history. They enabled pauperized and enslaved, heavily indebted farmers to become free citizens again, who could participate in the political system. Every free Athenian, no matter how much he owned, could take part in the assembly and was eligible for jury service according to Solon's classification of income classes.[27] Without free citizens and the development of the Athenian political system towards a direct democracy, Theseus's statement in Euripides' tragedy that the same law applied to the rich and the poor and that all citizens would rule alternately would not have been possible .

Solon's reforms assured the social and economic situation in the long term. The risk of getting into debt bondage or even debt slavery was banned by a law of Solon that was part of his comprehensive law code. This law strictly prohibited creditors from taking possession of the debtors.[28]They could take the debtor's property and cause his pauperization, but not enslave him. It is significant that, originally, in the law of ancient Israel, in early Greece and early Rome it was allowed to enslave the insolvent debtor or force him into debt bondage while later on a development starts, in which it seems to be no longer accepted that a fellow citizen would become a slave. In the Sixth, Fifth and Fourth century in Greece, only foreign people, in many cases non-Greek 'Barbarians', were enslaved by kidnapping, human trafficking or as a result of war captivity. After the debt reforms, Athens did not experience further serious debt or agrarian crises.

The thetes

The debt crisis of Solonian time (about 600 BC) hit the subsistence farmers and the peasants, because they could only pledge their land or themselves as security for a loan and could end up in permanent dependency as a result of bad harvests. Those who had nothing to pledge did not obtain any loan. Members of the class of thetes were in a different life situation. They had no or only little real property and thus were forced to work as a servant or maidservant for farmers or rich land owners.[29] Like it has been documented for peasant societies in the nineteenth and the beginning of the Twentieth century, in the Greek Archaic free citizens hired themselves out in a verbal contract for one

25 On the *hektḗmoroi* Aristotle, *Athenaion politeia* 2.2 and Plutarch, *Solon* 13.4-6. They were also called *pelátai* (Ath. pol.) or *thḗtes* (Plutarch). Compare also Eustathios, *ad Homeri Odysseam* 19,28; Hesychius, s.v. ἑκτήμοροι. For a discussion concerning the *hektḗmoroi* Rihll 1991; Gallo 1999; Welwei 2005, 35-9; Faraguna 2012. Zurbach 2013, 970-2 assumes that the *hektḗmoroi* were leaseholders who could keep one sixth of the yield for themselves. The owners of the land provided the land, the tools, the draught animals and the seeds, the *hektḗmoroi* their labour. Werlings 2014, 77-81 has compiled all references to 'poverty' and 'poor' in the works of Homer, Hesiod, Solon and Theognis. However, she limits herself to the terms *penía*, *pénēs* and *penichrós* and excludes other terms, such as *hektḗmoroi*, *pelátai* or *thétēs*.

26 On debt slavery and debt bondage as different forms of dependence in pre-Solonial times see Zurbach 2013, 969-73: 'H. Swoboda et Detlef Lotze concluaient à l'existence d'une forme temporaire de servitude pour dettes, qu'il faut clairement distinguer de l'esclavage pour dettes. Il y a certainement à Athènes des asservis pour dettes et des esclaves pour dettes, les uns travaillant pour rembourser (forme solutoire), les autres réduits en esclavage à la suite d'un défaut (forme exécutoire)' (970). Zurbach assumes that in Solon's time one form passed into the other: 'Ces deux facteurs conjoints – transformation agricole, vente à l'étranger – expliquent l'évolution des statuts : de l'hectémorat, condition déjà difficile, vers l'esclavage pour dettes et, sans doute, de la servitude pour dettes vers l'esclavage pour dettes' (972).

27 On the Solonic income classes: Aristotle, *Athenaion politeia* 7.3-8.1; *Politics* 2.12, 1274a 15-21; Plutarch, *Solon* 18.1-2. Schmitz 1995; Raaflaub 2006; Van Wees 2006. The 'exclusionary approach' of modern sociology can reasonably be applied to ancient societies; instead of pointing to sufficient material effects, it specifies a lack of social integration and a lack of achieved social rights (working conditions, political participation) as the benchmarks of poverty. Refer to Dittmann and Goebel 2018, 29-31. This approach traces back to the sociologist Georg Simmel in principle, as he describes people in need to be "gewissermaßen außerhalb der Gesellschaft gestellt" because they lack the means held necessary in order to partake in society (Simmel 1992; dazu Barlösius 2018, 36-41; cf. Taylor 2017, 19-24). On the importance of Simmel regarding the sociological investigation of poverty see also Fritsch and Verwiebe 2018, 79-80.

28 Aristotle, *Athenaion politeia* 6.1; 9.1; Diodor 1.79.3-5; Plutarch, *Solon* 15,2; Diogenes Laertius 1.45 (Solon F 69a-c Leão/Rhodes).

29 On the situation of members of the sub-peasant social layer refer to Burford 1993, 186-7; Schmitz 2004, 34-7.

year, placed their labour at a farm's disposal and in return got a place to live and were fed on the farm's produce.[30] After one year had expired, they received their wages, usually in the form of clothes and shoes, and went to another farm or stayed for one more year at the same farm, if the farmer had treated them well and was satisfied with the servant's or maidservant's work. In his *Works and Days* the early Greek poet Hesiod provides evidence for such an 'alternating service':

> "When you have laid
> up all the means of life well prepared inside your house,
> then I bid you hire a man (*thḗs*) without a house and
> look for a serving-girl (*érithos*) without her own child; for a serving-
> girl with a baby under her flank is a difficult thing. And get
> a jagged-toothed dog – do not be sparing with its food, lest
> some day-sleeping man steal your things from you. Bring
> in fodder and sweepings, so that there is plenty for the
> oxen and mules. Then let the servants (*dmṓes*) relax their knees, and
> unyoke the pair of oxen."[31]

These lines clearly show that in the course of the agricultural calendar we are at its end, on completion of the agricultural year, when the harvesting has been completed and all goods are safely stored in house and barn. Then a rest may be granted to animals and people. In ancient Greece this is in autumn, as generally winter grain was grown that was reaped in spring. The harvest of olives and grapes followed in autumn. The new agricultural year started in late autumn with the first ploughing of the fields and the sowing of grain seeds. Hesiod's advice to hire a new servant and a new maidservant at the end of the agricultural year reveals that the *thḗs* mentioned in line 602 and the *érithos* mentioned in line 603 are not day labourers for a short period of time but servants who should stay at the farm all the year round. Thus, in his rural didactic poem Hesiod describes how servants, the *dmṓes*, are doing farm labour necessary throughout the year, ploughing and sowing in autumn, building protective huts on the fields for the cold winter, mowing the grain in spring and finally threshing the grain.[32]

Although the Homeric Epics were written from the point of view of the land owning upper class, sometimes they take a look at the class of *thḗtes* as well:

> "We twain [sc. Poseidon and Apollon] alone of all the gods endured at Ilios, what
> time we came at the bidding of Zeus and served (*thēteúein*) the
> lordly Laomedon for a year's space at a fixed wage (*misthós*),
> and he was our taskmaster and laid on us his commands. I verily built for the Trojans round
> about their city a wall, wide and exceeding fair, that the city might never be broken; and thou, Phoebus,
> didst herd the sleek kine of shambling gait amid the spurs of wooded Ida, the many-ridged. But when
> at length the glad seasons were bringing to its end the term of our hire, then did dread Laomedon
> defraud us twain of all hire, and send us away with a threatening word. He threatened that he would
> bind together our feet and our hands above, and would
> sell us into isles that lie afar. Aye, and he made as if he would lop off with the bronze the ears of us both.
> So we twain fared aback with angry hearts, wroth for the hire he promised but gave us not."[33]

30 On the working conditions of servants in the Nineteenth and Twentieth centuries see Weber 1991; Ortmayr 1995.

31 Hesiod, *erga kai hemerai* 600-8. In the more recent translation of the Loeb edition Glenn W. Most translates θῆτά τ' ἄοικον ποιεῖσθαι καὶ ἄτεκνον ἔριθον δίζησθαι κέλομαι in line 602-3 as follows 'then I bid you turn your hired man out of your house and look for a serving-girl without her own child'. This interpretation of the text does not include the custom of 'alternating service', during which servants switch farms on a specific date. Therefore it is not unusual for a new farmhand or maidservant to enter service at the beginning of the agricultural cycle, although immediately afterwards a quieter working phase starts (v. 607-8).

32 Hesiod, *erga* 441-7; 502-3; 573; 597. On the debate of the *dmṓes* being free workers or slaves, see Hanson 1995, 96; Nelson 1998, 36; Schmidt 2017, s.v. Hesiodos; Schmitz 2017, s.v. Gesinde, freies.

33 Homer, *Ilias* 21.443-57. Servants are counted among the social class of the poor, despite this remark by Werlings 2014, 68f.: "L'*Odyssée* évoque quantité de personnages humbles, travailleurs libres ou dépendants des puissants, comme les thètes ou les *dmôes*. Mais

The servants' work appears in the form of a simile. The gods Poseidon and Phoibos Apollo had to work as servants for king Laomedon as a punishment that Zeus had imposed on them. However, despite the divine and mythic setting the actual working conditions of the rural servants can be distinguished: service for one year for wages (*misthós*) agreed on in advance and paid out at the end of the year, herding livestock as a work task. It was also bitter reality that, if the master was not satisfied with the work of the servants, he dismissed them ahead of time and refused to pay their wages. Also for the Nineteenth century, evidence for many such incidents is provided by court records as servants, who had been dismissed without wages, had returned to the farm and, in a rage, had set the barn on fire.[34]

Akin to the menial work of Poseidon and Apollo described in the Iliad, Herodotus gives a vivid description of this issue with the story about the origin of the Macedonians' kingship. The descendants of Temenos, three brothers, had fled from Argos to the country of the Illyrians and further to upper Macedonia to the town of Lebaia, where they worked for wages (*thēteúein epí misthṓ*) for the king. One brother herded the horses, the second the cattle and the third the small livestock. The king's wife used to bake bread for all members of the house, also for the servants. However, as often as she baked, the bread of the youngest brother always became double the size of the dough. The king interpreted this to be an omen from the gods, an evil omen for him. He called for the three servants and told them to leave his country. However, they said that they would only leave after having received their well-earned wages. When, in that moment, the sun was shining through the chimney the king furiously cried out that they should take this for their well-earned wages and pointed to the sun. The youngest brother encircled the sunshine on the floor with his knife, ladled the sunlight into his garment three times and went away together with his brothers.[35] The youngest brother was Perdiccas, who founded the Macedonian kingdom, the sun kingdom, which in the successive generations stretched out all over Northern Greece.

With regard to the sources it is significant that the life situation of the servants is never described directly, but only indirectly in intentional stories, similes or sayings of an agrarian society. By taking a look at the historic memoirs of members of lower social classes in the nineteenth and early Twentieth century, for comparison,[36] we may perceive the hardship of being a servant that appears in ancient sources as well.[37] For example, the bitter homesickness of children, who had to leave their home at the age of eight or ten in order to work on an unknown farm as their parents could no longer feed them. In early Greece, in order to keep the number of eaters low, the subsistence farmers used to hire only unmarried servants as advised by Hesiod as well:

> "then I bid you hire a man without a house and
> look for a serving-girl without her own child; for a serving-
> girl with a baby under her flank is a difficult thing."

Consequently, members of the class of *thḗtes* could not marry at the usual age. Due to the transfer of property during lifetime, common in ancient Greece, men usually married at around the age of thirty that is, when the approximate sixty-year-old father left the farm to his son and retired. In contrast to this, women mostly married before they reached twenty since with an average birth rate of six to nine children only two to three children reached adulthood. Therefore, Hesiod advises the subsistence farmers as follows:

> "Lead a wife to your house when you are in good season,
> neither falling very many years short of thirty
> nor having added very many: this is a marriage in good season for you.

pour aucun d'eux, le poète ne semble soucieux de préciser qu'il est 'pauvre', comme si la certitude d'un revenu, aussi humble soit-il, ou la garantie d'un toit, permettaient d'échapper à cette appellation."

34 Cf. Schulte 1989, 42-5.

35 Herodot 8,137.

36 See note 29.

37 Marie-Josephine Werlings, omitting the thetes as a sub-peasant social layer in her study, concludes the 'poor' in the Homeric epics and in the writings of Hesiod do not form a socially homogenous group, no 'class' (2014, 69, 71-2). Because of their dependence on nobles and farmers who employ them for a year, their risk of not receiving their wages by the end of that year, and lacking the option of marriage and getting children, in my opinion servants can indeed be identified as both 'poor' (at least according to the modern sociological definition) and as a socially homogenous group. In comparison, Werlings assumes the 'poor' do not appear as "une catégorie sociale clairement identifiée comme 'les pauvres'" (ibid. 73, 75-6) before Solon's elegies.

> The woman should have reached puberty four years earlier, and in the fifth she should marry. Marry a virgin, so that you can teach her cherished usages: and above all marry one who lives near to you."[38]

However, these rules only apply for the farmers. If servants or maidservants got married and had children, they risked not being hired for farm work any longer, which made their life situation very precarious. Thus, Hesiod mentions not only the young servant, but also the (unmarried) forty-year-old man, who "puts care into his work and will drive a straight furrow".[39]

Consequently, the advice to hire a 'servant without a house' and a 'maidservant without a child' means that the maidservant had to leave the farm shortly before she would give birth to a child. Memoirs of maidservants from the Nineteenth and early Twentieth century show that pregnant women had to work hard until shortly before their child was born. When the childbirth was imminent the maidservant had to leave the farm. It was her own responsibility for how to take care of the newborn afterwards. Returning to the farm was only possible without the child. In the ancient sources – except for a short indication in Aristotle's *Politics* – this hardship is omitted. According to an oracle addressed to the residents of the town of Troezen, the alleged reason for the frequently occurring death of pregnant young women was their getting married too early and not the 'crop harvest', which means the stresses and strains of harvesting during their pregnancy.[40] The different marriage practices of farmers and servants make it clear how poverty in ancient societies affects the scope of agency, that poverty entails social exclusion.

In view of such life circumstances, it is no wonder that the servants turned away from the farms when other possibilities to earn a living arose in the emerging towns and seaports in the course of the Sixth century and then in secluded regions during the Fifth and Fourth century. A high number of craftsmen, retailers and grocers had their origin in the class of *th□tes*. Former servants used the opportunity to earn their living as a carrier of amphorae, a blacksmith or a shoemaker, a tanner or a donkey driver, a fish or sesame seller, so that they were no longer dependent on a master, could get married and start a family. In the Sixth century tyrants, town lords and lawgivers tried to stop this development.[41] In this context it cannot be determined whether the servants went away and hence forced the farmers to replace independent servants with slaves or whether the farmers preferred slaves and dismissed the servants, who were now forced to find another way to earn a living. However, the sources provide sufficient evidence for the movement of labour as such, also because the sources of the Fifth and Fourth century do not include free citizens hiring themselves out as servants. Only seasonal help in harvesting is mentioned there, especially for women who, according to the sources, reaped the grain or gathered spikes or grapes.[42] For example, the attempts of the Corinthian tyrant Periandros to deny immigrants access to the town of Corinth and to stop, at the same time, the acquisition of new slaves,[43] obviously indicate that such a movement of people into the towns and a replacement of servants with slaves took place.

Conclusion and prospect

In ancient Greece poverty, even bitter poverty and hunger, were known. Unknown, however, was a poor relief, a welfare and social policy, that aimed at improving the life situation of poor citizens. However, it has to be considered that a labour market policy cannot be expected under the ancient conditions. In the Fifth and Fourth century no free citizen of a Greek town was willing to work for another citizen – not even on the basis of a voluntarily concluded contract. All craftsmen, retailers and other tradesmen worked independently; under no circumstances would a shoemaker, potter, carpenter or blacksmith have hired a free citizen to work for him for a longer period of time. Whenever in the Fifth and Fourth century craftsmen and tradesmen needed additional workers, they employed slaves.[44] Under these working conditions there could not exist any 'unemployed' or 'work-seekers' and, therefore, not any

38 Hesiod, *erga* 695-700.
39 Hesiod, *erga* 441-7.
40 Aristot. pol. 7.16, 1335a 18-22.
41 Schmitz 2013.
42 Scheidel 1990, 1992.
43 Nicolaus of Damascus FgrH 90 F58; Herakleides Lembos 20 Dilts; cf. Athenaios 6, 264 c-d.
44 Similar to ancient Rome: Bruhns 1981, 27-49.

claims of the 'workers' for effective employment-creation programmes.[45] Everybody had to make a living on his or her own by offering goods or labour in the 'market' hoping to find a customer or an employer. Today's wageworkers and dependent employees did not exist in ancient Greece, but only 'self-employed workers' who tried to receive work orders. From the ancient philosophers' point of view all these people were 'wageworkers', since for their goods or executed work they received wages, which they were reliant on – in contrast to the subsistence farmers who did not rely on orders, but directly lived on the produce of their land and livestock. In such a working environment people had to stand on their own feet. No one could hope for benefits from the community. Some of those who lived on the edge of the society had no other choice than begging.[46] Thus, poverty could never become an important topic in literature.

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45 On the development of a systematic policy for the poor in early modern times see von Hippel 2013, 44-53. In medieval times the informal giving of alms took the shape of helping a beggar as a likeness of Christ – mostly in order to benefit the giver's own salvation (ibid. 44). Ibid. 53: "Erst wenn man Armut zu einem guten Teil als gesellschaftlich vermeidbar betrachtete, konnte man auch daran denken, Armut durch übergreifende Maßnahmen sozialen Ausgleichs abzubauen und ihrer Entstehung vorzubeugen, konnte man – mühsam genug – im ‚Industriezeitalter' von spezieller ‚Armen'- zur umfassender verstandenen ‚Sozialpolitik' vorstoßen, die durch ein höheres Maß an ‚sozialer Sicherheit' und ‚sozialer Gerechtigkeit' dazu beitragen soll, ‚sozialen Frieden' zu schaffen und zu erhalten."

46 On beggars in the ancient world see Roubineau 2013; Coin-Longeray 2014; Helmer 2015.

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3. Research Lenses

3.4. Labour and Spatiality

Gül Şen. "Between Two Spaces: Enslavement and Labor in the Early Modern Ottoman Navy," in *Comparative and Global Framing of Enslavement*, ed. Stephan Conermann, Youval Rotman, Ehud R. Toledano, and Rachel Zelnick-Abramovitz (Berlin: De Gruyter, 2023): 133–166.

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Gül Şen

Between Two Spaces: Enslavement and Labor in the Early Modern Ottoman Navy

1 Introduction

Ottoman maritime labor, or more specifically the rowing force, consisted of paid rowers, war captives, convicts, and other categories of laborers, whose numbers and percentage differed from galley to galley. Irrespective of their voluntary or enforced recruitment and their legal distinctions, many aspects of their living conditions were almost identical. They were all engaged in what was probably the hardest and most dangerous work in the Ottoman navy. When we compare various forms of asymmetrical dependencies and other forms of unfree labor in the Ottoman realm, galley slavery and unfree maritime labor share a number of distinctive characteristics: galley slaves (*forṣa*)[1] were "state slaves" (*mīrī esīr* or *gebrān-i mīrī*) rather than domestic slaves in elite households; rowers were anonymous parts of a work force, in contrast to *kul*s, or sultan's servitors, who might attain prestigious positions in the military or administrative strata. Furthermore, unfree maritime labor was probably the only exclusively male area (apart from the Janissary corps, a kind of military bondage) in which asymmetrical dependencies prevailed. This phenomenon was not specifically Ottoman, as it was a common practice among Mediterranean powers, used in the Republic of Venice (a long-time naval rival of the Ottoman Empire), the Spanish Empire, the Kingdom of France, and the Papal States. A strong reciprocity can be observed in all naval practices, from warfare to the treatment of war captives. At the beginning of the sixteenth century, three constellations of developments caused an extreme surge in the demand for oarsmen and their coerced deployment: the Mediterranean became a battle ground; the use of oar-propelled warships became prominent (first, in galleys);[2] and technology changed with the shift from one rower per oar to many rowers on a single oar.[3]

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1 The term *forsa* also appears as *forṣa* or *forṣā* in Ottoman Turkish narrative sources. In the following, I have used the transliteration system of the *Islam Ansiklopedisi* for Ottoman Turkish; for the Arabic names of Hijra months, I adhere to the *IJMES* transliteration system. All translations are mine unless otherwise stated. I am indebted to Ehud R. Toledano for his invaluable comments on an earlier version of this chapter.

2 The main types of large rowing warships included galleys (*ḳadırga*): bastarda (*baştarda*): and maona (*mavuna*). Smaller galliot (*ḳalyata*): frigate (*fırḳata*): and sailing ships were only employed for support services, such as the transport of naval artillery. From the second half of the seventeenth century, sailing ships such as galleons (*ḳalyon*) and barques (*barça*) gradually replaced oar-propelled ships.

3 On effectiveness of galleys and speed under oars, see John Francis Guilmartin, *Gunpowder and Galleys: Changing Technology and Mediterranean Warfare at Sea in the Sixteenth Century* (London: Cambridge University Press, 1974): 57–84.

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In this chapter, I focus on galley slavery from the viewpoint of unfree labor, using a micro-spatial approach to gain a global perspective and to correspond with other studies in this volume. I examine how the Ottoman state mobilized its resources to meet the high demand for manning ships during times of war. In the first two sections, I introduce two key terms that constitute this article's theoretical basis and define the semantics of unfree labor. In sections three to seven, I explore the stages of recruitment and organization and so reveal similarities in the practices of other Mediterranean powers.

2 Theoretical Remarks

Unfree labor can be understood as part of the multilayered system of Ottoman enslavement.[4] Although their approach relates to the situation in the nineteenth and twentieth centuries, Marcel van der Linden's and Magaly Rodríguez García's work is also useful for analyzing this phenomenon in the early modern eastern Mediterranean. They identify a crucial issue in the study of labor: while a significant amount of research has already been done on two kinds of labor, namely, the most "free" (wage labor) and the most "unfree" (chattel slavery) labor, these two forms constitute only the extreme poles of a wide range of varieties. Much less attention has been paid to these other types of unpaid labor.[5] From this vantage point, the system of Ottoman enslavement and unfree labor can only be understood by paying attention to varieties of asymmetrical dependencies between these two most extreme binaries. For example, "wage labor" did not necessarily mean "free labor," although, originally, free labor was defined as non-slave labor.[6] The terms enslavement and unfree labor are not synonymous; in contrast to

4 For a recent discussion of enslavement, slavery, and slaves in the Ottoman context, see Stephan Conermann and Gül Şen, "Slavery is Not Slavery: On Slaves and Slave Agency in the Ottoman Empire – Introduction," in *Slaves and Slave Agency in the Ottoman Empire*, ed. Stephan Conermann and Gül Şen (Göttingen: V&R unipress, 2020): 11–17; Michael Zeuske provides a broader context and comprehensive discussion in his textbook on the history of slavery: see Michael Zeuske, *Handbuch Geschichte der Sklaverei: Eine Globalgeschichte von den Anfängen bis zur Gegenwart* (Berlin: De Gruyter Oldenbourg, 2019): 191.

5 Marcel van der Linden and Magaly Rodríguez García, "Introduction," in *On Coerced Labor: Work and Compulsion after Chattel Slavery*, ed. Marcel van der Linden and Rodríguez García (Leiden: Brill, 2016): 1–2. For further discussions, see also Carolyn Brown and Marcel van der Linden, "Shifting Boundaries between Free and Unfree Labor: Introduction," *International Labor and Working-Class History* 78 (2010): 4–11. In historical terms, free labor was defined as non-slave labor; however, some critics claim that non-slave labor does not necessarily mean that this kind of labor is automatically free labor because non-slave laborers are still influenced by legal and economic restrictions in many countries. Stanley L. Engerman, "Introduction," in *Terms of Labor: Slavery, Serfdom, and Free Labor*, ed. Stanley L. Engerman (Stanford: Stanford University Press, 1999): 2.

6 Engerman, "Introduction": 2.

unfree labor, enslavement not only relates to labor, but also includes other issues, such as the extent to which the slave depended on his or her enslaver legally and socially. Hence, a slave's work could be much more independent than that of a forced laborer. Yet, despite these differences, both forced laborers and slaves resisted their dependency in similar ways.[7]

We have to keep in mind that the social or cultural setting in the Mediterranean and Ottoman world generated different forms of unfree labor that cannot be explained by a single term. This makes it difficult to develop a distinct definition for an analytical framework suitable for premodern realities and practices in the Mediterranean. The approach of grading enslavement on a continuum, as suggested by Ehud R. Toledano,[8] does constitute a useful analytical framework. In a similar way, Jan Lucassen's categorization of three kinds of productive unfree labor and enslavement in prior to the twentieth century corresponds to the characteristics of unfree labor in the Ottoman Empire.[9] (1) To a limited extent, unfree labor was used in the domestic, agricultural, and trade and crafts sectors. (2) On a larger scale, unfree labor was used in mines and on plantations, and (3) in service of the state, for example in the army or the navy. For the Ottoman case, I combine the second and third categories, since mines were entirely owned by the state. In addition to these categories, the Ottoman imperial palace was the largest household and slave-owning institution. There are only a few studies that address slave and unfree labor in Ottoman society in general,[10] and we still lack a full picture of its use in the Ottoman fleet and naval bases.[11] İdris

7 Elisabeth Herrmann-Otto, "Einführung," in *Sklaverei und Zwangsarbeit zwischen Akzeptanz und Widerstand*, ed. Elisabeth Herrmann-Otto (Hildesheim: Georg Olms Verlag, 2011): ix.

8 Ehud R. Toledano, "The Concept of Slavery in Ottoman and Other Muslim Societies: Dichotomy or Continuum?" in *Slave Elites in the Middle East and Africa: A Comparative Study*, ed. Miura Toru and John Edward Philips (London: Kegan Paul International, 2000): 159–76.

9 Jan Lucassen, "Free and Unfree Labour Before the Twentieth Century: A Brief Overview," in *Free and Unfree Labour: The Debate Continues*, ed. Tom Brass and Marcel van der Linden (Bern: Lang, 1997): 47–48.

10 For the premodern period, see Halil İnalcık, "Servile Labor in the Ottoman Empire," in *Studies in Ottoman Social and Economic History*, ed. Halil İnalcık (London: Variorum, 1985): 25–52; Konstantinos Moustakas, "Slave Labour in the Early Ottoman Rural Economy: Regional Variations in the Balkans during the 15th Century," in *Frontiers of the Ottoman Imagination: Studies in Honour of Rhoads Murphey*, ed. Marios Hadjianastasis (Leiden: Brill, 2015): 29–43. On labor recruitment mechanisms and maritime labor, see Suraiya Faroqhi, "Labor Recruitment and Control in the Ottoman Empire (Sixteenth and Seventeenth Centuries)," in *Manufacturing in the Ottoman Empire and Turkey, 1500–1950*, ed. Donald Quataert (Albany: State University New York Press, 1994): 13–57. For the late Ottoman period, among his many publications, see M. Erdem Kabadayı, "Unfreie Arbeit in den staatlichen Fabriken im Istanbul des 19. Jh," in *Unfreie Arbeit. Ökonomische und kulturgeschichtliche Perspektiven*, ed. M. Erdem Kabadayı and Tobias Reichardt (Hildesheim: Olms Verlag, 2007). See further Donald Quataert, "Labor History and the Ottoman Empire, c. 1700–1922," *International Labor and Working-Class History* 60 (2001): 93–109.

11 Among the extant literature on the French navy and labor organization in the early modern period, Paul W. Bamford's study is of particular interest, since he provides a much material on the

Bostan's monograph is the sole comprehensive study on the general administration and organization of labor during the seventeenth century.[12]

The second theoretical basis of my study is the "micro-spatial approach," which places the analysis in a global perspective.[13] For this, I draw on the approach of Christian G. De Vito and Anne Gerritsen, who argue that a micro-spatial approach emphasizes the importance of spatial aspects in writing history and the means by which time and space create spatiality; in addition, it enables us to challenge the binary division between the "local" and "global."[14] The micro-spatial approach is based on the idea of a simultaneity of various spaces that are also entangled with each other. De Vito and Gerritsen argue that this method goes beyond local boundaries and relates various contexts by examining the movements and dissemination of people, objects, and beliefs. Thus, this micro-historical approach may enable us to avoid restricting our focus to certain geographical spaces and help us develop independent local units. A micro-spatial history requires the coordination of research efforts across regional, cultural, and linguistic boundaries.[15]

The third theoretical aspect is military labor. This issue is still controversial for military and labor historians: while the former do not consider labor in a military context, the latter do not consider the military as a labor force and their activities are not thought of as "work." There is only one edited volume which is comparative and covers both research areas: *Fighting for a Living: A Comparative Study of Military Labour 1500–2000*. I confine myself to quote Marcel van der Linden's definition of work as it relates to military labor:

> Work is the purposeful production of useful objects or services. Thus, work is a purposive activity, and work creates objects or services that are useful to the people for whom the work is done. That makes participation in military activities just as much a labour process as any other, even if many civilians do not regard it as a "useful activity" and have no use for it.[16]

Drawing on these theoretical considerations, I discuss the phenomenon of unfree labor for the Ottoman navy with its main base and naval arsenal at Galata in Istanbul

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problems of administering and organizing the galley fleet in the seventeenth and eighteenth centuries. See Paul W. Bamford, *Fighting Ships and Prisons: The Mediterranean Galleys of France in the Age of Louis XIV* (Minneapolis: University of Minnesota Press, 1973).

12 İdris Bostan, *Osmanlı Bahriye Teşkilâtı: XVII Yüzyılda Tersâne-i Âmire* (Ankara: Türk Tarih Kurumu, 1991).

13 For a theoretical discussion of global enslavement in various "models," see Ehud R. Toledano, "Models of Global Enslavement," in *Slaves and Slave Agency in the Ottoman Empire*, ed. Stephan Conermann and Gül Şen (Göttingen: V&R unipress, 2020): 31–51.

14 Christian G. De Vito and Anne Gerritsen's introduction, "Micro-Spatial Histories of Labour: Towards a New Global History," in *Micro-Spatial Histories of Global Labour*, ed. Christian De Vito and Anne Gerritsen (Cham: Palgrave, 2018): 4.

15 De Vito and Gerritsen, "Micro-Spatial Histories": 9–15.

16 Marcel van der Linden, "Preface," in *Fighting for a Living: A Comparative Study of Military Labour 1500–2000*, ed. Jan Erich Zürcher (Amsterdam: Amsterdam University Press, 2013): 9–10.

in order to understand how a closer look at this specific micro-space may give us a global perspective in relation to the other case studies on enslavement in this volume.

3 Ottoman Semantics of Unfree Labor

The spectrum of administrative terms concerning slaves and unfree labor destined to become oarsmen is relatively clear and provides insight into different forms of organization. The key term generally used in official documents and registers is *mīrī esīrler* or *gebrān-ı mīrī and üserā*, meaning "war captives/state slaves." Thus, both terms refer to the legal status of captive persons. In documents and chronicles, we also find the more specific term *forṣa* (pl. *forṣalar*), meaning "galley slaves" or "war captives who were put to oars." *Mīrī kürekçi* (state rower) is used as a general term for all oarsmen in state galleys. For both *kürek maḥkūmu* and *kürek mücrīmi* (convicted to oars), a specific punishment is indicated, and in some cases the more specific term *küreğe maḥkūm ḥarāmī* (a bandit sentenced to oars) is employed. So, a rower was a *kürekçi*, a *forṣa*, a *mīrī esīr*, or a *mīrī forṣa*. The *mühimme* registers do not particularly emphasize slave status, but in the Kadi registers for Galata for 1615–20 they are referred to as "non-Muslim unfree galley slaves" (*memlūk forṣa keferesi*) or "unfree galley slaves" (*forṣa memlūkü*).[17] Their geographic origins are indicated in some cases, as in the *mühimme* for 966–68/1558–60, who are referred to as being "convicted to oars from Galipoli" (*Gelibolılı kürek maḥkūmu*) or "convicted to oars from Skopje" (Üsküblü *kürek maḥkūmu*).[18] However, ethnic markers, such as *Russiyye* (Ukrainian) or *Nemçe* (Austrian), are absent. Labor is defined in phrases such as "putting to the oars" (*küreğe ḳoymaḳ/ḳoşmaḳ*), "being put to the oars" (*küreğe verilmek/ḳoşılmak*),[19] and "sending to row" (*kürek çekmek üzere vażʿ oluna*).[20] Being conscripted in lieu of fulfilling tax obligation is indicated in most cases as "collecting oarsmen" (*kürekçi iḫrācı*),[21] and slave labor is apparent in the phrase "to man the ships with state slaves" (*mīrī esīr ile gemi donatmak*).[22] Certainly, the *mühimme* registers distinguish between three main categories of oarsmen: state slaves, convicts,

17 *İstanbul Kadı Sicilleri Galata Mahkemesi 46 Numaralı Sicil (H. 1024–1029/M. 1615–1620)* ed. Coşkun Yılmaz. (Istanbul: İSAM, 2012) [hereafter *Galata Mahkemesi* 46]: 52a–1.

18 *Mühimme Defteri* 3: 630.

19 For example, *Mühimme Defteri* 7: 85, 417, 2324; *Mühimme Defteri* 12: 209.

20 This and similar phrases can be seen in the hundreds of entries of the Convict Registers of the Naval Arsenal. For example, *Bāb-ı Defteri, Baş Muhasebe Kalemi, Tersane Zindanları* [hereafter D. BŞM. TRZ], Defter no. 15749: 1–7. I am indebted to Joshua M. White, who has kindly provided me with three registers from the early eighteenth century.

21 For the years 951–952/1544–45, see *Mühimme Defteri E-12321*: 58, 436, 538. For the year 973/1565–66, see *Mühimme Defteri* 5: 328, 1903. For the years 975–976/1567–69, *Mühimme Defteri* 7: 795, 2608, and for 978–979/1570–72, see *Mühimme Defteri* 12: 24, 995.

22 *Mühimme Defteri* 7: 636.

and those who were conscripted in lieu of tax obligations.[23] From the eighteenth century onwards, however, the term *kürek* designates not just the service on the oars in a narrow sense, but also hard labor or imprisonment with hard labor in service of the navy, as will be discussed further below.

4 The Organization of Recruitment

Maritime labor was vital to the maintenance of a functioning navy, and therefore to the Ottoman state's sovereignty on land and sea. Moreover, the navy was operated by the state via its central administration: this gave it an advantage over many other European navies, which were at that time often run by private companies.[24] Thus, the Ottoman system of centrally organizing the recruitment of labor proved to be more efficient than that of its adversaries. As the activities of the Ottoman navy varied significantly by season, crew members, including oarsmen, were particularly in demand before upcoming campaigns. The *Tersāne-i ʿĀmire* (Imperial Naval Arsenal) only maintained a limited number of permanent laborers, although they expanded their manpower in times of intense naval activity.[25] Located on the Golden Horn, the Imperial Naval Arsenal was the main naval base and shipyard: it had a hospital, a prison (called *bagno* in Italian and *bagne* in French), and other facilities. The Ottomans had other shipyards along the Black Sea, the Aegean, and the Mediterranean coast. However, the Imperial Naval Arsenal (the micro-space on which my study is focused) was the center of the empire's naval operations, where the state organized labor for the navy. In terms of its indispensable function and size, the *Tersāne-i ʿĀmire* in Istanbul was comparable to the *Arsenale di Venezia* of the Republic of Venice or *L'Arsenal des galères* in Marseille and Toulon.[26]

If we take a quick look at the three most common types of rowing ships and the size of their crews in the seventeenth century, we can imagine, roughly, how a rowing warship was manned. A galley consisted of 300 men (of whom 196 were rowers), a *maona* had 600 men (of whom 364 were rowers), and the *bastarda* type of rowing vessel had 800 men. A fleet with 40 galleys and 6 *maona* would employ

23 Here, I refer to the practice of collective tax obligations, not to individual debts. For more detail, see chapter 4.1.

24 For the Ottoman navy and its history, see Daniel Panzac, *La marine ottomane: De l'apogée à la chute de l'Empire (1572–1923)* (Paris: CNRS Éditions, 2009).

25 Faroqhi, "Labor Recruitment and Control": 26.

26 The term "arsenal" derives from the Arabic *dār al-ṣināʿa* (house of manufacturing). While it was commonly used in the Mediterranean area, the Turkish *tersāne* (or the older variation *tersāḫāne*) was derived from the designation of this institution in the Genoese dialect. See Henry and Renée Kahane and Andreas Tietze, *The Lingua Franca in the Levant: Turkish Nautical Terms of Italian and Greek Origin* (Urbana: University of Illionois Press, 1958): 428–30.

16,400 men, 10,500 rowers and 5,300 armed men:[27] so, the rowers made up the majority in each ship. During the Battle of Lepanto in 1571, the Ottoman fleet consisted of 220 rowing ships, while the Holy League had 206 galleys.[28] The Ottoman shipyards employed many workers in diverse fields: my focus here is exclusively on rowing manpower aboard ships. With regard to the numbers of galley slaves, according to İdris Bostan, the number of "state slaves" who worked as galley slaves was at its lowest (3%) in 1604, and highest (27%) in 1661–62, relative to the total number of rowers.[29] By contrast, Salvatore Bono mentions that a particularly large number of Muslim galley slaves worked on the galleys of the knights of the Tuscan Order of St Stephen in 1617; more than 60% (1,165 out of 1,888) of their oarsmen were Muslim prisoners of war, the highest percentage of Muslim slaves in any European fleet.[30]

Tab. 1: State-Organized Forms of Labor Recruitment.

Officials Involved	Form of Recruitment	Sanctions
Captains	General equipment and manning of vessels	Demotion, order to oars
Crimean khans	Slaving raids, tribute	Imperial disfavor
Provincial governors	Obligation to provide vessels and oarsmen to the navy	Demotion, dismissal from office
Kadis and/or their deputies	Local registration, conscription, and dispatch; mostly fulfilling tax obligations	Dismissal from office, exile

Before discussing the various mechanisms of recruitment, it is worthwhile to examine the role of the officials in charge of recruiting the labor force (Tab. 1). Several entries in *mühimme*s suggest that this was a delicate task for officials, especially those like kadis or local governors, who were less senior than the admiral. For instance, the kadi of Sozopol (Süzeboli)[31] was obliged to provide five galleys to the fleet, but failed to meet his duty. Because of this failure, he received a new order threatening punishment

27 These numbers are given by Kātib Çelebi in his prominent *Tuḥfet el-kibār fī asfār el-biḥār* (*The Gift to Dignitaries Concerning Naval Warfare*): however, they vary slightly according to different sources. See Katib Çelebi, *Tuhfetü'l-Kibâr fî Esfâri'l-Bihâr*, ed. İdris Bostan (Ankara: Türkiye Bilimler Akademisi, 2018): 82.

28 Helmut Pemsel, *Seeherrschaft: Eine maritime Weltgeschichte von den Anfängen bis 1850*, vol. 1 (Bonn: Bernard & Graefe Verlag, 1995): 151–52.

29 Bostan, *Bahriye Teşkilatı*: 210, 200.

30 Bono, *Piraten und Korsaren*: 149.

31 A coastal town on the Black Sea, today in Bulgaria.

if the aforesaid galleys were not immediately delivered to Istanbul. The same order was sent to the kadis of Samsun,[32] Varna,[33] Sivas,[34] and Amasra,[35] who must have also failed to meet the navy's demands.[36] The standard formulation in orders to the kadis to dispatch rowers from local communities – a method that I discuss below – was as follows: "You must urgently dispatch the rowers which [you] were ordered to supply from your district of authority, [as they are] required by my imperial fleet and you must deliver them to the specified destinations before Nowruz."[37] The repeated dispatch of this order shows that kadis could not always comply with this obviously difficult task. The tone of the repeated imperial orders to the kadis concerned reveals the increasing level of pressure and threat of sanctions:

> [As soon as this order arrives], do not procrastinate or delay for a moment or an hour but immediately dispatch the number of rowers that were ordered from the individual sub-districts and deliver [them] to the locations specified for each of you, whether to *maḥrūse-i İstanbul* [the well-protected Istanbul] or to Rhodes. You must flawlessly deliver [them] to the locations that were specified in my previous order. No excuses will be accepted under any circumstances if you do not meet the deadline or the specified numbers, [do not give] explanations like 'they must have run away on the way.' Be assured that you will not only be removed from office, but [you will also be] punished. Therefore, hasten your efforts and do not delay a minute in [fulfilling this order] diligently.[38]

Obviously, under contemporary circumstances of mobility the transport of recruits from the town of conscription to the indicated shipyards caused much trouble to the kadis in charge. Despite being closely guarded during journey, many recruits found the opportunity to run away, as many register entries indicate. Otherwise, all other proceedings seem to have been implemented according to the orders. Only one document mentions some criminals in the vicinity of Silivri, the European coastal neighborhood of Istanbul, who presented themselves as officials in charge of recruitment and retained locals to summon "men needed for the oars" (*küreğe adem lāzımdur*). Since the community also provided the wages of the recruits, these criminals took the money and slipped away.[39]

32 A coastal town on the Black Sea, today in Turkey.
33 A port city on the Black Sea coast in Bulgaria.
34 A central Anatolian city.
35 A port city on the Black Sea in Turkey.
36 *Tanrıvermiş, „72 Numaralı Mühimme"*: 322; also 185 on the dismissal of the governor of Rhodes.
37 *Mühimme Defteri* 12: 42. For the Ottomans, Nowruz (*nevrūz*; new year) started on March 21.
38 *Mühimme Defteri* 12: 42. Also see 769.
39 *Mühimme Defteri* 12: 479.

4.1 Free Recruitment of Oarsmen

4.1.1 Tax Obligations of the Service Units (*Ocaklık*)

The *ocaklık* system was the most comprehensive mechanism for mobilizing resources in various areas across the Ottoman realm. Local communities, i.e., the administrative subdivisions of provinces, districts (*sancaḳ*), sub-districts (*ḳażā*), and villages, could be exempted from their tax obligations by providing certain types of service in certain areas.[40] As for maritime labor, a register of rowers recruited in Galipoli shows that in order to satisfy manpower needed by the naval base, this kind of recruitment system was already being applied in 1475 (this was the earliest documented case of recruitment in lieu of tax obligations). An imperial decree determined the administrative units obliged to supply certain numbers of rowers in exchange for relieving them of the taxes on Muslim subjects (*avārız*) or non-Muslim subjects (*cizye*).[41] These rowers were paid with money collected from a fixed number of households obliged to provide the salaries of rowers.[42] According to a register of rowers (*kürekçi defteri*) from 891/1486, 14,542 rowers were recruited from three provinces of the empire (Anatolia, Rumelia, and Rūm). It is not clear what proportion were Muslims as opposed to non-Muslims.[43] The main responsibility lay with the kadis and their deputies (*na'ib*), who were commissioned to recruit men in local communities. Such a community was then registered as a surety, essentially guaranteeing that the recruits would not escape on the way to Istanbul; if they did, the community would have to put forward the rowers' salary a second time. Sometimes, individual rowers had individual sureties. It was common for new recruits to escape with many months' advance salaries. Arriving at the arsenal in monitored transport, a check was undertaken. In the event of a discrepancy in the documentation, the kadi responsible and his deputy were called to account for it: recruits might be fugitives, ill, or disabled; in place of one registered name, another individual might have shown up.

This labor recruitment category is designated in the sources by the term "collecting rowers" (*kürekçi iḫrācı*) or "delivering rowers" (*kürekçi irsāli*), and frequently appears in the *mühimme* registers of the sixteenth and seventeenth centuries.[44] Over the course of time, the *avārız* rowers constituted the majority of galley crews. However,

40 On the system of *ocaklık* ("service villages"): see Gábor Ágoston, *Guns for the Sultan: Military Power and the Weapons Industry in the Ottoman Empire* (Cambridge: Cambridge University Press, 2006): 118–21.

41 İdris Bostan, "Osmanlı Donanmasında Kürekçi Temini ve 958 (1551) Tarihli 59–76: Kürekçi Defterleri," in *Beylikten Imparatorluğa Osmanlı Denizciliği*, ed. İdris Bostan (İstanbul: Kitap Yayınevi, 2008): 60–61. Note that an *avārız* household is unusual in that it can consist of many households. See Ömer Lütfi Balkan, "Avarız," *Diyanet İslâm Ansiklopedisi*, vol. 2 (1989): 15–16.

42 Bostan, "Kürekçi Temini": 6.

43 Bostan, "Kürekçi Temini": 61–62.

44 For example, the register for 973/1565–66 contains similar entries. See *Mühimme Defteri* 5.

this practice was not applied on a systematic basis across the empire, which is why a lack of oarsmen seems to have been a recurring problem over the centuries. Rowing in lieu of tax can only conditionally be considered "free recruitment," since it was coerced. Even if we consider this form of recruitment a sort of obligation of the empire's protected subjects, there is evidence that the boundaries between this form of free labor and forced labor were porous. It was quite possible that many forms of unfree labor eventually led to other forms of dependency. For example, a certain Aḥmed was recruited from the village of Burgazlı in the district of Bafra[45] and was sent to prison for several crimes he committed locally. He managed to escape in 1571 and enlisted as a rower. During the transfer, however, he not only disobeyed instructions, but also incited his fellow recruits and attacked the kadi of Bafra with a knife. Ahmed again escaped, but was caught and dispatched to the arsenal. An order dated Dhū al-Qaʿda 15, 978/April 10, 1571, and addressed to the grand admiral sentenced him to oars for perpetuity: "According to my order, you should record the mentioned [Ahmed] in the register of convicts and employ him by putting him to the oars for life."[46]

4.1.2 Volunteers

Voluntarily enlisted oarsmen (*ḫod-girifte*) with paid salaries were a permanent feature in the Ottoman fleet and supplemented the recruits conscripted in lieu of taxes. An order (20 Dhū al-Ḥijja 978/May 15, 1571) to the kadi of Iznikmid commands that the kadi register and dispatch "those able young men who would be interested in being rowers with wages" (*yarar yiğitlerden aḳçe ile kürekçi olmağa safālu olanları*) from his administrative unit to Istanbul. The intendant of Galata (*Ġalaṭa emīni*) sent fifty thousand *aḳçe*[47] for this.[48] According to an order from the same year to the kadi of Sinob, a port city on the Black Sea coast, salaried volunteers were to be recruited if the rowers from communities and convicts did not suffice. Since the Black Sea squadron needed to urgently join the imperial fleet that was already at sea, craftsmen and rowing positions had to be filled. If the number of rowers was insufficient, convicts were to be deployed; if there was still a lack of rowers, the kadi was to recruit volunteers among the population (*reʿayādan*) for 800 *aḳçe*.[49] In another case, the kadi was ordered to send volunteers and convicts:

45 A town on the Black Sea in Turkey.

46 *Mühimme Defteri* 12: 614: *Mezbūrı emrüm üzre mücrimler defterine ḳaydetdirüb ebedi küreğe ḳoyıb istiḫdām ėtdüresiň.*

47 The standard coin of the Ottoman monetary economy. On its history, see Şevket Pamuk, *A Monetary History of the Ottoman Empire* (Cambridge: Cambridge University Press, 2000).

48 *Mühimme Defteri* 12: 473.

49 *Mühimme Defteri* 12: 318.

> [. . .] if there are men available who voluntarily serve at the oars (*küreğe gitmegi iḫtiyār ėder ʿādem*) for 900–1000 *aḳçe* according to the existing custom and law, you should register them and dispatch them to my *südde-i saʿādet* [‘threshold of felicity,’ Istanbul] so that they can be paid and employed on the vessels. Further, if there are prisoners whose offenses are evident, you should dispatch them, too.[50]

This category should be treated with caution, since some of them caused considerable security problems. In a petition from the kadi of Gallipoli sent to Istanbul on Jumādā al-Ūlā 17, 967/February 14, 1560, the author complains that bandits from the mountainous region of Kazdağı (*Kazdağınuñ harāmī levendleri*)[51] – in the Aegean region – had mingled with conscripted rowers marching from Anatolia to Rumelia (apparently for the squadron on the Danube), set up ambushes on the roads, and posed a danger to public security. Responding to the petition, an order was issued for the officials in charge to only allow the men listed in the register to march with them, in order to prevent these groups of bandits (*levend tā’ifesi*) from hiding among them by pretending to be rowers.[52] As for the treatment of volunteers on the galleys, they were certainly shackled during the battles, like their unfree colleagues. However, they did not have to be guarded permanently and could be used as soldiers for operations on land.[53]

4.2 Forced Recruitment

The seasonal demand for rowers for the growing fleet, which mostly consisted of rowing vessels, could not be satisfied by paid volunteers and recruits in lieu of taxes. This scarcity of rowers prompted the development of alternative strategies for the recruitment of oarsmen. This kind of recruitment included taking captives from naval battles and from privateering, hiring, purchasing, raiding, taking tribute from Crimean khans, impressment, and convicts.

4.2.1 War Captives

Prisoners of war, as defined by contemporary legal standards of international law, were the most common source of forced labor. The high demand for rowers required

50 *Mühimme Defteri* 12: 479.

51 A century later, the Kazdağı region became a source for military recruitment. See Jane Hathaway, *The Politics of Households in Ottoman Egypt: The Rise of the Qazdağlıs* (Cambridge: Cambridge University Press, 1997): 62.

52 *Mühimme Defteri* 3: 783.

53 Thomas Freller, “Reinhold Lubenau und das Osmanische Reich in der zweiten Hälfte des 16. Jahrhunderts,” *Militärgeschichtliche Zeitschrift* 74, no. 1–2 (2015): 138.

the use of war captives, although they were subject to peace and exchange agreements. Numerous sea and land battles resulted in the captivity of thousands of combatants and non-combatants. There were, however, legal norms regarding enslavement; namely, only those individuals fighting on the enemy side in a war could be enslaved. It was a violation of Ottoman law to enslave – by taking captives or hostages – anyone from countries with which the Ottoman Empire was not currently in a declared war. Non-Muslims living in the Ottoman Empire, i.e., its own subjects, were also protected from being enslaved. In addition, for all prisoners of war a ransoming mechanism was legally and practically in place.[54] The Ottomans had regulated the labor performed by war captives (at land and at sea) as early as the fourteenth century by establishing a system of specific taxation called *pencik resmi*. According to this regulation, one-fifth of war captives were allotted for state services, such as *mīrī esir*, *gebrān-ı mīrī*, or *üserā*, and the rest were shared among the officers and soldiers, according to their rank, as spoils of war. In return, those who received war captives were compelled to pay taxes for each one. Since the values of slaves and war captives were fixed according to their gender, age, and physical features, it was easy to calculate what a new enslaver had to pay to the state for his new slaves.[55] An order from Sultan Bayezid II dated 1511, the *pençik* register of the Cyprus campaign 1570–71, and other documents show an elaborate categorization of human spoils that included newborns and toddlers up to three years old (*shīrḫor*), children between three and eight years old (*beççe*), boys between eight and twelve years old (*ġulāmçe*), boys at the age of puberty (*ġulām*), young men at the age of puberty (*sakallı*, or bearded), and elders (*pīr*). Female captives were categorized as little girls (*duḫterek*), girls (*duḫter*), young women (*cāriye* or *māriye*), women with children (*ümm-ü veled*), elderly women (*ʿacūze*), and women of a very advanced age (*fertūte*).[56] Each category was taxed differently, and *pencik* taxation was an effective source of income for the state treasury. For example, the 15,854 war captives from the Cyprus campaign yielded the state 1,786,678 *akçe*.[57]

It should be emphasized that not all war captives automatically became state slaves: the process of recording war captives in the *pencik* registers determined which captives became state slaves to be dispatched to the Naval Arsenal for hard labor, which officials who served in battle would receive captives and how many, and how much *pencik* tax these recipients had to pay to the state. State slaves were

54 For regulations for war captives, see Y. Hakan Erdem, *Slavery in the Ottoman Empire and Its Demise, 1800–1909* (New York: St. Martin's Press, 1996): 29–30.

55 Cemal Çetin, *Sultanın Esirleri: İstanbul'da Bir Esir Kampı (1715)* (Konya: Palet, 2015): 68–69; Will Smiley, *From Slaves to Prisoners of War: The Ottoman Empire, Russia, and the International Law* (Oxford: Oxford University Press, 2018): 34.

56 Abdülkadir Özcan, "Pencik," *Diyanet İslâm Ansiklopedisi*, vol. 34 (2007): 227; Zübeyde Güneş-Yağcı "Kıbrıs'ın Fethi ve Ele Geçirilen Esirler," in *Tarihte Kıbrıs (İlkçağlardan 1960'a Kadar)*: ed. Osman Köse, vol. 1 (Bursa: Akdeniz Karpaz Üniversitesi, 2017): 315; Çetin, *Sultanın Esirleri*: 70–71.

57 Güneş-Yağcı, "Kıbrıs'ın Fethi": 309.

immediately sent to the prison of the Naval Arsenal (*Tersāne zindānı*), where they were held together with convicts sentenced to *kürek*. It is difficult to know the exact number of state slaves in this prison, as their numbers varied according to the periods and records.[58] For example, some documents of the Arsenal prison on the distribution of bread to the *üserā-yı mīrī* (without further indication of whether they were convicts or war captives) provide information on the number of inmates detained there on the respective day.[59]

4.2.2 Privateering and Piracy

During the seventeenth century, when Mediterranean powers were losing their absolute control over the sea, privateering and piracy plagued trade there, afflicting both maritime shipping and coastal towns. In both privateering and piracy, perpetrators aimed to profit from human trafficking by capturing all kind of ships, either by taking ransom money from those they abducted or just by selling them, in particular those who were able to row.[60] There was a clear distinction between pirates and privateers. The former acted illegally: they decided for themselves which ships to capture, what booty to take, and how to use it. The latter, who performed the same acts, were commissioned by states. Furthermore, privateers were prohibited from attacking the vessels or territories of states that had official agreements (*ʿahdnāme*) with the sovereign they served.[61]

For privateering, the Ottoman authority usually commissioned North African Muslim privateers/corsairs from the "Barbary states" of Tunis, Algiers, and Tripoli, which had been tributary provinces of the Ottoman Empire since the sixteenth century and continued the practice of privateering into the nineteenth century. Among

58 Zübeyde Güneş-Yağcı and Esra Nalbant, "İstanbul Tersane Zindanı," in *Osmanlı Istanbulu IV, Sempozyum Bildirileri*, ed. Feridun M. Emecen, Ali Akyıldız and Emrah Safa Gürkan (Istanbul: Istanbul 29 Mayıs Üniversitesi, 2016): 95.

59 For example, a document notes the number of 376 inmates on Ramaḍān 13, 1154/November 22, 1741; 364 on November 23, and 389 on November 24. D. BŞM. TRZ, 5-239, no. 3–5.

60 On the topic, see Salvatore Bono, *Piraten und Korsaren im Mittelmeer: Seekrieg, Handel und Sklaverei vom 16. bis 19. Jahrhundert*, trans. Achim Wurm (Stuttgart: Klett-Cotta, 2009); Molly Green, *Catholic Pirates and Greek Merchants: A Maritime History of the Early Modern Mediterranean* (Princeton: Princeton University Press, 2010); Joshua M. White, *Piracy and Law in the Ottoman Mediterranean* (Stanford, CA: Stanford University Press, 2017). The abduction of coastal inhabitants by Ottoman privateers was the background for Cervantes' *Novela Ejemplar* in the short story "The Generous Lover." Miguel de Cervantes Saavedra, *The Exemplary Novels of Cervantes*, trans. Walter K. Kelly (Auckland: The Floating Press, 2015).

61 On the *ʿahdnāme*s issued by the Ottoman state to the European powers, see Maria Pia Pedani, *The Ottoman-Venetian Border 15th–18th Centuries*, trans. Mariateresa Sala (Venice: Edizioni Ca'Foscari, 2017): especially 30–32.

the most famous corsairs of the sixteenth century were the brothers Hayreddin Barbarossa (also called Ḫiżr Reis) and Oruç Reis (also called Barbarossa; he was a galley slave of the Knights Hospitaller on Rhodes for three years). They were later appointed grand admirals of the Ottoman navy and turned the Mediterranean into an "Ottoman lake," especially through the victory over an allied Catholic fleet in the Battle of Preveza. Although in the sixteenth century the corsairs were (to a certain extent) acting as agents of the state, in the seventeenth century their wanton actions became a serious problem not only for their military and political adversaries, but also for maritime trade and the inhabitants of coastal villages in general.[62] During the previous century, the prominent polyhistorian Muṣṭafā ʿĀlī (d. 1600) complained about these privateers, explaining how they made their careers first by plundering with small boats, then obtaining small frigates, and finally building galleys:

> They tie up the non-Muslim [tax-paying] sailors, subjects of the Ottoman state and put them to working the oars. At first, they think they have but acquired galley slaves, then as they attack whatever vessels transporting day laborers that strike their fancy, they set off on the pursuit of wealth.[63]

4.2.3 Raiding and Tribute: The Case of Crimea

As tribute, Circassian dignitaries were expected to provide slaves captured during raids on the Crimean khans, who in turn dispatched them (along with their own captives) to Istanbul.[64] There are no extant figures on the percentage of these captives among the unfree laborers in the arsenal, but their number must have been considerable in view of the great demand for laborers in the shipyard. In one instance, the Ottoman historian Muṣṭafā Naīʿmā (d. 1716) mentions in his chronicle that 100,000 slaves were brought to Istanbul from Circassia after a single raid in 1621. Stephan Gerlach (d. 1612), an envoy of the Holy Roman Empire in Constantinople from 1573 to 1578, wrote a travel account in which he describes Poles that were sold like sheep: "The Poles and Russians imprisoned by the Tatars are being sold today, and have been sold for many days, by bulk. The majority are peasants,

62 Greene, *Catholic Pirates*: 13.

63 [Muṣṭafā ʿĀlī], *The Ottoman Gentleman of the Sixteenth Century: Mustafa Āli's Mevaʿiduʿn-nefāʿis fī ḳavāʿidiʿl-mecālis: Tables of Delicacies Concerning the Rules of Social Gatherings*, trans. Douglas S. Brookes (Cambridge, MA: Harvard University Press, 2003): 34.

64 For slave supply to the Crimean rulers, see Natalia Królikowska-Jedlińska, "The Role of Circassian Slaves in the Foreign and Domestic Policy of the Crimean Khanate in the Early Modern Period," in *Slaves and Slave Agency in the Ottoman Empire*, ed. Stephan Conermann and Gül Şen (Göttingen: V&R unipress, 2020): 355–369; for enslavement in the Crimea, see, Zübeyde Güneş-Yağcı, "Kırım Tereke Defterleri Üzerine Bazı Mülahazalar," *Cihannüma* 6 (2020): 17–45; Fırat Yaşa, "Kırım Hanlığı'nda Köleliğin Sosyal ve Mali Boyutları," *Gaziantep Üniversitesi Sosyal Bilimler Dergisi* 13 (2014): 657–69.

children, women, many boys and maidens, virgins, hardly any elderly people, but many rustic people."[65]

4.2.4 Hiring

When the Ottomans had difficulties finding enough men for the navy, the Imperial Arsenal hired slaves from wealthy households and slave traders. This must have been a lucrative business for the heads of wealthy households.[66] Some inventory registers at the Istanbul court confirm that certain households (most likely those of the highest-ranking vezirs) had at their disposal a large number of enslaved persons who could have been hired out to the Naval Arsenal at any time. Court decision no. 139 concerns the *forṣa*s in the estate (*tereke*) inherited by the son of the late Memi Pasha b. Abdullah (on whose exact rank we lack information). The physical features (*eşḳāli*), individual skills (*evṣāf*), and names of non-Muslim galley slaves (*memlūk forṣa keferesi*) were listed in the inventory register (*muḫallefāt*) of the aforesaid pasha:

> forty-three galley slaves of Ukrainian origin (*Rūsiyyetü'l-asl forṣa memlūkü*), twenty galley slaves of Moldavian origin (*Boğdaniyyü l-aṣl forṣa memlūkü*), sixteen galley slaves of Hungarian origin (*Macariyyü l-aṣl forṣa memlūkü*), ten galley slaves of Frankish origin (*Efrenciyyü l-aṣl forṣa memlūkü*), two galley slaves of Austrian origin (*Nemçeviyyü l-aṣl forṣa*), each [valued] at seven thousand aspers (*aḳçe*), and one galley slave of Croatian origin [valued] at five thousand three hundred sixteen aspers, in total ninety-two slaves.[67]

Aside from the terminology used here (*forṣa*), this passage indicates that these slaves were employed as rowers. The issue of feeding these 92 slaves must have been one reason their owners considered it lucrative to hire them out to the Naval Arsenal, even though 92 men may appear to be insignificant in view of the thousands of slaves employed by a governor general.[68] Emrah Safa Gürkan mentions the example of Uluç

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65 Stephan Gerlach, *Tage-Buch, der von zween glorwürdigsten Römischen Käysern, Maximiliano und Rudolpho beyderseits den Andern dieses Nahmens, höchstseeligster Gedächtnüß, an die Ottomannische Pforte zu Constantinopel abgefertigten, und durch den wohlgebohrnen Herrn Hn. David Ungnad . . . mit würcklicher Erhalt – und Verlängerung deß Friedens, zwischen dem Ottomanischen und Römischen Käyserthum . . . glücklichst-vollbrachter Gesandtschafft: Auß denen Gerlachischen . . . nachgelassenen Schrifften, herfür gegeben durch seinen Enckel S. Gerlachium* (Frankfurt am Main: Johann Savid Zunners, 1674): 492.

66 For the practice of hiring men from slave traders, see İnalcık "Servile Labor": 25–52.

67 *Galata Mahkemesi* 46: 52a–1. Memi Pasha's inheritance mentions 164 galley slaves: "aforementioned 164 *forṣa* with a value of 1,148.000 *aḳçe.* Additionally 53a: "90 *forṣa* in the Imperial Fleet in Mediterranean" with a value of 500,000 *aḳçe*.

68 For example, Grand Vizier Sokollu Mehmed Pasha had 1,000 slaves in his household. See Mustafa Cezar, *Osmanlı Tarihinde Levendler* (Ankara: Türk Tarih Kurumu, 2014): 186. In any case, we must assume that the employment of such a large number of slaves was most likely very rare, and only occurred in Istanbul and in some of the largest provinces.

(later called "Kılıç") ʿĀli Pasha (d. 1587),[69] the former governor general of Algeria, who, with 3,000 slaves in his household, moved to Istanbul in order to take the office of grand admiral. Gürkan points out the difficulties he faced in feeding this number of slaves. Even though he employed six hundred of them (surely the ones with technical expertise) in the Naval Arsenal for 10 *akçe* per day, he still had to feed the rest of these "three thousand mouths" from his own pocket. When this financial burden became too heavy, he eventually provoked the Ottomans to undertake a naval war against their Catholic adversaries. According to Gürkan, Uluç ʿĀli conquered Tunis in 1569 without any official order or authorization: his actual motive was to fill his coffers and feed his slaves.[70] Gerlach refers to "7,000 to 8,000" captives that Uluç ʿĀli had taken at sea, in addition to "thousands" of slaves he already owned in Algiers.[71] Nonetheless, Uluç ʿĀli was first of all a loyal subject of the sultan and by his actions eventually promoted Ottoman interests.

4.2.5 Purchase

The process of acquiring oarsmen by purchasing slaves was by far the most established method; however, there is no systematic study of this topic, and therefore our knowledge is very limited. Certainly, a number of slave markets across the Ottoman domain provided slaves who were purchased for the Imperial Naval Arsenal.[72] Sales in the slave markets provided a large number of men. The sixteenth-century observer Johann Wild (d. after 1619), who was enslaved in Hungary and sold to Istanbul, and who can be regarded as a reliable author, describes a common scene at the market when he narrates his own sale under the caption "How the captive Hans Wild and other boys were brought to the market and sold there" in chapter 37 of his captivity narrative:

> On the fourth day, two of the servants of the chief of the palace gatekeepers brought us to the marketplace where valuable fabrics and other goods are displayed for sale. There, we were handed over to a man who was referred to as a broker by the Turks. The broker took us by the hand, showed us around, and invited bids on us. The other Turks bid on us and after three hours the business finally came to an end. In their tradition, it is customary for an article of commerce to be offered to the last man. The one who gives the most wins the bid [as in an auction]. That is the case for everything that is displayed for sale: captives, horses, goods, and such like. Before the man who wanted to buy me counted the money, he had a look at my hands, arms, and teeth, at my body and my head in order to see that I had no physical deficiencies. They do this with

69 He was an Italian renegade who had been captured by North African corsairs and had served as a galley slave before starting his own naval career. For his biography, see İdris Bostan, "Kılıç Ali Paşa," *Diyanet İslâm Ansiklopedisi*, vol. 25 (2002): 411–12.

70 Emrah Safa Gürkan, "Batı Akdeniz'de Osmanlı Korsanlığı ve Gaza Meselesi," *Kebikeç* 33 (2012): 190–91.

71 Gerlach, *Tage-Buch*: 494.

72 For an example on 100 slaves who were urgently bought to the ships in 1690, see Smiley, *From Slaves to Prisoners of War*: 43.

> everyone, men and women, so that they are not cheated. If they are pleased with the person, they count the money, pay, and take their purchase with them. This is how I was sold for the fifth time in one and a half years, this time for 60 ducats.[73]

Some entries in the *mühimme* registers show that rowers were to be purchased in case of emergencies: the officials in charge of the transport of the conscripted rowers were ordered to replace runaways in this way, in order not to lose time.[74] Given that the slave market in Istanbul was the largest and provided the most slaves for purchase, it is clear that the officials of the Naval Arsenal made use of this market.[75] The slave markets were of interest to other Mediterranean navies as well: in order to meet the need for oarsmen, captains and fleet admirals anchored their ships in ports along the way and went to the slave markets to find new laborers. For instance, slave markets with seemingly endless supplies of laborers could be found in Leghorn, Messina, Malta, and Crete.[76]

4.2.6 Deployment of Soldiers as Oarsmen

In the event that a squadron still could not fulfill its need for rowers, soldiers originally commanded to man a fortress could be dispatched to the navy for service on the galleys. An order (dated Jumādā al-Ūlā 12, 967/February 9, 1560) requested that the district governors (sing. *sancaḳ beyi*) of Aydın and Ṣaruḫān (today Manisa) dispatch a sufficient number of fortress soldiers (*hisār erleri*) to Mehmed Bey, who needed rowers. The order, however, indicated that it should be implemented in such a way that the fortresses would not be deprived of all their personnel.[77]

4.2.7 Impressment

Impressment was officially deemed illegal, but was frequently employed, as is well-known particularly with respect to the British Royal Navy in the eighteenth century[78]

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73 [Johann Wild], *Johann Wild: Reysbeschreibung eines Gefangenen Christen Anno 1604*, ed. Georg A. Narciß (Stuttgart: Steingrüben Verlag, 1964): 89–90. For his biography, see Viktor Hantzsch. "Wild, Johannes," *Allgemeine Deutsche Biographie*, https://www.deutsche-biographie.de/pnd120141620.html [accessed 06.03.2023].

74 *Mühimme Defteri* 3: 168.

75 For the slave market in Istanbul, see Zübeyde Güneş-Yağcı, "Slave Traders (Esirciler) in the Ottoman Istanbul," in *Slaves and Slave Agency in the Ottoman Empire*, ed. Stephan Conermann and Gül Şen (Göttingen: V&R unipress, 2020): 331–34.

76 Bono, *Piraten und Korsaren*: 150–51.

77 *Mühimme Defteri* 3: 761.

78 J. Ross Dancy highlights the fact that skilled and experienced seamen in particular were pressed. See J. Ross Dancy, *The Myth of the Press Gang: Volunteers, Impressment and the Naval Manpower Problem in the Late Eighteenth Century* (Woodbridge: The Boydell Press, 2015): 152–54.

and earlier.[79] The same holds true for officials in charge of the Ottoman Imperial Arsenal. With the scant research we have on the Ottoman navy, we know little about this recruitment method. It seems that it was mostly vagabonds from outside Istanbul who were forced into the navy.[80] Daniel Panzac argues that *ḫod-girifte* volunteers were victims, just the Ottoman equivalent of contemporary English press gangs.[81] However, this issue requires further research, since the term was officially used in many state orders concerning the recruitment of oarsmen.

A further aspect of labor organization that still needs to be explored is the question of how the recruited laborers were transported. Transportation to the destination where the labor was needed was a vital aspect of the organization of labor. We know little about rowers and slaves in general. For example, in the seventeenth century, we know that state slaves captured as prisoners of war from Central Europe were transported by carriages to Ottoman domains.[82] According to some *mühimme* entries, specific "slave ships" (*esīr gemileri*) were used for transport.[83] In an order (Rajab 8, 967/April 4, 1560) in the *Mühimme 3*, Hasan Pasha, governor general of Algiers, requested the dispatch of ships in order to transport captives/slaves (*esīrler*) to Istanbul. A reply stated that a captain named Ḥācı Maḳṣūd would arrive to transport those slaves: Hasan Pasha was ordered to register the number of slaves and to send the sealed register as well.

4.2.8 Convicts

From the mid-sixteenth century well into the eighteenth century, criminals were condemned by the Ottoman courts to service at the Naval Arsenal.[84] Due to the ongoing lack of rowers in galleys, the *kürek* (a sentence of rowing, or hard labor in general) as penal servitude became a state resource, or recruitment mechanism, firstly to provide

79 Edward Barlow, who sailed the seas for almost half a century (from 1659 to 1703): reports these practices in his journal for the Royal Navy. See Marcus Rediker, *Outlaws of the Atlantic: Sailors, Pirates, and Motley Crews in the Age of Sail* (Boston: Beacon Press, 2014): especially 39.

80 Gül Şen, "Galley Slaves and Agency: The Driving Force of the Ottoman Fleet," in *Slaves and Slave Agency in the Ottoman Empire*, ed. Stephan Conermann and Gül Şen (Göttingen: V&R unipress, 2020): 146–147; Miri Shefer-Mossensohn, "Medical Treatment in the Ottoman Navy in the Early Modern Period," *Journal of the Economic and Social History of the Orient* 50, no. 4 (2000): 555.

81 Panzac, *La marine ottoman*: 73.

82 Güneş-Yağcı, "Kıbrıs'ın Fethi": 308 n. 31.

83 *Mühimme Defteri* 3: 924.

84 İdris Bostan, "Osmanlı Donanmasında Kürekçi Temin": 60; Mehmet İpşirli, "XVI. Asrın İkinci Yarısında Kürek Cezası İle İlgili Hükümler," *Tarih Enstitüsü Dergisi* 12 (1982): 206–7. The study of Fariba Zarinebaf provides a unique glimpse into eighteenth-century Ottoman practices in the case of Istanbul. See Fariba Zarinebaf, *Crime and Punishment in Istanbul: 1700–1800* (Berkeley: University of California Press, 2010).

the urgently needed manpower for rowing, and from the eighteenth century onwards, when the galleys were put out of service, for hard labor in the navy and the arsenal. The recruitment of laborers by sentencing was not only an Ottoman solution, as it was practiced by other sea powers in a large-scale fashion. The Spanish courts sent convicts (*presidarios*) to the galleys in the same period,[85] while the French navy relied on convicts kept in the *bagne*s (prisons) of Toulon, Brest, Rochefort, and Lorient. Among those convicts sentenced to oars were small-time criminals, but also Protestant Huguenots condemned as followers of the so-called "Reformed religion."[86] Of the thousands of convicts in the French galleys, only the memoirs of Jean Marteilhe remain.[87]

In the Ottoman context, aside from felons such as murderers, it seems that all kinds of misdemeanors could lead to this specific punishment. For instance, an order (dated 29 Muḥarram 967/October 31, 1559) obliged the kadi of Maġnisa (today Manisa) to send a certain Meḥmed to Istanbul in order to sentence him to the oars (*küreğe ḳoşmak içün bu canibe gönderesün*). Meḥmed had built a henhouse on the wall shared with the mosque and incorporated the historical cemetery into his garden by surrounding it with a wall. He then assaulted his neighbor Ḥācı Aḥmed, who had attempted to reprimand him, and even injured the bailiff sent to summon him to court.[88] Hosting certain kinds of entertainment without the consent of the authorities could lead to perpetrators being sentenced to oars. An entry dated Shawwāl 20, 970/June 12, 1563, reports the following case: a certain Ferḥād from the village of Aydın complained about Oruç b. Ḥüseyn (from the same village), who lit Ferḥād's stable on fire and seduced Ferḥād's female slave. Oruç denied the accusations, whereupon the villagers were questioned. They stated that Ferḥād was a troublemaker without a proper occupation, so he was sentenced to oars and sent to the island of Lesbos (Midillü).[89] The registers show that the need for oarsmen and the deployment of convicts sharply increased after the Battle of Lepanto in 1571, because of the huge loss of oarsmen killed or liberated by the enemy.

For the early eighteenth century, Fariba Zarinebaf states that penal servitude in the galleys was applied as a punishment for all kinds of crimes: this clearly indicates that there was an increasing need for rowers and a rising crime rate. Various

85 Ruth Pike, "Penal Servitude in the Spanish Empire: Presidio Labor in the Eighteenth Century," *Hispanic American Historical Review* 58, no. 1 (1978): 21–30.

86 André Zysberg, "Galley Rowers in the Mid-Eighteenth Century," in *Deviants and the Abandoned in French Society: Selections from the Annales Economies, Sociétés, Civilisations*, vol. 4, ed. Robert Forster and Orest Ranum (Baltimore: John Hopkins University Press, 1978): 83–110.

87 Jean Marteilhe, *Mémoires d'un protestant condamné aux Galères de France pour cause de Religion: écrits par lui-même: ouvrage dans lequel, outre le récit des souffrances de l'auteur depuis 1700 jusqu'en 1713, on trouvera diverses particularités curieuses, relatives à l'histoire de ce temps-là*. I have used the German translation of this fascinating first-person narrative: Jean Marteilhe, *Galeerensträfling unter dem Sonnenkönig: Memoiren*, trans. Hermann Adelberg (Munich: C.H. Beck, 1989).

88 *Mühimme Defteri* 3: 472.

89 For this entry, see İpşirli, "Kürek Cezası": 222.

punishments, such as fines and flogging, were replaced by forced labor in the galleys.[90] Although penal servitude was limited to a certain period of time, in a remarkable number of cases criminals were sentenced to the oars/hard labor for life, as expressed in phrases such as "in order to row for one's lifetime" (*müʿebbed kürek çekmek üzere*). A register entitled "The Convict Register of the Imperial Naval Arsenal" (*defter-i mücrimān-ı der-zindān-ı an tersāne-i āmire*) and dated Ramaḍān 1, 1116/December 28, 1704, lists a number of entries concerning those who had committed crimes of banditry or rebellion. In accordance with the generally tough approach taken by the Ottoman state against bandits and rebels as disturbers of the public peace, these convicts were excluded from any possible amnesty. An entry dated 5 Muḥarram 1115/May 21, 1703, states that a bandit sentenced to "perpetual rowing" should not be freed even if the sultan was to pardon him (*fermān daḫī ṣadr olsa ıtlaḳ olınmaya*).[91] This life sentence was applied not only in relation to servitude on war ships, but also for service on special ships that transported stone, as the entry dated Rabīʿ al-Awwāl 7, 1115/July 21, 1703, shows.[92]

5 Seasonal Indentured Labor

Apart from active service at sea, rowers were also employed in two other locations: in the arsenal and outside the arsenal area. In prison, they lived together with the newly arrived war prisoners and convicts sentenced to the oars. During his visit to the arsenal prison, Gerlach describes the interior of the walls where prisoners produced sails and other equipment for galleys.[93] Outside the prison, they were put to hard labor, i.e., to repair ships or to public works, mostly construction jobs throughout the city;

90 Zarinebaf, *Crime and Punishment in Istanbul*: 165. Zarinebaf's findings have recently been confirmed by Bornstein-Makovetsky's study on Jewish convicts in the Imperial Naval Arsenal. See Leah Bornstein-Makovetsky, "Sentencing Jews to work on Ottoman Naval Ships and in Forced Labor at the Imperial Arsenal from the Early 16th Century to 1839," in *Miscellanea Historico-Iuridica* 19,No 1 (2020): 421–42.

91 D. BŞM. TRZ, 15749: 2.

92 D. BŞM. TRZ, 15749: 2. The sentence "to the oars" (*kürek cezası*) continued to exist in penal law until the days of the national assembly in Ankara, though it was only symbolic. In a decree issued by the Ankara government, an offender sentenced to the oars (*küreğe mahkum*) for seven and a half years for bodily injury and homicide in 1912 was pardoned. Jumādā al-Ākhira 2, 1339/February 11, 1921. See *Ceride-i Resmiye* [Official gazette] no. 5 dated Jumādā al-Ākhira 27, 1339/March 8, 1921, 4. During the Tanzimat reforms, the penal law of 1274/1858 "Men'i irtikāb Kanunnamesi" designated "kürek" as hard labor for crime of theft (according to art. 19 and 21). Ahmet Akgündüz, "1274/1858 Tarihli Ceza Kanunnamesinin Hukuki Kaynakları, Tatbik Şekli ve Men-i İrtikâb Kanunnamesi," in *Belleten* 199 (1987): 153–93. Convicts sentenced to *kürek* would have their feet put in chains during work. Pakalın, *Tarih Deyimleri*: 342.

93 Gerlach, *Tagebuch*: 493.

sometimes, they were employed in the sultan's palaces.[94] The most well-known construction project on which the slaves of the navy worked was the Süleymaniye mosque and soup kitchen in Istanbul. Based on the construction registers, Ömer Lütfi Barkan has determined that slave labor amounted to only five percent of the total labor of the whole construction project.[95]

Although the identity of these slaves is not clear and we do not know what kind of organization the galley slaves worked in, those who were listed in the registers in a different way, and those who were considered the *gebrān* (slave) of the ship captains (e.g., "wage of the workers: slaves of the mentioned captain of the ships," *ücret-i ırgadān ʿan gebrān-ı sefīnehā-i rüesāy-ı mezkūrın*) were galley slaves. Another indicator that the *gebrān* workers were *forsa* (galley slaves) can be found in the registration of guards with the title *vādīyān* (prison guards) on some days. We cannot be certain that these guards were always with the slave laborers on the construction project; however, it is clear that guards were sometimes present.[96] These slave workers were also paid, like the free, mostly Christian workers, between three to six *aḳçe* per day.[97] The seventeenth-century world traveler Evliyā Çelebi (d. 1682) also describes, albeit in an exaggerated style, the *forsa*s who worked on the construction of the Süleymaniye mosque: "For three full years, 3,000 shackled *forsa*s dug up the soil deep in the earth and Taurus, carrier of the globe, listened to the pickaxes of the diggers deep in the earth."[98] Slaves not only worked on construction sites in Istanbul, but also in other locations. At the new fortress in Candia, where construction started in April 1650, beside the soldiers and janissaries, 150 captives also worked in the lime kilns.[99]

94 However, according to Hakan Erdem, the number of state slaves working in the palace was restricted so that only six captives could be employed in the Old Palace and twelve in the New Palace at the same time. See Erdem, *Slavery in the Ottoman Empire*: 30.

95 Ömer Lütfi Barkan, *Süleymaniye Cami ve İmareti İnşaatı*, vol. 1 (Ankara: Türk Tarih Kurumu, 1972): 93; on renting out the slaves by the arsenal's administrators, see Suraiya Faroqhi, *Slavery in the Ottoman World: A Literature Survey* (Berlin: EB-Verlag, 2017): 29–31.

96 Barkan, *Süleymaniye Cami*: 133.

97 Barkan, *Süleymaniye Cami*: 137. The daily wage of an unskilled construction worker in Istanbul in the sixteenth century was between five and six *aḳçe*. See Pamuk, *Monetary History*: 67.

98 Evliyâ Çelebi b. Derviş Mehemmed Zıllî, *Evliyâ Çelebi Seyahatnâmesi*, vol. 1, ed. Robert Dankoff, Seyit Ali Kahraman and Yücel Dağlı (Istanbul: Yapı Kredi Yayınları, 2003): 149: "Üç sene kâmil üç bin pây-beste forsa pâyzen temelin ka'r-ı zemîne endirüp kûhkenlerin darb-ı tîşeleri sadâsın ka'r-ı zemînde hamele-i dünyâ olan sevr istimâ' ederdi."

99 Elias Kolovos, "A Town for the Besiegers: Social Life and Marriage in Ottoman Candia outside Candia (1650–1669)," in *The Eastern Mediterranean under Ottoman Rule: Crete 1645–1840*, ed. Antonis Anastasopoulos (Rethymno: Crete University Press, 2009): 105.

6 Maintaining the Labor Force

In terms of maintaining the labor force, we consider the living conditions aboard galleys, including the provision of food, clothing, medical treatment, and the rest. The supply of food and clothing is best documented. The main provision, rusks (*beksimat*/*beksimet*), is the subject of many state orders addressing the officials in charge; its production and transport are frequently reported in the *mühimme* registers since this was a state duty.[100] Other supplies are indicated with the phrase "provisions" (*zāhire*) that may include grains for cooking, such as lentils, rice, and wheat, as well as olive oil and vinegar.[101] Furthermore, the quantity of provision for the daily needs of each crew member and oarsman were regulated. According to Kātib Çelebi, each sailor and rower received one-half *okka* of rusk per day, as ordained by the state.[102] Synchronic rowing involved great physical effort and was very exhausting; therefore, it is questionable whether and to what extent the daily provision sufficed.[103] We do know that they were allowed to cook any provisions they bought.[104]

We know even less about the medical care of galley oarsmen (aboard or in the arsenal prison). Miri Shefer-Mossensohn gives the example of a certain Hasan, who was appointed as surgeon to the arsenal prison in spring 1694. Shefer-Mossensohn points out that the Imperial Arsenal offered medical treatment to captives and criminals in the prison, who had to be healthy to be employed as oarsmen in the upcoming naval season.[105] It was not possible to include a medical practitioner aboard the galleys, largely because of the extremely limited space and overcrowding. We first see a physician aboard a *patrona* galleon (a large sailing ship) in 1693 and 1695, as part of a crew of 550 men and employed with a daily wage of 40 *akçe*.[106]

An official order[107] from the sixteenth century demonstrates that thirteen sick convict rowers were handed over to Dārende Yorgi, the custodian[108] of Izmir, for treatment and recovery. However, they escaped from their confinement. Thereafter,

100 For example, see *Mühimme Defteri* 6: 68 on the need for state rowers (*miri kürekci*) on galleys for the defense of Rhodes; *Mühimme Defteri* 82: 214.

101 *Mühimme Defteri* 12: 23; 777; Cezar, *Levendler*: 126–27.

102 Katib Çelebi, *Tuhfet*. On rusk and its production, see Bostan, *Tersâne-i Âmire*: 244–50.

103 On food and clothing, see Bono, *Piraten und Korsaren im Mittelmeer*: 157–158; on food in the corsair galleys, see Emrah Safa Gürkan, *Sultanın Korsanları: Osmanlı Akdenizi'nde Gazâ, Yağma ve Esaret, 1500–1700* (Istanbul: Kronik, 2018): 219–27.

104 Bostan, *Tersâne-i Âmire*, 250, referring to Wratislaw.

105 Shefer-Mossensohn, "Medical Treatment": 552–54.

106 See the table on crews in Bostan, *Tersâne-i Âmire*: 184–186 (table xliv).

107 *Mühimme Defteri* 3: 113.

108 The "custodian of non-Muslim subjects" (*kefere kethüdāsı*) had the same responsibilities as the "city custodian" (*şehir kethüdāsı*). Both worked in city centers where the number of tax-paying subjects was probably increasing: the custodians acted as mediators between the state and the locals. See Şenol Çelik, "Şehir Kethüdâsı," *Diyanet İslâm Ansiklopedisi*, vol. 38 (2010): 451–53.

an order was addressed to all Anatolian kadis to find the fugitives and deliver them to the governor of Rhodes so they could be returned to service on the galleys. The issue of rest is the least known aspect of being a galley rower. The image of continually rowing to the point of death is the creation of the popular imagination of galley slavery, not only in fiction, but also in first-person narratives of former galley slaves in Europe.[109] In Agatha Christie's famous crime novel *4:50 from Paddington*, a protagonist comments about his housekeeper: "We've worked her like a galley slave."[110] In movies such as *Ben Hur* and *The Sea Hawk*, Hollywood popularized the image of the oarsman as a miserable wretch toiling below deck while loaded down with heavy chains, an image that has persisted in satirical depictions and cartoons (Fig. 1). In reality, galleys put to sea only for a short period (in spring and summer, when weather permitted); once aboard, slaves were made to row only when necessary, in combat or during still periods. Wenceslaw Wratislaw, a former capitve, remembers that even during a journey, he and his comrades "rested one, two, three, or more days by the

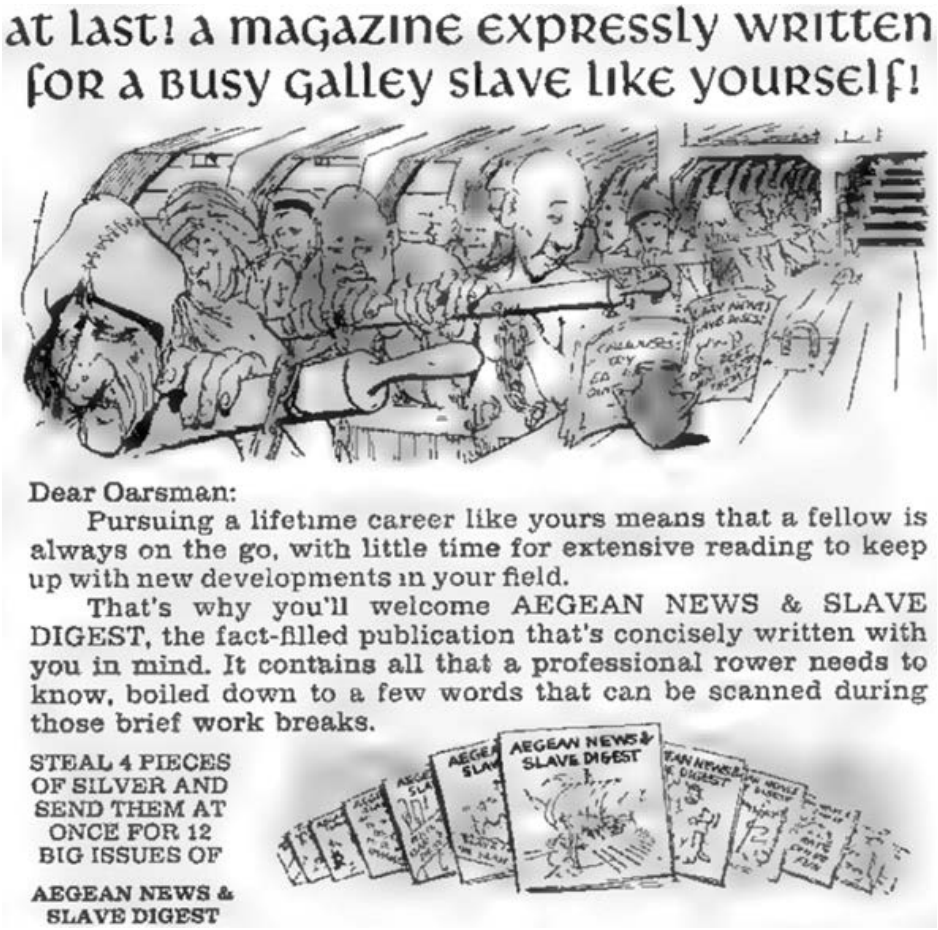

Fig. 1: "If Junkmail had Always Existed," *MAD Magazine* 232, July 1982.

109 Şen, "Galley Slaves": 131, 138.

110 Agatha Christie, *4:50 from Paddington* (Glasgow: Omnia Books, 2002): 226.

shore [. . .]”[111] Thus, being a galley slave did not mean that one was mercilessly worked to death; cases are recorded showing that oarsmen reached old age (see also the section on manumission).

Regarding food, drink, and medical treatment, the treatment of slaves might more appropriately be compared to the living conditions of the poor of Istanbul. Was the situation on the galleys indeed worse than that of day laborers or carriers? We know that those in early modern European cities suffered from poor hygiene and malnutrition, such that living conditions on galleys may not have seemed particularly unhealthy. Moreover, studies indicate that the food supply in the navy was not necessarily worse than that in the city. Ruth Pike’s study on penal servitude in early modern Spain points out that prisoners from the royal jails sometimes submitted petitions to be transferred to galleys, where they expected better conditions.[112]

7 Keeping Manpower at Work

With regard to the question of how unfree laborers were kept working, the first assumption might be physical force. However, physical compulsion alone could not ensure that laborers continued working. Incentives, allowances, and wages may have played a role in motivating coerced laborers to work, whereas disciplinary measures were the strategy most frequently applied to keep men at work in the galleys.

7.1 Incentives and Wages

Laborers’ incentives can be related to further reasons, such as pride, local loyalty, recognition, and community service, to use Marcel van der Linden’s labels.[113] Unfortunately, it is difficult to detect these kinds of incentives in our sources, although conscripted oarsmen must have worked for some of these reasons, given the tax obligations of their communities. In the Ottoman Malta Register, several entries record the actions of individuals rewarded for good service or acts of bravery during the Malta campaign: “Halil, son of Ömer, who was an oarsman from the sub-district (*ḳażā*) of Koçhisar, rendered outstanding services by holing the wall of

111 Wenceslas Wratislaw, *Adventures of Baron Wenceslas Wratislaw of Mitrowitz*, trans. Albert Henry Wratislaw (Cambridge: Cambridge University Press, 2013): 140.

112 Pike, “Penal Servitute”: 21–40.

113 Marcel van der Linden, “Dissecting Coerced Labor,” in *On Coerced Labor: Work and Compulsion after Chattel Slavery*, ed. Marcel van der Linden and Magaly Rodríguez García (Leiden: Brill, 2016): 308 Figure 13.2.

the Santarma fortress during the siege."[114] The entry for Thursday, Dhū al-Qaʿda 22, 972/June 21, 1565, states that Halil, the son of Ömer, an oarsman from the sub-district of Koçhisar,[115] "had rendered outstanding services" by breaking a hole into the wall of the Santarma fortress during the siege. Because of this service, it was decreed that Halil should receive a military fief[116] of 3,000 *akçe*. However, the oarsman Halil obviously did not receive his award, and according to the entry for Dhū al-Qaʿda 25, 972/June 24, 1565, he complained to the authorities. He told them that a certain Şahrah (whose position we do not know), who owned a fief in the district of Menteşe,[117] had drowned at sea. Therefore, Halil requested that he be awarded Şahrah's fief. The entry states that his request was accepted.[118] Since these few individuals were specifically identified as "oarsman," and not only as "soldiers" as in the case of other awardees, we can assume that they were employed for combat during the siege.

Slaves who were purchased were paid like voluntary rowers, or sometimes even more.[119] As noted in some of the entries above, this wage was likely to have been between 800 and 1,000 *aḳçe* during the sixteenth century. According to the finance registers (*muḥāsebe defterleri*) of the Imperial Arsenal from 1602 to 1698, the payment of voluntary rowers varied between 1,700 and 6,000 *aḳçe*. The *forsa*s, however, were paid one-half *aḳçe* per day in 1603–4 and two *aḳçe* per day in 1621–22.[120] Their status as slaves (i.e., because they were *forsa*s) did not prevent them from receiving a small financial payment. Therefore, payment in cash cannot be a criterion by which to differentiate between free and unfree labor.

7.2 Coercion, Discipline, and Surveillance

The issue of coercion, which may be the best known aspect of unfree labor, is described vividly in a number of personal narratives. Coercion was applied, in particular, during critical moments when it was necessary to row the galley during a battle or combat encounter. Wratislaw describes the following situation:

114 Arnold Cassola, *The 1565 Ottoman Malta Campaign Register* (Malta: Bank of Valletta/Publishers Enterprises Group, 1998): 23 (page number of the register): also see the appendix entitled "Turkish Troops Who Distinguished Themselves for Good Service or Acts of Bravery During the Malta Campaign": 368.

115 Today Şereflikoçhisar, a district of Ankara province.

116 The military fief called a *timar* was the smallest unit of the land tenure and tax revenue system.

117 As Aegean district of Muğla province.

118 "Halil, an oarsman, rendered outstanding services in the conquest of the Santarma fortress." Cassola, *Malta Campaign Register*: 33 (this is the page number of the register). In the appendix, he is erroneously listed as a second oarsman (with the same name): although in fact it is only another appearance of the same person in the register, see 368.

119 Bostan, *Tersâne-i Âmire*: 212–13.

120 Bostan, *Tersâne-i Âmire*: 210 n. 202.

> We were conducted on board the galley, or large war-boat, under the care of a vigilant guard, and Achmet, the reis, or captain, who commanded on board the vessel, a Christian born in Italy, but who had now become a Turk, immediately received us and ordered us all to be chained to oars. The vessel was tolerably large, and in it five prisoners sat on a bench, pulling together at a single oar. It is incredible how great the misery of rowing in the galleys is; no work in the world can be harder: for they chain each prisoner by one foot under his seat, leaving him so far free to move that he can get on the bench and pull the oar. When they are rowing, it is impossible, on account of the great heat, to pull otherwise than naked, without any upper clothing, and with nothing on the whole body but a pair of linen trousers.[121]

Coercion was exerted by various forms of discipline and constraint, such as whipping and fettering. The treatment and discipline of oarsmen differed according to their legal status, whether they were convicts, slaves, or freemen. To comprehend the whole picture, we must consider coercion and physical violence in their contemporary context, at a time when the idea of human rights did not yet exist. How was violence defined in the premodern period? Was flogging on the galleys regarded as a particularly brutal and shocking form of violence? Physical coercion was generally applied as a control and disciplinary measure and was widespread in early modern social life.[122] The galley was a space in which extremely asymmetrical relationships were affirmed by strict discipline; severe corporal punishment was used to maintain the social hierarchy. A contemporaneous description of the mechanisms of unfree labor and social discipline can be found in the diary of Johann Siegmund Wurffbain (d. 1661), who served in the Dutch Moluccas in the seventeenth century and frequently noted the harsh punishments meted out to slaves, soldiers, local subalterns, and deviant individuals.[123] A typical depiction follows:

> On March 24, another wrongdoer was punished. A slave who had stolen nutmegs from a tree was whipped and branded. Likewise, a boatman who had stolen rice from a ship and exchanged it for coconut wine, as well as the slave with whom he had exchanged the goods, was whipped around the neck with two canes filled with rice and coconut wine.[124]

In terms of discipline, Jean Marteilhe's depiction makes clear the necessity of discipline, especially at moments when rowing was critical. The situation was likely similar in other galleys:

> As soon as he [the warden] is given the order to row by the captain, he gives a certain signal on a silver whistle hanging around his neck. The two sub-wardens repeat the signal on their whistles, whereupon the oarsmen, with their oars ready, start to row simultaneously all at once and so precisely that all the 50 oars drop on the water and plunge into the water in a single blow, as if there was only a single oar. They continue in this way without needing another order until, after another

121 Wratislaw, *Adventures*: 138.

122 A notion popularized by Michel Foucault in his study *Discipline and Punish: The Birth of the Prison* (New York: Random House, 1977).

123 Johann Sigmund Wurffbain, *Reise Nach den Molukken und Vorder-Indien 1632–1646* (Frankfurt am Main: Verlag Joh. Th. de Bry, 1931): 139, 143, 152.

124 Wurffbain, *Reise*: 150: "mit 2. Rohren voll Reiß und Cocus-Wein, umb den Halß gegeisselt."

> whistle gives the signal, they stop rowing. Very much depends on them rowing simultaneously in this way; for when one or another of the oars loses the rhythm and comes up or drops down too early or too late, the oarsmen sitting in front of this very oar bump their head on the oar when they sit down, and likewise, the oarsmen who missed the beat, bump their heads on the oar right behind them. And there is more [danger] than just bumping one's head. The warden strikes them as well, so it is in their own interest to pay particular attention to speed and rhythm. A saying that applies very clearly to someone who is doing hard and exhausting work: 'I am working like a galley slave.' For it is indeed the hardest job that you can imagine.[125]

7.3 Preventing Escape

Several measures were undertaken in order to keep unfree labor on board galleys and in the arsenal prison during the winter season. Surveillance, carried out by supervisors (*vardiyān*), was used rigorously in these spaces. Surveillance was also applied during recruitment, as we know from entries in *mühimme* registers. Most entries include orders to prevent rowers conscripted from villages from running away. Aboard the galleys, despite strict surveillance, escapes were still frequent. A certain Dimitri Mestene, who was a galley slave (*mīrī forsa kürekçilerden Dimitri Mestene nām efrenciyyü l-aṣl esīr*) in the squadron of ʿAlī Bey, the governor of Rhodes, managed to escape and arrived in the district of Teke (modern-day Antalya). A police chief (*subāşı*) recognized the fugitive and surrendered him to the governor of Tripoli, Murād Bey. On 28 Rabīʿ al-Awwāl 972/November 3, 1564, the latter was ordered to dispatch him to Istanbul and ensure that the aforementioned oarsman did not escape on the way there.[126]

8 Organizing Turnover

The *mukātaba/mükātebe* was essentially an agreement applying to the legal limits of enslavement, which was a basis for the organization of unfree labor. Such a contract stipulated that a slave was allowed to pay for his own release after a fixed period of time and/or the fulfillment of terms set in the contract.[127] However, manumission was much more difficult to obtain for slave rowers in the navy than for other enslaved individuals or groups. One reason may have been that rowers were hard to obtain

125 Marteilhe, *Galeerensträfling*: 276–77.

126 *Mühimme Defteri* 6: 168.

127 For the different forms of manumission at the Ottoman courts, see Joshua M. White, "Slavery, Manumission, and Freedom Suits in the Early Modern Ottoman Empire," in *Slaves and Slave Agency in the Ottoman Empire*, ed. Stephan Conermann and Gül Şen (Göttingen: V&R unipress, 2020): 283–318; in the nineteenth century, the government itself paid the manumission fee required by the contract (for example, in the case of the Circassian refugees): see Ehud R. Toledano, *The Ottoman Slave Trade and Its Suppression: 1840–1890* (Princeton: Princeton University Press, 2016): 162–64.

and therefore indispensable; healthy and strong men seem to have had only a small chance of redeeming themselves or acquiring *mukātaba* contracts. Nicole Priesching writes about the situation for the galley slaves of the Papal States and notes that many of them hoped that one day they would be able to pay for their release. One of the several obstacles they faced was the necessity to obtain a medical report confirming that they were unfit to work on the galley.[128]

According to the documents I have been able to identify, manumission "due to advanced age" was the only reason galley slaves were set free. As Nur Sobers-Khan states, we know that the slaves who engaged in *mukātaba* contracts did not have to work as oarsmen. Almost certainly, slaves who had to work as oarsmen were not listed among those employed in *mukātaba* contracts in the court registers of Galata because they did not receive payment for their work and also did not hold out the prospect of a guaranteed manumission.[129] Documents show that slaves employed in a *mukātaba* contract worked as skilled laborers or seamen at the arsenal or that their work was at least partially related to the seafaring sector.[130] I have found entries in the Galata court register no. 15 (a different one from that analyzed by Sobers-Khan) stating that oarsmen were also manumitted. Obviously, they could obtain such a document only due to advanced age:

> The slave called Yuvan Elyo had rowed in the galleys of Rhodes [i.e., in the fleet of the Ottoman governor of Rhodes] for thirty years (*otuz yıl mikdārı Rodos kadırgalarında kürek çeküb*) and served the state faithfully. Now, as he is a frail old man, he was appointed overseer for the state slaves according to the ancient custom. Because of his loyal and righteous service, [he] should be freed after serving for three years beginning in 1 Jumādā al-Ākhira 994/May 20, 1586, and his manumission contract [should be] handed to him.[131]

A manumission was only possible after one served in another function, such as an overseer. In humanitarian terms, however, it seems rather cruel to set a frail old man free and leave him to his fate. The case above is confirmed by a number of entries stating that slaves of the arsenal were employed in surveillance functions as well. In a similar case, a certain Anton v. Bonato, who had served 30 years in the Imperial Arsenal and had become old, was manumitted. The record does not clarify whether this man had ever served as an oarsman.[132] Francesco Gaspari, another state slave in the

128 Nicole Priesching, *Von Menschenfängern und Menschenfischern: Sklaverei und Loskauf im Kirchenstaat des 16.–18. Jahrhunderts* (Hildesheim: Georg Olms Verlag, 2012): 208.

129 Nur Sobers-Khan, *Slaves Without Shackles: Forced Labour and Manumission in the Galata Court Registers, 1560–1572* (Berlin: Klaus Schwarz Verlag, 2014): 162.

130 Sobers-Khan, *Slaves without Shackles*: 164.

131 Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri Galata Mahkemesi 15 Numaralı Sicil (H. 1024–1029/M. 1615–1620)* (Istanbul: İSAM, 2012) [hereafter Galata Mahkemesi 15]: 91b–1.

132 *Galata Mahkemesi* 15: 90b–3: "otuz yıl miḳdārı mīrī içün ḫidmet ėtmeğle pīr olmağın."

arsenal, was set free after fulfilling his three-year service.[133] We may consider all other reasons by which oarsmen exited from slavery, but not mechanisms, since these possibilities were based on the existing social order rather than on the employer's decision. These possibilities included conversion, escape, or being ransomed or exchanged.[134] Note that none of these possibilities necessarily led to freedom: rather, they led to a new relationship of asymmetrical dependency.

9 Conclusions

My goal has been to study the phenomenon of unfree labor as it pertains to the Ottoman navy in the early modern period and its place in global history from a micro-spatial approach. I chose Galata as the ideal location, because the Ottoman navy and the Imperial Arsenal, with their shipyards and social facilities, were based there. In the Mediterranean basin, war captivity, enslavement, and unfree labor were common in all the navies of the Mediterranean powers; they all shared the same characteristics. This amounts to a rule of reciprocity: all of these powers responded to the exigencies of naval warfare in the same way. The dramatic increase in the need for rowers at the beginning of the sixteenth century led to an increase in the forcible recruitment of men. Despite their various reasons for working in the navy, the organization and form of labor were similar, particularly in terms of the working conditions of convicts, war captives, and other recruited oarsmen. The distinctive characteristic of unfree labor lies in the fact that for all these groups, the state acted as their common employer. While their legal status differed significantly, the rowers shared the same living conditions.

Dependency and unfree labor were global during the early modern period, afflicting many groups. But from a global perspective, and in view of the fact that life on the galleys entailed existential emergency situations, such as naval combat and storms at sea, the situation of rowers was in some regards the most extreme form of dependency. Looking at Galata in the wider Mediterranean context, both as a space and as a micro hub from a micro-spatial perspective, its connectivity provides many opportunities to take a global history perspective. It was not an isolated or unique place. Even if we focus exclusively on unfree labor, human labor, or recruitment mechanisms, we encounter a number of geographical connections. Among those involved, we must include the entire Mediterranean world (war captives or other recruited manpower were supplied by the Italian states (particularly Venice, Spain, Malta, and France), central and

133 *Galata Mahkemesi* 15: 88b–3: "Mīrī esīrlerden [. . .] efrenciyyü l-aṣl Françesḳo Gaspari Takarfer." On the term *efrencī/ifrinci*, see Sobers-Khan, *Slaves without Shackles*: 84–85. On the employment of slaves as overseers, see further *Galata Mahkemesi* 15: 90b–5.

134 Şen, "Galley Slaves and Agency": 151–58.

eastern Europe (Hungary, Germany), the northern neighbors of the Ottoman state (Russia, Ukraine, the Caucasus), and distant regions of the Ottoman domains (tax recruits from the Balkan provinces). There was significant mobility between inhabitants of these larger geographical areas as well as among local spaces: the arsenal, its prison, the galleys, and the city, where some were employed in the off season.

Amidst these geographical connections and mobility, individuals, as slaves and members of the human workforce, were entangled in various webs of dependency. War captives became slaves, slaves hired by private owners became seasonal laborers, and convicts served as penal serfs in the state's navy. Moreover, officials from the grand admiral to the guards were involved in the management of maritime labor. In the system of large-scale recruitment and forced labor in the Ottoman navy, the state was the main protagonist. In this respect, unfree labor in the early modern period can be considered similar to prisoners of war and forced labor in the twentieth century, such as the gulag of Stalin's Soviet Union and prison camps in Germany during the Nazi regime. All share distinctive characteristics: the state was the main actor that engaged in large-scale recruitment and there was mass mobility, deployment to different spaces, and a war context (i.e., the necessities resulting from warfare). They were not self-sustaining systems; the workforce required continual external replacements.

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3. Research Lenses

3.4. Labour and Spatiality

Marion Gymnich and Denise Burkhard. "Reimagining Civilian Internment and Forced Labour During the First World War Through the Lens of Reconciliation: The Comic Series La Guerre des Lulus (2013–)," in *Images of War Captivity from 1870 to the Present*, ed. Esther Gardei, Marion Gymnich, Charlie Schwall and Hans-Georg Soeffner (Berlin: De Gruyter, 2026): 269–288.

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Marion Gymnich and Denise Burkhard

Reimagining Civilian Internment and Forced Labour during the First World War through the Lens of Reconciliation: The Comic Series *La Guerre des Lulus* (2013–)

1 Introduction

War captivity has not only been documented visually by witnesses; it continues to be reimagined in audio-visual media and by visual artists. In addition to drawing upon images and narratives that are already embedded in national or transnational cultural memories, the process of reimagining the past offers room for innovation. This includes the possibility of presenting a destructive military conflict like the First World War retrospectively in ways that make reconciliation after the end of the war seem plausible. The French comic series we examine in the following is a case in point. *La Guerre des Lulus* [The War of the Lulus][1] reimagines the First World War in a manner that is informed by the experience of many decades of peace, collaboration and reconciliation between France and Germany. Being an instance of *reimagined* war captivity, the visual material explored in this article differs from the photographs, film footage and artwork analysed in the other contributions in this volume due to its purely fictional nature as well as its temporal distance from the historical events. What also sets the images in *La Guerre des Lulus* apart from other visualisations of war captivity is their target group: the comic series was written for young readers of approximately 9–13 years. In the following, we seek to show that *La Guerre des Lulus* is informed by the goal of telling an engaging, adventurous story for young readers while evoking a cataclysmic historical event in a way that renders reconciliation after the war not only possible but even desirable.

La Guerre des Lulus was created about 100 years after the military conflict it reimagines. The first of the series' currently eleven volumes – *La Guerre des Lulus, Vol. 1: 1914, La maison des enfants trouvés* [The Foundling Home] – was published in 2013, and the series is still ongoing. Régis Hautière has provided the texts for all volumes and comic artist Hardoc contributed the pictures for most of them, while Damien Cuvillier signs responsible for the artwork in two further volumes. The narrative, which revolves around entirely fictional characters and thus does *not* claim authenticity, foregrounds the experiences and perspectives of five young protagonists from

1 All translations in this contribution are our own.

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France and Belgium who are growing up during the First World War and in its immediate aftermath. For the most part, the series does not focus on the front as a setting, which is a consequence of the age of the main characters, who are too young to enlist. Instead, the comics primarily address the impact of the war on the civilian population. This includes not only depictions of fear and of a scarcity of resources, but also life in a German internment camp for civilians and scenes focusing on forced labour. An analysis of the series reveals that these situations of strong asymmetrical dependency are interpreted from the vantage point of the twenty-first century. *La Guerre des Lulus*, thus, presents what Esther MacCallum-Stewart has termed "the 'parable' of war", which "is an emotive, literary retelling of the war based on a series of texts and cultural shifts rather than on historical perspectives."[2]

Presumably even more than fiction with an adult target audience, literary texts for children tend to convey attitudes, norms and values that are prevalent at the time they were written and often contain more or less subtle didactic messages. This implies that children's literature may either contribute to familiarising the next generation with democratic ideals or perpetuate nationalist ideas and concomitant stereotypes. Thus, in the best and in the worst sense, "[c]hildren's literature makes and educates future citizens."[3] There are some historical contexts in which political propaganda was particularly prominent in children's literature, and one of these times was the First World War.[4] The fourth volume of the popular *Nesthäkchen* [Little Nestling] series by Jewish German writer Else Ury – *Nesthäkchen und der Weltkrieg* [Little Nestling and the World War] (1917) – exemplifies this tendency. Unlike the other nine *Nesthäkchen* volumes, the fourth was "taken out of print after the Second World War because of its fervently nationalistic tone"[5] and afterwards remained unavailable in German for several decades. As Jennifer Redmann points out, Ury presents protagonist Annemarie Braun, who is eleven years old in 1914, as a poster child of German patriotism:

> [t]he book celebrates the German fatherland, decries the enemy and exhorts children to make sacrifices in the name of Kaiser and country. Annemarie and her family members throw themselves enthusiastically into every aspect of homefront life: they fly flags after every German vic-

2 Esther MacCallum-Stewart, "'If they ask us why we died': Children's Literature and the First World War, 1970–2005," *The Lion and the Unicorn* 31, no. 2 (2007): 176.

3 Christopher (Kit) Kelen and Björn Sundmark, "First Things: Introduction," in *The Nation in Children's Literature: Nations of Childhood*, ed. Christopher (Kit) Kelen and Björn Sundmark (New York: Routledge, 2013): 1.

4 Dorothea Flothow ("Popular Children's Literature and the Memory of the First World War, 1919–1939," *The Lion and the Unicorn* 31, no. 2 [2007]: 147) confirms this for British children's texts of the First World War: "children's fiction had been a means of British war propaganda, which told of German atrocities and British heroism in order to gain support for the war effort".

5 Jennifer Redmann, "Nostalgia and Optimism in Else Ury's *Nesthäkchen* Books for Young Girls in the Weimar Republic," *The German Quarterly* 79, no. 4 (2006): 481, fn. 2.

> tory, collect clothing during the 'Reichswollwoche', sew and knit for the troops, send care packages to the front [. . .]. For modern readers, however, Annemarie's enthusiasm for her country seems disturbingly chauvinistic. In the chapter 'Eine kleine Patriotin,' she refuses to learn French in school [. . .]. Annemarie's ardent patriotism also leads to her rejection of all non-Germans.[6]

Such a jingoistic attitude can be found in countless German children's books published during the First World War.[7] In other countries, the situation was similar. Penny Brown, for instance, observes that "[t]he war loomed large in children's books and magazines" published in France, which is tangible in propaganda and stereotypical depictions of the enemy,[8] and David Budgen describes the impact of the First World War on different text types targeting British children as follows: "Textbooks and novels alike made clear Germany's acts of aggression, and the atrocities in Belgium became recurring themes as authors set out to convince the warriors of the future of the justness of the British cause."[9] Being suffused with war propaganda and hostile stereotypes, such texts were hardly suitable for preparing young readers for future reconciliation.

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6 Ibid.: 480. Notwithstanding the patriotic tone in several of her children's books, Else Ury's "fate was sealed" after 1933: "in 1935, Ury was excluded from the *Reichsschrifttumskammer*, and in 1943, she was sent to the gas chamber upon arrival in Auschwitz" (ibid.: 481).

7 Cf., for instance, Wolfgang Wangerin, "'. . . daß die Jugend heranwachse, deutsch bis ins Mark': Kriegsbilderbücher für die Jüngsten im Umkreis des Ersten Weltkriegs," in *Der Erste Weltkrieg auf dem deutsch-europäischen Literaturfeld*, ed. Bernd Neumann and Gernot Wimmer (Vienna: Böhlau, 2017): 179–206.

8 Penny Brown, *A Critical History of French Children's Literature*, vol. 2, *1830–Present* (New York: Routledge, 2008): 153. Cf. also ibid.: "Just as during and after the French Revolution the different genres of children's books were manipulated to promote Republican values, so once again alphabet books, *contes*, songs, exemplary biographies, and moral tales were appropriated to serve the war effort. Thus, the *Alphabet de la grande guerre 1914–1916. Pour les enfants de nos soldats* (1916) encouraged even the very young to feel involved in the struggle, and in Emile Moselly's intensely patriotic *Contes de guerre pour Jean-Pierre* (1918), the revised tale of 'L'Ogre et le Petit Poucet' represents the war in images that would already be familiar to most child readers, recounting that 'il y avait dans un pays du Nord un ogre très méchant. Il commandait à des legions de sujets dociles, travailleurs, têtus et soumis.' [In a northern country, there once lived a very wicked ogre. He commanded legions of docile, diligent, obstinate and submissive subjects.] The traditional image of Germany as the enemy of France easily translated into such stereotyped figures of aggression and brutality. Stories of exemplary lives, which were popular during and after the Revolution, came back into fashion, featuring child soldiers and martyrs in the uniform of the characteristic First World War soldier, the *poilu*, in such texts as *Petits héros de la grande guerre* (1918) by J. Jacquin and A. Fabre and Joachim Renez's *Le Petit poilu* (1918)." See also Amy Harris' article ("French Women Writers, Children's Literature, and the First World War," *Journal of the Western Society for French History* 36 [2008]: 225–33) on two other French children's texts: Lucie Paul-Margueritte's *Toinette et la guerre* (1915) and Charlotte Schallerberg's *Histoire d'un brave petit soldat* (1915).

9 David Budgen, *British Children's Literature and the First World War: Representations Since 1914* (London: Bloomsbury, 2018): 24.

Especially since the end of the Second World War, attitudes towards the former enemies have undergone significant changes, and this is reflected in literature for young readers. Historical fiction in general and "particularly for young readers" is not only "concerned with the past at the level of content" but also "with present views of that historical past,"[10] as Kim Wilson stresses. As far as fictional texts about the First World War are concerned, this retrospective stance implies reimagining this momentous historical event in ways that do *not* preclude reconciliation and perhaps even encourage future collaboration – an idea that is indicative of a didactic impulse.[11] The impact of decades of working together, for instance as partners in the EU, makes itself felt in the ways in which the combatants in the First World War are portrayed in children's literature today. Instead of reiterating stereotypes, authors attempt to help readers understand *why* such a large-scale conflict was initially endorsed by many people. Novels like Herbert Günther's *Zeit der großen Worte* [A Time of Big Words] (2014) seek to explain which values encouraged people to support the war. What David Budgen claims for earlier children's fiction about the First World War still holds true for texts produced around the centenary (2014–2018) of the military conflict: "children's writers have been drawn to the subject, as they attempt to shape their young readers' understandings of the conflict."[12] The comic series which we look at in more detail is no exception in this regard.

2 The Depiction of the Enemy in *La Guerre des Lulus*

La Guerre des Lulus is among the many texts for young readers about the First World War that were written in the context of its centenary, when a renewed interest in this military conflict and its consequences for soldiers and civilians alike was also apparent in exhibitions and public commemorative events as well as across different media – from feature films to documentaries and literary texts for readers of all

10 Kim Wilson, *Re-Visioning Historical Fiction for Young Readers: The Past through Modern Eyes* (New York: Routledge, 2011): 5.

11 This is a significant departure from children's texts about the First World War published in the inter-war years in Britain. As Flothow ("Popular Children's Literature and the Memory of the First World War, 1919–1939": 148) shows, these texts provided children with "a heroic and sanitized memory of the war" and "overall emphasize[d] the war's glorious and exciting aspects". She sees the reasons for this positive portrayal of the war in the context of a "memorialization", which "attempted to explain the war and mediate bereavement by interpreting the conflict within traditional frameworks such as religion, chivalry, and the nation's glorious military past." (Ibid.: 149)

12 Budgen, *British Children's Literature and the First World War*: 1.

ages.[13] Addressing topics like death, trauma, war captivity and forced labour in texts for young readers from an angle that makes reconciliation after the war seem possible and even desirable poses a considerable challenge. As will be shown in the following, one of the strategies adopted in *La Guerre des Lulus* is its nuanced depiction of some German soldiers and civilians, which serves to deconstruct stereotypical notions of the enemy and emphasises shared suffering. The comic series uses the potential of the text-image relationship inherent in the genre to portray even some of the enemy soldiers in a way that prepares the path for reconciliation.[14]

There are many texts for young readers about the First World War that make extensive use of pictures. Images may fulfil a range of specific functions in comics, picturebooks and illustrated books about this military conflict.[15] In general, historical fiction for children may use pictures to encourage readers to imagine the setting and to convey information about the past without taking recourse to verbal descriptions. Frequently containing "[v]isual markers of period"[16], pictures may, for instance, serve as a means of informing children about the way people dressed in the historical context in which a story is set.[17] In narratives about the First World War, it is certainly

13 Among the literary texts reimagining the First World War there are even many picturebooks for (very) young readers. For an analysis of British, French and Australian examples, cf. Martin Kerby, Denise Burkhard, Alison Bedford, Marion Gymnich and Margaret Baguley, *Variations of the Hero's Journey in Contemporary British, French and Australian Picture Books about the Great War: Reimagining the Horrors of the Past* (Abingdon: Routledge, 2026).

14 According to Phil Fitzsimmons and Daniel Reynaud ("Comics/Graphic Novels/Bandes Dessinées and the Representation of the Great War," in *The Great War in Post-Memory Literature and Film*, ed. Martin Löschnigg and Marzena Sokołowska-Paryż [Berlin: De Gruyter, 2014]: 189), it is precisely this "dynamic relationship between traditional text and a sequence of images" characteristic of the graphic novel, and the comic, that "makes it a potent genre, especially in conceiving representations of the Great War." For an analysis of the comic series *L'Ambulance 13* (2010–2013, Ambulance 13) and the graphic novel *C'était la guerre des tranchées* (1993, This Was the War of the Trenches), see ibid.: 187–200.

15 The following criterion is helpful for distinguishing between *illustrated books* and *picturebooks*, though the distinction is not always clear-cut: "the more narrative load carried by the pictorial material, the more we are dealing with picturebooks rather than illustrated books" (John A. Bateman, *Text and Image: A Critical Introduction to the Visual/Verbal Divide* [London: Routledge, 2014]: 95). According to Bateman's definition, comics have much in common with picturebooks, since the visual component is indispensable for storytelling in both genres. Yet, there is also a crucial difference between the two genres with regard to their text-image relationships: "Whereas picturebooks provide text and image combinations that relate to entire episodes, a distinctive feature of comics appears precisely to be that they engage in *microscale* visual narrative. That is, in a comic each and every moment of the narrative is carried verbo-visually." (Ibid., original emphasis)

16 Judith Graham, "The Historical Picture Book – Is it a 'Good Thing'?" in *Historical Fiction for Children: Capturing the Past*, ed. Fiona M. Collins and Judith Graham (London: David Fulton Publishers, 2001): 55.

17 According to Graham, "[c]lothes are a major and *inescapable* visual marker of period. Not for nothing are many historical films and dramas called 'costume dramas'. One of the reasons for this salience

more effective to *show* soldiers' uniforms than to *describe* them. Images that highlight the readers' temporal distance from the setting may evoke curiosity, while visual representations of the characters' facial expressions and body language may create empathy, which is apt to reduce the readers' affective distance from the story. In children's literature about the First World War, pictures may also play a vital role in confronting young readers with the horrors of battlefields, trenches, internment camps and forced labour. This raises the question how graphic such images should be. Some artists may wish to avoid showing wounded and especially dead soldiers; sometimes, they opt for evoking the ravaged landscapes of the wasteland to convey a sense of the scope of the destruction. Action sequences and further possibilities inherent in what Bateman refers to as the comic's "*microscale* visual narrative"[18] can also be employed to highlight the horrors of the war, as *La Guerre des Lulus* exemplifies.

In the series' first volume, the German army is unequivocally introduced to the readers as the enemy. The approach of the German army forces the local French population to evacuate their homes, German artillery causes serious damages in the (fictitious) small town Valencourt, and German troops appear as occupying force. To some extent, the perception of the German soldiers is filtered through the perspective of the series' young protagonists, Lucien, Luigi, Ludwig and Lucas. The four boys are orphans or foundlings, and their first names have given rise to their collective nickname: les Lulus. When the inhabitants of Valencourt are forced to leave their hometown in 1914, the Lulus miss the evacuation. They have sneaked out of the foundling home to work on their tree house in the nearby forest and find the foundling home empty upon their return. During the night, the proximity of the enemy makes itself felt when the building is hit by artillery. A panel adopting a bird's eye perspective shows shards of glass flying into the room where the boys are, which puts an abrupt end to a short panel sequence featuring the Lulus enjoying their unexpected freedom from adult supervision.[19] The impression that the boys are in danger due to artillery fire is increased by an image of the building being hit again. A panel shows the impact by means of motion lines and hints at rubble flying around.[20] This panel also introduces the colour scheme that will henceforth be used for visualisations of the front: red and brown. The danger the boys are in is also stressed by a panel depicting artillery fire from afar, which is followed vertically by a panel alluding in true comic-style to the noise of the artillery with "BOM! BAM!", written in large bright-red letters against

is that clothes from the past are never seen in taken-for-granted use in current-day life. [. . .] In all picture books one has to dress the characters somehow. In a historical picture book, an illustrator usually takes pains to do it accurately and historians will require this." (Ibid., emphasis added)

18 Bateman, *Text and Image*: 95. See footnote 15 for a definition of this term.

19 Régis Hautière and Hardoc, *La Guerre des Lulus*, vol. 1, *1914, La maison des enfants trouvés* (Brussels: Casterman, 2013): 22.

20 Ibid.: 23.

a picture of the night sky.[21] These images of destruction are complemented by another bird's eye view that informs the readers how much damage the artillery has caused in the town.[22] Even though these panels do not show any soldiers, the extent of the destruction is apt to conjure up notions of the stereotypical enemy. When the first German soldiers appear eventually, they are portrayed primarily as a collective.[23] The Lulus perceive them as a threat and hide. The fate of Luce, a girl who joins the boys after having been separated from her parents during the evacuation from Belgium, confirms that German soldiers are initially shown merely as enemies: they force civilians to flee.[24]

The last pages of the first volume, however, already prepare the path for reconciliation by introducing a character who will come to play a major role for the series' balanced approach to the depiction of the enemy. On a deserted farm, the children happen upon a sleeping German soldier, whom they disarm and take prisoner.[25] This encounter serves as cliff-hanger, which is resolved at the beginning of the second volume but whose far-reaching consequences are already alluded to at the end of volume 1:

> C'est ainsi que nous avons fait connaissance avec Hans. || C'était notre première vraie rencontre avec un Allemand. || Nous étions loin de nous douter à quel point elle allait bouleverser notre vie.[26]
>
> This is how we met Hans. || This was our first real encounter with a German. || Little did we know how much this would change our life.

At first, Hans appears to be dangerous. In an action sequence consisting of 19 panels, he tricks the boys and recaptures his rifle.[27] This sequence ends on a twist: The Ger-

21 Ibid.: 24.
22 Ibid.: 27.
23 Ibid.: 33, 37, 39–42, 46.
24 Ibid.: 31–32. During the First World War, a large number of people in France became refugees: "France [. . .] bore the burden of a huge wave of refugees, some of them having fled from the advancing German armies in 1914, others being compulsorily evacuated by the French army in the wake of its military operations on the western front, and others still being repatriated from occupied to non-occupied territory via neutral Switzerland. By the autumn of 1918, according to one estimate, more than 2 million French civilians had been uprooted over the course of four years of fighting." (Matthew Stibbe, "Introduction: Captivity, Forced Labour and Forced Migration during the First World War," in *Captivity, Forced Labour and Forced Migration during the First World War*, ed. Matthew Stibbe [Abingdon: Routledge, 2009]: 1.)
25 Hautière and Hardoc, *La Guerre des Lulus*, vol. 1, *1914, La maison des enfants trouvés*: 55–56. To indicate how the text is distributed on the page, here and elsewhere || is used as a marker for the separation between panels.
26 Ibid.: 56.
27 Régis Hautière and Hardoc, *La Guerre des Lulus*, vol. 2, *1915, Hans* (Brussels: Casterman, 2014): 8–10.

man soldier raises his rifle above his head, which makes him look menacing, with bloodshot eyes, a shadow on his face and blood on his uniform. On the following page, however, the stereotype of the threatening, even monstrous enemy is undermined when Hans smashes his rifle and then shakes hands with Luigi while smiling and saying simply the German word "Freunde" ("Friends").[28] The Lulus and Hans will indeed soon become close friends, and this particular German soldier turns out to be a very likeable character. After having spent several months together in the tree house, Hans and the Lulus even feel like a family, "une famille [. . .], unie par une affection profonde et réciproque".[29] A panel showing Hans and Luce walking hand in hand from up close is emblematic of the strong emotional bond the children come to feel with someone who is officially still their enemy.[30]

In addition to being presented as a good friend of the protagonists, Hans is portrayed as a victim of the war. He is haunted by war-induced trauma that makes itself felt for the children in "his disorganised movements" ("ses gestes désordonnés") and in "his empty, distant gaze" ("son regard vide et lointain"):

> Ce n'est pas dans ses mots, incompréhensibles pour la plupart, ni dans ses gestes désordonnés que nous saisîmes l'horreur de ce qu'il avait traversé . . . || . . . mais dans son regard vide et lointain, qui semblait se perdre bien au-delà de nous.[31]

> It was not in his words, most of which were incomprehensible, nor in his disorganised movements that we grasped the horror of what he had been through . . . || . . . but in his empty, distant gaze, which seemed to lose itself far beyond us.

On the basis of observing his facial expression and body language, the Lulus understand that Hans is suffering. The readers are encouraged to feel empathy with the traumatised man by panels that offer a glimpse of the horrors of the front. The end of the passage quoted above ("mais dans son regard vide et lointain, qui semblait se perdre bien au-delà de nous") is placed inside a panel that covers the bottom half of the page and shows German soldiers cowering in trenches while shells are exploding next to them. Brown and red – the predominant colours in this panel – are the colours of mud and blood, which is itself a popular and persistent image of the First World War that is often connected with the Battle of Passchendaele (also known as the Third Battle of Ypres, July–November 1917).[32] The panel, which resembles typical images of the Western front, is completed by showing in the background the enlarged upper half of Hans' face with wide open, horrified eyes – a surreal effect that marks

28 Ibid.: 10.
29 Ibid.: 34. Translation: "a family, united by profound and mutual affection".
30 Ibid.
31 Ibid.: 11.
32 Cf. Lesley Milne, *Laughter and War: Humorous-Satirical Magazines in Britain, France, Germany and Russia 1914–1918* (Newcastle upon Tyne: Cambridge Scholars, 2016): 27.

the picture as a representation of the German soldier's haunting memories and visualises the kind of "intricate co-temporality" that is characteristic of trauma.[33] On the next page, three further panels depict the trenches, showing explosions, running soldiers, a severed leg, and even a corpse.[34] Taken together, the four, fairly graphic panels visualising the soldiers' experience not only serve to exemplify the horrors of trench warfare but presumably also help the readers understand why Hans deserted. At a later point, Hans also criticises the war explicitly: "Le front || [. . .] || Pas place pour homme [. . .] || Place zeulement pour mort et barbarie."[35] This statement directs the readers' attention to the horrors *all* soldiers were exposed to on the front, i.e., to a *shared* suffering. Hans' status as a victim is confirmed when he is killed by a French pilot whose plane was shot down. The pilot does not think twice about killing Hans, but the Lulus are devastated by the death of their friend.[36] What the pilot tells Lucas when accused by the latter of being a murderer is noteworthy with regard to the overall stance of the comic series: "Peut-être que ce boche était ton ami, peut-être même qu'en d'autres circonstances, ça aurait été le mien aussi."[37] ("Maybe that Kraut was your friend, maybe under different circumstances he would have been mine as well.") This statement seems to imply that reconciliation might indeed be possible, even between French and German soldiers, once the war is over.

The German soldiers whom the Lulus encounter after the death of Hans are largely presented in more conventional terms: as enemies whom they run away or hide from. Volume 4 – *1917, La déchirure* [Torn Apart], for instance, starts with panels showing the Lulus escaping from German soldiers who are shooting at them.[38] Volume 3 – *1916, Le tas de briques* [The Pile of Bricks] focuses on a period when the chil-

33 Tiziana de Rogatis and Katrin Wehling Giorgi, "Trauma and Women Writers: A Transnational and Italian Perspective," in *Trauma Narratives in Italian and Transnational Women's Writing*, ed. Tiziana de Rogatis and Katrin Wehling Giorgi (Rome: Sapienza Universitá Editrice, 2022): 31. This panel seems to visualise "the often uncontrolled repetitive appearance of hallucinations and other intrusive phenomena", which Cathy Caruth (*Unclaimed Experience: Trauma, Narrative, and History* [Baltimore: The Johns Hopkins University Press, 1996]: 57–58) sees as characteristic of post-traumatic stress disorder (PTSD). While the resurfacing of these distressing memories serves to help the reader understand Hans' experiences on the front, it also suggests that he is transported back to the battlefield mentally by this intrusive flashback. His faraway stare may be a hint at "dissociative reactions", i.e., instances during "which the individual feels or acts as if the traumatic event(s) were recurring", whereby "a complete loss of awareness of present surroundings" may occur (American Psychiatric Association, "Posttraumatic Stress Disorder," in *Diagnostic and Statistical Manual of Mental Disorders*, 5th ed. [Arlington: American Psychiatric Association, 2013]: 271).

34 Hautière and Hardoc, *La Guerre des Lulus*, vol. 2, *1915, Hans*: 12.

35 Ibid.: 36. Translation: "The front || [. . .] || No place for a man [. . .] || Only a place for death and barbarity." The spelling "zeulement" in the original quote alludes to Hans' German accent.

36 Ibid.: 51–53.

37 Ibid.: 54.

38 Régis Hautière and Hardoc, *La Guerre des Lulus*, vol. 4, *1917, La déchirure* (Brussels: Casterman, 2016): 3–4.

dren hide in a huge building that is occupied by German soldiers but also houses some French civilians. While the soldiers are portrayed first and foremost as enemies, the readers are granted insight into the mind of one German soldier who appears to be traumatised and haunted by guilt. The readers are informed that he has been suffering from headaches[39] and hallucinations for some time: "Mann, es fängt wieder an . . . wieder eine dieser verfluchten Halluzinationen . . . wie an der Front."[40] In a later scene, the same soldier criticises the war explicitly and shares his thoughts with a fellow soldier, even though the latter cautions him to remain silent: "Behalte das für dich. Wenn dich unsere Vorgesetzen hören könnten, kämst du vors Militärgericht."[41] The traumatised soldier describes the war and its impact on him in the following words:

> Ich habe den Krieg satt. || All die Toten . . . die Zerstörung . . . Es ist absurd. Ich weiß gar nicht mehr, warum wir kämpfen. || [. . .] Ich kann nichts dagegen tun. Sobald ich allein bin, denke ich an all die Toten, die ich an der Front gesehen habe. Ich denke auch an ihre Familien, vor allem an die Kinder. All die Kinder, die ihre Väter nie wieder sehen werden . . . Das lässt mir keine Ruhe. || Letztens habe ich halluziniert. Ich dachte, dass ich einen Jungen im Keller reden höre und dann habe ich einen vom Himmel fallen sehen, der mich durch das Glasdach des großen Zentralpavillons angestarrt hat. Als würfen mir die Kinder vor, si [sic] zu Waisen gemacht zu haben. Ich werde verrückt.[42]

> I am sick of the war. || All the dead people . . . the destruction . . . It is absurd. I don't even know anymore why we are fighting. || [. . .] I can't do anything about it. As soon as I'm alone, I think of all the dead I have seen on the front. I also think of their families, especially the children. All the children who will never see their fathers again. I cannot stop thinking about that. || Recently, I was hallucinating. I thought I heard a boy talking in the cellar and then I saw one falling from the sky, staring at me through the glass roof of the large central pavilion. It was as if the children were accusing me of having made them orphans. I'm going crazy.

Ironically, the soldier was *not* hallucinating; he caught a glimpse of Lucas and Luigi, who were hiding from the Germans. The soldier's emotional state and his feelings of guilt are apt to serve as a corrective to notions of enemy soldiers as ruthless killers. Thus, these scenes reiterate ideas that were already addressed in the depiction of Hans and again reinforce that German soldiers suffer as much as their French opponents.

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39 Régis Hautière and Hardoc, *La Guerre des Lulus*, vol. 3, *1916, Le tas de briques* (Brussels: Casterman, 2015): 38.

40 Ibid.: 41. Here and elsewhere in the comic series, utterances by German characters are presented in German with French translations provided in footnotes. Translation: "Man, it's starting again . . . another one of those cursed hallucinations . . . like on the front."

41 Ibid.: 48. Translation: "Keep that to yourself. If our superiors could hear you, you would be court-martialled."

42 Ibid.

During their travels, the Lulus also encounter German civilians, some of whom become their friends, in particular a gang of street kids in Berlin whom they join for a while.[43] The Lulus arrive in the German capital by mistake. At one point, they board a train in France as stowaways, hoping that it will take them to neutral Switzerland. To their dismay, the destination of the train they board turns out to be Berlin. Here, they get by for some time by claiming to be Swiss, using the German words they have picked up from Hans and joining a gang of street kids. While they become friends with most of the German children, there are some who do not like the Lulus, especially a boy who has lost his father in the war. This boy regards the Lulus as enemies because they are French and eventually denounces them, which leads to them being arrested and then sent to a civilian internment camp.[44] All in all, the depiction of the members of the rivalling gangs of German street kids suggests that there are good and bad people everywhere and that friends can be found even in the middle of the enemy's country. Yet the hatred felt by the boy who blames the Lulus for his father's death due to their nationality also promotes the idea that reconciliation might not be possible for everyone.

3 A Civilian Internment Camp

It is against the background of various German characters – civilians and soldiers alike – having been presented as victims and/or as friends that the grim experience of spending time in the internment camp in Holzminden is described in *La Guerre des Lulus: La Perspective Luigi 2/2* [Luigi's Perspective 2/2].[45] In this volume, the account of the children's experiences in the camp is embedded in a frame narrative that is set approximately 20 years later, in 1937. The frame narrative is presented as an interview in which a historian asks Luigi to tell him about life in the camp. In visual terms, there is a strong contrast between the frame narrative and the embedded story. The frame shows Luigi working happily in his beautiful garden on the outskirts of Amiens, surrounded by lush vegetation in a place that is described by the historian as "un vrai paradis" ("a true paradise").[46] The soft colours, especially light green, blue and yellow, which are predominant in the frame narrative abruptly give way to an entirely differ-

43 These events are depicted in Régis Hautière and Damien Cuvillier, *La Guerre des Lulus, 1916, La Perspective Luigi 1/2* (Brussels: Casterman, 2018).

44 Ibid.: 45, 53–54.

45 The name of the camp may have been inspired by an actual internment camp during the First World War in the city of Holzminden in today's Lower Saxony. For more information on this camp, see Ringo Müller, *'Feindliche Ausländer' im Deutschen Reich während des Ersten Weltkrieges* (Göttingen: Vandenhoeck&Ruprecht, 2021): 218 *et passim*.

46 Régis Hautière and Damien Cuvillier. *La Guerre des Lulus, 1916, La Perspective Luigi 2/2* (Brussels: Casterman, 2019): 5.

ent colour scheme once the embedded story begins: white – the snow covering the ground, grey-blue – the evening shadows and orange-brown – the colour of the sky, which is almost reminiscent of the colours used to portray the trenches in other volumes of the series. In a later panel, which shows the camp from a bird's eye perspective, white snow and brown, almost identical looking wooden barracks continue the visual motif of an infertile, cold and hostile environment.[47] The fence surrounding the camp and dividing it into different sectors contributes to this overall impression. The existence of different sectors for male and female internees also means that the four boys are separated from their friend Luce, except for a few hours each day when male and female internees are allowed to meet. This illustrates that the structure of the camp tears families apart, both biological and chosen ones.

On the basis of the information provided in the text, the situation in the camp can clearly be categorised as an instance of strong asymmetrical dependency according to the criteria specified by sociologist Rudolf Stichweh: the guards control the internees' access to food, clothes and other resources as well as their actions, they deny the internees the right to utter protest and they do not offer any possibility of leaving the camp.[48] While the food rations are described as tolerable from the point of view of the Lulus, who have become used to surviving on very little sustenance since the beginning of the war,[49] the scarcity in Germany in the winter of 1916/17 makes itself felt in the camp:

> À cause du blocus des anglais et de la mauvaise récolte de pommes de terre de l'automne, le pays crevait la dalle. Au camp aussi, forcément. Mais, grâce aux associations humanitaires internationals qui envoyaient des colis pour les prisonniers, on s'en sortait pas si mal.[50]
>
> Due to the British blockade and the poor potato harvest in autumn, the country was starving. The camp was no exception, of course. Thanks to international humanitarian organisations that sent parcels for the prisoners, however, we were not doing that badly.

It is remarkable that the text refers to aid by international organisations arriving in the camp rather than insisting on the scarcity of food. This suggests a comparatively

47 Ibid.: 14.

48 Cf. Rudolf Stichweh, "How Do Divided Societies Come About? Persistent Inequalities, Pervasive Asymmetrical Dependencies, and Sociocultural Polarization as Divisive Forces in Contemporary Society," in *Global Perspectives* 2, no. 1 (2021): 4. See also the discussion of Stichweh's criteria in the introduction in this volume.

49 Hautière and Cuvillier, *La Guerre des Lulus, 1916, La Perspective Luigi 2/2*: 19.

50 Ibid.: 39. While the idea that the British blockade caused the so-called hunger winter 1916/1917 is still widespread, some historians disagree. Cf. Marcel Boldorf, "Außenhandel und Blockade," in *Deutsche Wirtschaft im Ersten Weltkrieg*, ed. Marcel Boldorf (Berlin: De Gruyter, 2020): 517, who argues that the scarcity was primarily brought about by the overall pressure of the war on the German economy.

humane treatment of the internees. References to the existence of a library in the camp confirm this impression.[51]

While the situation in the camp is portrayed as being tolerable in some respects, the Lulus sorely miss their freedom,[52] which causes them to come up with escape plans. The depiction of how these plans are put into action shapes much of the plot throughout *La Guerre des Lulus, 1916, La Perspective Luigi 2/2*. This is in line with the overall emphasis of the series on presenting adventures that are likely to be perceived as entertaining by young readers. Shifting the focus from depicting the stagnant everyday life in the camp to escape plans that require ingenuity, courage and teamwork also implies stressing resistance and agency, which ultimately allows the children to outwit the camp guards. While their first plan fails, the second one is successful and quite spectacular: They manage to escape by means of a hot-air balloon they have built themselves (with the help of two other internees) – an idea that Ludwig came up with while reading Jules Verne's novel *Cinq Semaines en Ballon* [Five Weeks in a Balloon, 1863] in the library of the camp.[53] That this plan was inspired by a popular French author, who draws upon the invention of the French brothers Montgolfier, may certainly be read as a tribute to French ingenuity.

While the German camp guards are unambiguously presented as enemies, the text defies the idea that all French people in the internment camp are natural allies – in reverse analogy to the group of street kids in Berlin. On the whole, the German guards stay very much in the background, even though they appear regularly in panels and their presence clearly serves as a reminder of the lack of freedom. The first two panels of the embedded narrative show Lucien, Luigi, Ludwig and Lucas approaching and entering the internment camp, guarded by two German soldiers.[54] During a distraction created for the Lulus' first escape attempt, one of the German soldiers sneers "En fait, la meilleure façon de gagner la guerre, c'est d'attendre que les français s'entretuent",[55] which expresses disdain for the internees. During the second,

51 Hautière and Cuvillier. *La Guerre des Lulus, 1916, La Perspective Luigi 2/2*: 19. Much of the information on the camp is provided via the text rather than the pictures, such as the humanitarian aid or the fact that there were internees from many different nations (ibid.: 18). There are, however, also panels that add further facets to the depiction of camp life by means of images. This is exemplified by a panel showing that both Catholic nuns and an Orthodox clergyman were among the internees – something that is not addressed on the textual level (ibid.).

52 Ibid.: 20: "La seule chose qui nous manquait vraiment, dans le camp, c'était la liberté. || Depuis le début de la guerre, on avait été habitués à se passer d'à peu près tout mais on avait toujours été libres d'aller où on voulait." Translation: "The only thing we really missed in the camp was freedom. || Since the beginning of the war, we had been used to doing without almost everything, but we had always been free to go wherever we wanted."

53 Ibid.: 29.

54 Ibid.: 6.

55 Ibid.: 24. Translation: "In fact, the best way to win the war is to wait for the French to kill each other."

successful escape attempt, a German guard shoots at the hot-air balloon but cannot prevent them from flying over the fence. All in all, soldiers appear only briefly and are hardly individualised, whereas several French internees play a more prominent role. Some of them support the escape plans actively, for example Madame Turleaux and the grumpy Monsieur Joseph. There is, however, at least one Frenchman who has to be categorised as antagonist. Right from the start, Onésime Decombray, who has been appointed camp overseer by the Germans, is portrayed as a hypocrite. The remarkably stout man, who refers to the Germans euphemistically as "hôtes" ("hosts"),[56] for instance declares "Un peu de privation forge le caractère!",[57] even though his physique suggests that *he* has certainly not been deprived of food. Moreover, despite insisting that he is proud of being French,[58] Decombray fulfils his role as overseer faithfully, thus becoming a major obstacle in the Lulus' escape plans and even foiling their first escape attempt by denouncing them.[59]

The recurring idea that there are good and bad people on both sides is reinforced once again after the flight from Holzminden, when a German woman who lives alone on a farm with her little daughter provides the children with food and shelter although it is obvious that she does not believe their lie that they are Swiss.[60] She informs them that her husband has been missing for a long time and that some people accuse him of being a deserter.[61] When Luce asks her why she helps them, the woman replies:

> Parce que si mon mari est encore vivant quelque part en France et qu'il a faim ou qu'il est blessé, j'aimerais que des gens lui viennent en aide.[62]
>
> Because if my husband is still alive somewhere in France and he is hungry or injured, I would like people to come to his aid.

What she says about her husband reminds the Lulus of their friend Hans, as Luigi tells the historian:

> Je crois que, ce soir-là, en écoutant la fermière évoquer son mari disparu, on a tous pensé à Hans, le soldat allemand qu'on avait rencontré au début de la guerre. || Mais aucun d'entre

56 Ibid.: 36.
57 Ibid.: 9. Translation: "A little deprivation builds character!"
58 Ibid.: 7: "Les allemands m'ont désigné pour être l'un des chefs de district du camp mais ce n'est pas pour autant que je suis devenu l'un des leurs. Non, non, non! Je remplis la fonction qui m'a été assignée, ni plus ni moins." Translation: "The Germans appointed me as one of the district leaders of the camp, but that does not mean I became one of them. No, no, no! I fulfil the role assigned to me, no more, no less."
59 Ibid.: 26.
60 Ibid.: 53.
61 Ibid.: 55.
62 Ibid.: 54.

> nous n'a osé en parler, ni même demande le prénom du père de la petite fille. On avait trop peur de devoir briser le reste d'espoir qui animait cette femme.[63]
>
> I believe that, that evening, as we were listening to the farmwoman talk about her missing husband, we all thought of Hans, the German soldier we had met at the beginning of the war. || But none of us dared to mention it or even ask the name of the little girl's father. We were too afraid of shattering the remaining hope which kept this woman alive.

With the reference to Hans, the story almost comes full circle. It would be too much of a coincidence if the woman was really Hans' wife, as Luigi points out.[64] Nevertheless, the German woman and the five young fugitives display a considerable amount of mutual empathy and the ability to adopt the other's point of view, which, according to Hans-Georg Soeffner, is necessary for achieving reconciliation.[65] Unlike the boy in Berlin, the woman does not blame the Lulus for her husband's fate but stresses the need to help each other and to recognise one's shared humanity.[66]

4 Forced Labour

In addition to internment, *La Guerre des Lulus* addresses forced labour, another type of war captivity. This form of strong asymmetrical dependency is presented in much bleaker terms than internment, in particular because it takes two of the young protagonists to the front. In the third volume of the series, war-related forced labour is mentioned for the first time, in a brief reference to "bataillons de travaux forcés" ("battalions of forced labour").[67] It is noteworthy that the existence of forced labour during the First World War is introduced with reference to German prisoners of war (POWs) in France; in this way, the series acknowledges that this specific type of exploitation was used on both sides. In volume 5, which is set in 1918, the topic of forced labour is explored in more detail when Lucien and Luigi are arrested and subsequently become

63 Ibid.

64 Ibid.: 55.

65 Hans-Georg Soeffner, "Konzept, regulative Idee, Utopie: Der Begriff ‚Versöhnung' in kulturvergleichender Perspektive: Überlegungen zum theoretischen Rahmen des Bonner Versöhnungsprojektes," in *Versöhnung: Theorie und Empirie*, ed. Esther Gardei, Michael Schulz and Hans-Georg Soeffner (Göttingen: V&R unipress, 2023): 14.

66 In British children's literature this idea is often present in stories about the 1914 'Christmas Truce'; cf. Martin C. Kerby, Margaret M. Baguley, and Alison Bedford's chapter "British Historical Picture Books: Promoting Peace in Times of War," in *Variations of the Hero's Journey in Contemporary British, French and Australian Picture Books about the Great War: Reimagining the Horrors of the Past*, Martin Kerby, Denise Burkhard, Alison Bedford, Marion Gymnich and Margaret Baguley (Abingdon: Routledge, 2026): 43–66.

67 Régis Hautière, and Hardoc, *La Guerre des Lulus*, vol. 3, *1916, Le tas de briques* (Brussels: Casterman, 2015): 12.

forced labourers on the front. In this context, the readers are also exposed to what remains presumably the most iconic image of the First World War: the trenches of the Western front.[68] So far, the comic series largely avoided showing the front, even though damaged buildings time and again provided evidence of the large-scale destruction caused by the war.

The trenches, which Lucien and Luigi are forced to help repair, are dismal and dangerous places, with rats, corpses and the constant threat of an attack.[69] As forced labourers, the two boys experience the horror of the front from up close:

> Le front . . . || Là où les armées se font face. Là où elles se livrent à des combats acharnés, aussi vains que destructeurs. || Là où les obus éclatent, dans un vacarme assourdissant, pour fracasser les âmes et mutiler les corps. || Là où les hommes périssent par milliers, fauchés par la mitraille, déchiquetés par les shrapnels, recouverts par la boue. || Le front était un enfer. || Et c'est dans cet enfer que nos amis avaient été conduits.[70]

> The front . . . || Where armies face each other. Where they fight fierce battles, as futile as they are destructive. || Where the shells explode, with a deafening racket, to shatter souls and mutilate bodies. || Where men perish by the thousands, mowed down by machine-guns, torn apart by shrapnel, covered in mud. || The front was hell. || And it was to this hell that our friends had been brought.

The intense, bleak tone of this passage is reinforced by anaphora (i.e., identical beginnings of sentences – "Là où"/"Where"), which serve to enumerate the manifold horrors of this place. The text quoted above is visually complemented by a sequence of 18 panels that show Lucien and Luigi and other forced labourers working in the German trenches in pouring rain.[71] A panel that arguably captures the horrors of the front particularly vividly shows the hand of an otherwise buried corpse from up close.[72] Moreover, there are two panels that offer glimpses of the ravaged landscape of the wasteland surrounding the trenches, with craters caused by shells, a few tree stumps and red-brown mud.[73] Picking up further iconic images of the Western front these panels hint at the scale of destruction. The scenes showing Lucien and Luigi experiencing forced labour are only a small part of the overall narrative, comprising

68 Régis Hautière, and Hardoc. *La Guerre des Lulus*, vol. 5, *1918, Le der des ders* (Brussels: Casterman, 2017): 40–42.

69 The depiction of the trenches is emblematic of the experiences of many soldiers. Rats in particular were ubiquitously present in the trenches during the war, feeding on the rotting corpses of fallen soldiers, and had a place "right alongside the other horrors and hardships of war" (Matthew M. Stith, "Of Rats and Men: The Decisive Role of Rodents on the Western Front," in *New Perspectives on the First World War: Beyond No Man's Land*, ed. Mandy Link and Matthew M. Stith [Cham: Palgrave Macmillan, 2024]: 75).

70 Hautière and Hardoc, *La Guerre des Lulus*, vol. 5, *1918, Le der des ders*: 40.

71 Ibid.: 40–41.

72 Ibid.: 41.

73 Ibid.: 48.

merely 50 panels on nine pages (of 56 pages in total in volume 5). Nevertheless, it seems likely that they will leave a lasting impression due to their powerful descriptions and images as well as due to the consequences for Lucien: When a tunnel collapses due to an attack, he is seriously injured.[74] This happens shortly before the two boys are liberated by American soldiers. While the war is now finally coming to an end, Lucien's right leg is amputated, which leaves him physically marked by the war for the rest of his life – a fate that countless soldiers shared.

In addition to the dangers of the front and hard physical labour, the depiction of Lucien and Luigi's experiences also highlights the hatred the German soldiers feel and openly display.[75] This is, for instance, visualised by a panel showing a soldier about to strike Luigi.[76] While such panels are bound to evoke pity with the two boys, the text also encourages the readers to feel empathy with the German soldiers, who are exhausted by the war:

> Après des années de privations et de souffrances, ces derniers [les soldats allemands] en étaient venus à détester tout ce qui était français. || Comment leur en vouloir? Chacun d'entre eux avait perdu au moins un frère, un cousin ou un ami dans cette guerre absurde. || Nous-mêmes nous demandions souvent ce que serait notre réaction si l'un des nôtres venait à disparaître.[77]

> After years of deprivation and suffering, they [the German soldiers] had come to hate everything French. || How could they be blamed? Each of them had lost at least one brother, cousin or friend in this senseless war. || We often wondered how we would react if one of our own were to disappear.

The beginning of the passage quoted above is accompanied by an image showing the bitter faces of two German soldiers. Thus, even in these extreme circumstances, the text and the images stress shared suffering rather than condemning the attitude of the enemies, which suggests that reconciliation will be possible.

5 Conclusion

La Guerre des Lulus is a far cry from the jingoistic depictions of the opponent in children's fiction published during the First World War. While this certainly does not come as a surprise, the insistence on the potential for reconciliation throughout the series is still striking. Unlike Günther's *Zeit der großen Worte*, the comic series does not try to explain why many people initially supported the First World War. Instead, *La Guerre des Lulus* focuses on the dire consequences the war had for soldiers and civilians

74 Ibid.: 49–50.
75 Ibid.: 41.
76 Ibid.: 44.
77 Ibid.

alike and uses this as a starting point for showing that mutual understanding, empathy and, in the long run, reconciliation – are viable. The series does not deny that enemy soldiers are a very real threat, even for the civilian population. *La Guerre des Lulus*, however, also time and again hints at the suffering of German soldiers and civilians and propagates the idea that allies and friends can be found across national borders. Although there are no explicit political statements, guilt is assigned less to individuals than to the cruel rules of the military conflict – a focus which certainly makes reconciliation on the personal level easier.

The comic series presents captivity as one of several facets of universal suffering during the war. The depiction of the civilian internment camp suggests a comparatively humane treatment and arguably distracts from the internees' situation by focusing on the protagonists' ingenious escape plans. The representation of forced labour, by contrast, is undeniably grim, especially because it shifts the readers' attention to the front. These scenes stress that reconciliation after the war will not be easy or even possible for all soldiers and civilians. Deprivation, suffering and the death of loved ones are referred to as obstacles for reconciliation on the personal level. On the political level, reconciliation did not come about soon after the First World War. Only decades later, and after another world war, did Franco-German reconciliation slowly begin to develop. In other words, the way the First World War is reimagined in *La Guerre des Lulus* arguably reflects political developments that were set in motion after the Second World War and especially since the 1960s.[78] With its focus on the *possibility* of reconciliation and even friendship between former enemies, the comic series addressing young readers in the twenty-first century seeks to give an age-appropriate and optimistic answer to a basic question of memory cultures:

> comment se saisir du passé traumatique et en gérer la mémoire sans travestir l'histoire ni compromettre le futur? Comment vivre ensemble et développer des projets d'avenir, en intégrant voire en tirant profit de l'histoire partageante et partagée?[79]

> how can we come to terms with a traumatic past and maintain its memory without distorting history or compromising the future? How can we live together and develop projects for the future, integrating and even capitalising on our shared history?

As *La Guerre des Lulus* illustrates, the dynamic interplay between the textual and the visual levels of the comic series offers a combination of information on the First World War and scenes that create empathy with soldiers and civilians alike. Thus, the

78 Cf. Corine Defrance, "La reconciliation: Entre mémoire et oubli entre passé et avenir. Un essai de conclusion," in *La réconciliation: Histoire d'un concept entre oubli et mémoire/Versöhnung: Geschichte eines Begriffs zwischen Vergessen und Erinnern*, ed. Anne Couderc, Corine Defrance and Ulrich Pfeil (Brussels: Peter Lang, 2022): 331.

79 Ibid.: 348.

comic series undermines stereotypes and promotes reconciliation as a distinct possibility in and pathway for the future.

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3. Research Lenses

3.4. Labour and Spatiality

Stephan Conermann and Ulbe Bosma. “Introduction,” in *Households as Coercive Labour Regimes*, ed. Stephan Conermann, Ulbe Bosma and Gijs Kessler (Berlin: De Gruyter, 2026): 1–10.

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CHAPTER 1

Introduction

Stephan Conermann, Ulbe Bosma

This anthology is the result of a conference jointly organised by the Bonn Center for Dependency and Slavery Studies (BCDSS) located at the University of Bonn, Germany, and the International Institute of Social History (IISH) in Amsterdam, The Netherlands. The conference was held in Amsterdam on November 2–3, 2023.[1]

Historians have long recognized the household as one of the building blocks of human societies, capable of shaping human dependencies and social hierarchies. We defined the household as being primarily composed of its head, and everyone within this unit enjoying the patronage of the head. Kinship relations were considered to be secondary, as members of the household head's family were usually, but not always, included in the household. During the conference, we concentrated our attention on larger household organisations, including the private households of the military, political and economic elites, but also, for example, plantations, private companies, haciendas and estates. All can be considered as households where the head wields extensive, if not absolute, power over its members.

All these households represented labour regimes which were based on an asymmetrically dependent workforce consisting of servants, peasants as well as enslaved and other coerced labourers. A coercive labour regime would then be a labour regime in which coercion and asymmetrical dependencies play a crucial role. Various forms of such labour regimes have existed throughout human history in all parts of the globe. Against this backdrop, we aimed to cross the usual historiographical divides between the modern and pre-modern. However, modernity as a paradigm was not our immediate concern either. In this conference, we wanted to direct our gaze at coercive labour regimes through the lens of the household. We inquired into the various forms, functions, developments, justifications and changes in the different types of coerced labour we could identify in these households. This is emphatically not to say that households are always and necessarily coercive institutions. Family households in particular, but not just family households, are also affective frameworks that offer essential moral sustenance and a sense of belonging. Indeed, it is exactly because of these powerful emotional frameworks that households can emerge as powerful vehicles of coer-

1 As part of the BCDSS publication process, the articles of this volume were language-edited by Kathryn Abaño. We also would like to take this opportunity to thank Ann-Sophie Vornholz for her great help with the summaries and for her excellent formatting work.

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cion. In much of the work for the household, an intrinsic motivation is involved that, unfortunately, also strengthens the susceptibility to coercion.

The conference theme perfectly linked the research agendas of the two participating institutions: The IISH's Global Labour History approach, first formulated in 1999 by Jan Lucassen and Marcel van der Linden, shifted the focus of the institution's previous research agenda and that of many other labour historians.[2] They changed their perspective from a predominantly national approach to labour history into a transnational and transcontinental comparison. No longer focused on the nineteenth and twentieth-century history of White, male factory workers, they began to examine all forms of work and all types of workers, globally and over an extensive period of time. Their new research programme focuses on work and labour relations worldwide over the last five hundred years. Key questions in this research involve the connection between work, labour relations and social inequality: How can work and labour relations have an impact on unequal access to resources and opportunities, and thus on social inequality? How might individual and collective action have an impact on labour conditions, labour relations and social inequality? And how might durable inequality reinforce and reproduce societal inequality? The BCDSS, for its part, systematically places phenomena of strong asymmetrical dependencies in relation to each other and provides innovative insights into human social orders across very different historical contexts.[3] Strong Asymmetrical Dependency involves power and social relations between different human (and non-human) actors. It is based on the ability of one actor to control the actions of another actor and/or their access to resources, and it is usually supported by an institutional context that ensures that the dependent actors can only change their situation through risk or the incurring of personal harm. The BCDSS brings Dependency Studies into conversation with research developed in other fields to tackle core epistemological questions regarding why and how strong asymmetrical dependencies are a persistent and foundational element of human communities, and why they persist (and transform) until today. Coming back to our conference and our anthology: As we were working towards a transcultural comparison, we preferred applications that included case studies from different regions and time spans. The participants were invited to write a paper that dealt with a fixed set of questions, such as: how do you define the household? How do people enter and exit the household? Who belongs to the household? What is the

2 See Leo Lucassen, "Working Together: New Directions in Global Labour History," *Journal of Global History* 11, no. 1 (2016): 66–87; Karin Hofmeester, "Global Labour Relations and Persistent Social Inequalities: A Research Agenda," https://iisg.amsterdam/files/2024-10/Global%20Labour%20Relations%20and%20Persistent%20Social%20Inequalities_final_version_v2.pdf [accessed 14.10.2025].

3 See Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler and Stephan Conermann, "The Analytical Concept of Asymmetrical Dependency," *Journal of Global Slavery* 8 (2023): 1–59.

division of labour? How does it function as a unit of production and/or economic unit? What are the mechanisms of control within the household? To enhance the comparability of these papers, the authors were asked to depart from the classic terminology in the classification of household types coined by Peter Laslett and Richard Wall of the Cambridge group for the history of the population and the social structure.

The insights derived from this collective inquiry into the boundaries, form and functioning of the household are taken up by **Gijs Kessler** in a first, conceptual chapter, which seeks to connect these findings to the existing literature on family and household, and to identify the contribution that our findings can make to this literature. The chapter proposes a definition of the household that fits the cases examined in this volume and overcomes the traditional focus on co-residence as a necessary condition for delineating the household as a social and economic entity. This builds on insights from the discipline of family history, which has progressively moved away from conceptualizations of the household as an independent, culturally determined variable in order to embrace perspectives on the household as a dependent variable, which reflects, in form and function, the exigencies placed upon it by the political, social and economic environments. Households are deeply embedded in social hierarchies and evolve along with these hierarchies, changing in terms of form, function and the internal structure of authority to produce the myriad manifestations of the household that can be historically discerned. Particularly relevant for the issues at the core of this volume is the role that households often fulfil in social hierarchies based on the principles of indirect rule. In such systems, households function as units of collective responsibility, transforming outside exigencies into individual obligations internal to the household. It is here that we arrive at the essence of the household as a coercive labour regime. Such systems of indirect rule can also involve asymmetrically dependent relations between households or between core and auxiliary households.

H.L. Hammer's chapter, "Household Coercion in Ancient Egypt: An Analysis of the Heqanakht Letters", examines the Egyptian middle kingdom (ca. 2055–1650 BCE) as a period of economic growth in which households functioned as spaces of economic cooperation. The chapter particularly focuses on the way that cooperation was frequently achieved by coercive mechanisms of control such as servitude, forced labour and patriarchal authority. Hammer analyses the specific household described in the Heqanakht Letters, a collection of documents from the 1900s BC containing letters written by Heqanakht, a wealthy landowner, that provide instructions for his household. Departing from the household definitions of Peter Laslett and Richard Wall, Hammer focuses on the economic dimension of the Ancient Egyptian term for household, the role of the household within the Egyptian state hierarchy, as well as land-owning mechanisms and economic and social organisation. The Heqanakht household as a small to mid-sized farming house-

hold, consisting of family members and workers, is classified as an *Extended Family Household* or *Multiple Family Household* according to Laslett. Although the source gives only limited information about the household's living arrangements, assumptions can be made based on archaeological findings on similar households. Hammer also comments on the mechanisms for entering such households, as servants or through marriage, and the division of labour within them: the head of the household divided tasks between its members, often creating an internal hierarchy based on age, seniority and gender. The chapter further looks at the system of coercion in the household and the various mechanisms employed. The household head's power over its members is largely associated with the head's higher social status. The specific methods of coercion or control employed by Heqanakht are also analysed in detail, including threats of ration cutting or expulsion from the household. This demonstrates the head's control of necessary resources and describes a system of dependency.

The article "The *Familia Caesaris* and the Quarries of *Simitthus*. Economic Perspectives on the Household of the Roman Emperor as a Coercive Labour System in the Roman Economy", written by **Dennis Mario Beck and Lennart Gilhaus**, examines the ancient household concept of the *familia Caesaris*, especially regarding the role of coercion and strong dependencies within it. The article introduces the historical development of the *familia Caesaris* as well as the possibilities of entry into the family and the continuing servility to it after manumission. Beck and Gilhaus investigate imperial marble quarries, in particular that which is located in Simitthus in North Africa (modern-day Tunisia). Although there are abundant sources on this particular site in comparison with other localities, evidence of the inner workings and the day-to-day life of the people at Simitthus is still limited. Nevertheless, the authors manage to analyse the role of the procurator, a freedman in continuous dependency on the Emperor, who functioned as manager of the quarry. Quarries are thus regarded as coercive labour systems, in which a mix of private and state actors is managed through contracts and offices. Inscriptions found at the site show the shifting organisation of quarries and the role of freedmen therein, as well as the living conditions of procurators and their staff in so-called *Arbeits- und Steinbruchlager*. The chapter also examines the concept of interagency in this context, attempting to categorise interdependencies into global and local networks, and observing the procurator's position and interdependent relationship with various actors in detail. Coercion plays a central role in physical labour and the organisation of labour within the quarries, while the upper ranks of the administration are characterised more by patronage relationships. The authors reveal administrational networks based on individual and economical dependencies between the emperor, imperial freedmen, contractors and enslaved people.

Niall Ó Súilleabháin's contribution, "The Monastic Familia in Northern France as a Coercive Labour Regime, c. 900–c. 1100 AD", investigates how the language of

households was used to describe institutions: The medieval monastic community, called *familia*, encompassed non-resident dependants and was seen as a single household. While *famuli* (non-vowed members, i.e. workers, servants) are usually not the focus of most sources from medieval times, Ó Súilleabháin examines their role in the labour systems of medieval monasteries. In the process, the author attempts to apply Laslett's typology, although it seems that it is not always applicable, especially where members of the household did not share a living place but nevertheless had strong social, economic and spiritual associations with the *familia*. In the *familia*, coerced labour was a factor in the workings of the medieval church and was supported by the ideology of the household found there. The chapter scrutinizes the role of the abbot as the head of the household, as well as the division of labour between the monks and the *famuli*, which created a state of dependence for the *famuli*, who could be legally free or unfree. In many cases, there were instances of coercion in the control and deployment of labour, such as physical restraint and corporal punishment. Ó Súilleabháin examines two *familias* located in Northern France and Belgium, respectively in the tenth and eleventh centuries AD, paying special attention to the possibilities of becoming part of the *familia* and leaving it.

Rosamund E. Fitzmaurice's text, "Women's work: featherworking and forced labour in *amanteca* households in Postclassic Tenochtitlan", surveys the household organisation of featherworkers in fifteenth-century Central Mexico. As featherworking was a lucrative and prestigious occupation, *amanteca* households were usually wealthy. Both men and women worked on these items, and domestic duties were therefore often delegated to forced labourers, who mostly consisted of debt bondspersons. These labourers lived within the household of the *amanteca*, which meant that the latter was able to supervise them, thus forming coercive household regimes. Fitzmaurice investigates these households in Postclassic Tenochtitlan, which formed the centre of a tribute-based system. Sources about this time, such as the Florentine Codex and the Codex Mendoza, were mostly written by Spanish authors and were thus shaped by European perceptions. It is because to this colonial perspective that they must be examined critically. Furthermore, Fitzmaurice considers the concepts of slavery and forced labour and how they can be applied to Postclassic Nahua and Mesoamerica. While forced labour was generally not very common in Tenochtitlan, most forced labourers were used for domestic tasks in wealthy households to ensure the comfort of the elite. Other forced labourers were killed during ceremonies, which demonstrated prosperity. Fitzmaurice situates *amanteca* households within the Laslett and Hammel taxonomy, defining them as multiple family households. Furthermore, the roles of gender and exploitation are analysed in detail in the chapter, and the work of the *amanteca* is compared with the production of other luxury items in the region.

John F. Chuchiak IV's chapter, "'Our Suffering this Harsh Castilian Tribute': The Changing Nature of Spanish Conquest and Colonialism on the Coerced Labor Regimes of Colonial Maya Households, 1542–1821", analyses the impact of Spanish colonialism on the organisation of Maya households, especially concerning the gendered division of labour within them. Chuchiak traces the development of contact-era Maya households. Before colonisation, Maya households were usually multiple family households consisting of several dwellings situated around a courtyard or patio. Spanish colonisers saw these households as arbitrary groups, even though they were often determined through kinship connections. They did, however, differ significantly from European households (which were usually single family households), consequently impeding Christian evangelisation and other colonial processes in the region. The Spanish, therefore, interfered with the Maya household organisation, restructuring them so as to be more like the European model. Before colonisation, the Mayan *patio groups* were social and economic entities and multigenerational groups, consisting of the male household head and his wife surrounded by a network of related or non-related couples and their children. Chuchiak describes how the imposition of the Spanish tribute system led to the development of coercive labour regimes. To facilitate colonial processes, the Maya were congregated into larger villages by the Spanish colonisers in order to facilitate religious indoctrination and control. This *congregación*, i.e. the forced relocation, disrupted the existing Maya society and household organisation. *Patio groups* were broken up, people were physically and often violently moved, and towns and fields were destroyed so that the larger villages planned by the Spanish were the only available living spaces. The Maya were then forced into single family households, with one nuclear family under a single male head of the household. These policies, also known as *reducción*, were imposed by both the Spanish colonisers as well as Franciscan missionaries during the sixteenth and seventeenth centuries, but the Maya returned to their traditional household types when possible. By 1583, most commoner households had been converted into nuclear family households with a single conjugal unit, but there were many noble Maya households that contained non-related members – for example, in the form of enslaved people and servants. Slavery was codified in Maya society (e.g. as punishment for criminal activity), but it was prohibited by the Spanish colonisers as part of the *reducción* tactics.

Maya households were not static in their make-up, but fluctuating: right after marriage, a couple usually lived close to the wife's father, later moving closer to the husband's family. Chuchiak connects this practice with economic pressure during the colonial period, which may have motivated household heads to keep their sons-in-law close by so that their labour could contribute to the fulfilment of the tribute paid to the Spanish. Maya households were also flexible in the division of labour. The Spanish demands in particular increased women's labour: the Spanish

required products that were traditionally produced by women and coerced them into grinding corn for the Spanish, as well as forcing them to be wet nurses for Spanish babies. The Spanish relied on Maya production and labour for their economic survival, as the region offered no mineral resources to exploit. The tribute system entailed significant amounts of labour and thus altered the gendered division of labour in Maya households, especially in the Yucatan region. Maya commoners were also exploited by Maya nobles in an attempt to maintain their wealth and status. In addition to the tributes required by the Spanish crown, the colonisers also imposed an illegal system of tributes and services, resulting in the need for repressive means of control. Although this *Repartimiento* system was illegal, it was employed by officials and the clergy. As these systems required several levels of tributes, it could only be fulfilled with coercive labour.

The gender dynamics of Maya society were disrupted and altered by Spanish colonisation. Increasing economic demands often forced men to be absent from their households in order to find specific goods in the forests. Other labour to fulfil tributes, especially cloth, was done by women under the supervision of the male heads of households, who exercised repressive control over them to ensure their production. Before colonisation, both Maya men and women had prominent roles in the management and representation of the household. The Spanish patriarchal conception led to the male Maya household heads acquiring more control over their households, while contact between the Maya and the Spanish also only happened through the men, so that there were no more visible outside roles for women. The Maya men were thus obligated to collect tributes for Spanish colonisers, changing the gendered dynamics of Maya society. Women were also forced, sometimes violently coerced, to produce cloth at sites known as *Camulna*, i.e. sweatshops.

Yaruipam Muivah's contribution on "The *Bawi* System and the Making of the Chief's Household in Colonial Lushai Hills in North-East India" investigates the slaving system, which consisted of both *bois* and *sals*. These two types of coercion are compared, with *boi*-hood especially scrutinized as it has often been considered to be a relationship of mutual benefit with the master. The *boi*'s relationship with the chief is therefore examined in detail. Chiefs were important for the colonial administration, which relied on their authority over the villages as well as their loyalty to the colonialists. Hence, slavery in the form of *bois* serving in the chiefs' households was not abolished. Muivah analyses the role of *bois* in the households of the Lushai village chiefs. Such households are to be distinguished from usual Lushai households, which typically consisted of a single conjugal unit, while the chief's household sometimes featured only *bois* and *sals* instead of the chief's kin. As such, a classification of these households according to Laslett is difficult, but some consistencies with the multiple family household are found in that these households often consisted of the chief, his immediate family and the family/fami-

lies of the *boi*/*bois*. Muivah further seeks a definition of the *boi* status and its different categories. The categories are largely based on the ways one became a *boi*, although the rigid theoretical categorisation and the actual circumstances also differed. The chapter investigates the concept of belonging within the *bawi* system and the gendered division of labour, as well as comparing the status of in-dwelling and out-dwelling *bois*, who were subject to different forms of control but dependent on the chief either way. Muivah also analyses the ways of leaving the *boi* status. Throughout the chapter, specific case examples are presented, and violent coercion and the economic advantage thanks to the *bois*' labour are foregrounded. Households as basic units of labour and production are therefore seen as important factors in understanding slavery in frontier societies.

Gijs Kessler's article, "The Soviet Collective Farm. Imposition of a Coercive Labour Regime (1929–1941)", describes the collective farm's constitution and its superimposition over the previously common peasant household. In the late 1920s, the Bolsheviks installed collective farms, which are regarded in this text as coercive labour regimes disguised as households. Within them, individual members bore collective responsibility for the collective farm in relation to the state and other organisations as well as social and economic actors. Land was collectively held by the farm, while inventory, agricultural implements and livestock could be collectively owned. These structures were determined by the collective farm charter. Kessler distinguishes between the official narrative about collective farms in Russia and the actual conditions, stressing the lack of economic success of the farms and foregrounding their political dimension, namely to weaken the peasantry's resistance against Stalinism. This was achieved by the state requisitioning of produce, limitations on mobility, as well as threats of violence and economic pressure. State requisitioning was especially pervasive in the early 1930s, leading to the 1932/1933 famine. Although these farms could only tentatively be regarded as households, the household characteristics they did possess resulted in the indirect rule of the state over the rural peasant. In this way, collective farms can be considered coercive labour regimes. Moreover, Kessler describes the asymmetrical dependency between the collective farm and its family households. It was not legally binding to work in a collective farm and the workers there did not receive money, but they were coerced into work as the collective farm had a monopoly on grain and only members of collective farms were allowed to own private plots – the only source of income and sustenance that peasant farmers had. Kessler describes the previous organisation of the household in the mid and late nineteenth century along with their gendered distribution of labour. With industrialisation and Bolshevik collectivisation, that distribution changed and gender roles were subsequently altered. Collective farms were not allowed to physically force labour (to keep up appearances that collectivisation was voluntary), and thus the state had to

balance its aim of strengthening of the collective farms with the need to appease the peasants, who were also wanted as workers in industry. Kessler traces the further development of the collective farm throughout the Stalin period and beyond, describing it as a non-family collective household that functioned as a coercive labour regime. In the second half of the twentieth century, the collective farm lost some of its household characteristics, making it more akin to an employer in its relationship with small peasant family households.

Boluwatife Akinro's chapter, "Second Class Family: Slavery, Elites and Dependency in the Ibadan Household Structure", examines household structures in Ibadan, Nigeria. The traditional household in this area is the *agbo ilé*, or a household compound, with the term *ilé* describing the household, i.e. everyone living within it as well as the property – a multi-family household in Hammel and Laslett's sense. In this culture, one's belonging to a community depends on one's membership of an *ilé*, and one can only belong to an *ilé* by knowing its specifics. Within these households, Akinro observes coercive power structures that distinguish between the descendants of slaveholding elites and those of enslaved people, while the *ilé* is sustained by socially coerced, non-material labour. Although slavery is seen as a thing of the past in present-day Ibadan, the article analyses its ongoing repercussions, such as the non-belonging of the descendants of enslaved people. Akinro observes a deliberate marginality in the treatment of descendants of the enslaved, as well as a paradox: depending on the context, they are presented as completely assimilated within the household or as entirely marginalised.

Akinro analyses the *ilé* concept in Yoruba culture in detail, stressing how information about a household member's status is extremely restricted for outsiders and only passed on orally. At the same time, households are structured hierarchically based on status, gender and seniority, resulting in dynamic relationships between the household members. The *ilé* is headed by the *mógàjí*, who controls the household but offers protection and belonging in return, as membership in an *ilé* is seen as identity forming. This system is perpetuated by the panoptic quality of the *agbo ilé*, both in its architecture and its social organisation. Although there are coercive elements in the organisation of the household, coercive power is curtailed because members are able to rise in seniority, demand the head's reciprocal obligations, or leave the *agbo ilé*.

In the nineteenth century, enslaved persons were a symbol of status and power for the Ibadan elite, and they had practical and sociological functions. Nowadays, practical functions are no longer prevalent, but the sociological dimension is retained, as slave heritage is still associated with a lower status. The Ibadan elites constantly reproduce the social order of the *ilé* through immaterial labour, affective work or kin work, such as commemorative labour, combining the so-called primordial and civic publics in post-colonial times. Indeed, Akinro positions "duty-

memory" as a central method for pre-colonial values. As the elite risks losing their powerful status, they reinforce the institution of the *ilé*, for example, through practices like face markings. Furthermore, Akinro discovered the importance of remembering a household's pedigree. In this way, the descendants of the enslaved are denied social mobility, resulting in many of them opting to leave the social structure of the *agbo ilé.*

3. Research Lenses

3.4. Labour and Spatiality

Stephan Conermann and Ulbe Bosma. “Outlook,” in *Households as Coercive Labour Regimes*, ed. Stephan Conermann, Ulbe Bosma and Gijs Kessler (Berlin: De Gruyter, 2026): 259–264.

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CHAPTER 11

Outlook

Ulbe Bosma, Stephan Conermann

Throughout history, large households have existed with dozens and in some cases even thousands of members. As has been demonstrated by the contributions to this volume, households are not just formed by families, but in fact any unit with a head and members enjoying the patronage of this head can be fruitfully conceptualized and studied as a household. And as the word "patronage" already indicates, the relationships are asymmetrically dependent. It is clear that households can be considered as the fundamental building blocks of society, present throughout human history. Attempts to destroy them and reorganize society on the basis of atomized individuals have failed so far, despite some totalitarian regimes making great strides in that direction. But political systems that relentlessly subjected households to a policy of maximizing production eventually exhausted the reproductive capacity of the household and caused starvation. The example of the Stalinist agricultural politics discussed by Kessler seems to be a case in point. The quarries of the Roman Empire – discussed by Beck and Gilhaus in this volume – and the Caribbean slave plantations serve as prominent historical examples of households that could only be reproduced through the introduction of massive amounts of new labour. Without such external supplies, a household would need to balance production with caring tasks, and the question of how to properly do this is what has enriched our language with the term "economics", which derives from the Greek word *oikonomikos*, literally meaning "house management". And perhaps the aspects of patronage and care (including food, clothing, medical care) may distinguish a sustainable household from other viable organizations, such as factories.

Again, as has been amply demonstrated in this volume, households can be large organizations whose members are not necessarily kin and may not even be co-resident, as long as they contribute. In this volume, we focused on asymmetrical dependencies within these large households and the accompanying mechanisms of coercion, which obviously does not mean that all relationships within households are necessarily coercive. What sustains these relationships is rather a mix of work incentives such as compensation, commitment and coercion, as has been elucidated by Kessler in his contribution.[1] The coercive dimension, however, is what we have tried to unpack in this volume. It has led us to questions about

1 Kessler, "Households as Coercive Labour Regimes: A Conceptual View," in this volume.

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how households are organized, who are part of them and under what conditions people enter and exit them. This approach both builds on and departs from how households have been studied within the field of family history. This scholarship tends to give a central role to kinship: basically, a household arguably consists of a male head, his wife, children and perhaps some enslaved persons and other dependents. Indeed, there is no denial of the existence of extended and multiple family households. Laslett's famous *Household and Family in Past*, the standard work in the field and often quoted in this volume, has provided social history with an often-used taxonomy of households, including extended and multiple family households, as well as institutional households not composed of people related by kin.[2] But the way in which Laslett and his co-authors discarded the idea that pre-industrial, and thus overwhelmingly rural, households tended towards being three-generational might be problematic. Their explanation for the generally small household size they found is a combination of late marriage, high child mortality and low life expectancy, a configuration that was typical for Northwestern Europe.[3] Hence, it does not at all exclude the possibility that in societies where people marry at an early age, three-generation families are widespread, despite the fact that for most of human history, low life expectancy was almost universal. Indeed, Laslett's findings that most households in pre-industrial, early modern societies consisted of nuclear families might not be replicated outside of Europe and Meiji Japan.

We may thus assume that over the course of history, multi-generational families, multiple family households and households overwhelmingly consisting of enslaved or less dependent members were widespread. The contributions to this volume seem to suggest this. We have seen these extended families in Ancient Egypt, fifteenth-century Tenochtitlan (Central Mexico) and elite households in the Lushai Hills in Northeast India, whereas the pre-colonial Maya societies in Yucatán would count as multi-family households. And as a matter of fact, Laslett's famous volume features such multiple family households (*communautés familiale*) in southern France in the aftermath of the plague.[4] And while households with many non-kin dependents were never numerically dominant, they could still play a leading social and economic role. Indeed, the largest and most complex households, with dozens or sometimes even thousands of dependent members, are headed, almost by definition, by the most powerful members of society. The Caesarian Family in the Roman Empire, discussed in this volume, provides us with an emblematic example.

2 Peter Laslett and Richard Wall, *Household and Family in Past Times* (Cambridge University Press, 1972): 31.

3 See Kessler, "Households as Coercive Labour Regimes: A Conceptual View," in this volume; Laslett, "The Comparative History": 81, 83; Laslett and Wall, *Household and Family in Past Times*: 5, 6.

4 Laslett and Wall, *Household and Family in Past Times*, 14.

Hence, there is every reason to adopt a broad perspective and use the term *large household*, both as a historically important phenomenon and as an excellent lens with which to study asymmetrical dependencies through cross-cultural comparisons. Since most people lived in the countryside until recently, the household was frequently entwined with control over natural resources. The head of the household would usually be the landowner, or at least the person or entity in control of the land, making all other members dependents. Food distribution is a key mechanism to bind together such large households, which can comprise multiple families. The authority of the head of the household is based upon his control of resources – a very effective means of asserting control as Hammer demonstrates for Ancient Egypt – which determines the tasks to be performed and is the most effective way to organize labour coercion.

Although limited in number, universally existing mechanisms allowed non-kin members to enter households. These mechanisms were often, if not predominantly, coercive. Punishment, debt, raiding, being taken as a war prisoner, selling oneself to a master – these were the most frequent ways in which non-kin members entered a household, and in all these cases, in extremely asymmetrical conditions. Examples are presented in this volume. In Tenochtitlan (Central Mexico), people entered a household after being sold for transgressions, such as drunkenness, or as a prisoner of war. In the Roman empire, its endless wars brought an almost unlimited supply of prisoners of war who became enslaved; in the extended household of ancient rural Egypt, servants may have entered the household just to escape from death through famine.[5] In the case of Lushai Hills in North-East India, entry was often the result of widespread raiding, which was far from exceptional in Asian and African societies, where land was abundant and people scarce, as Nieboer has argued.[6]

In many cases, being integrated into a household as an enslaved person was just the alternative to certain death. In the process, one was stripped of kinship and became socially non-existent. This was slavery as social death, as Patterson has termed it, and one could be subjected to physical death at their masters' whims, as Fitzmaurice shows in her essay on Postclassic Tenochtitlan. In the case of the free persons who submitted themselves to the monastery of Marmoutier, some pledged their allegiance as a servant, or *famulus*, to the *familia* with a noose around their neck.[7]

5 Hammer in this volume 10, note 63.

6 Nieboer, H.J., *Slavery as an Industrial System: Ethnological Researches* (The Hague: M. Nijhoff, 1910).

7 Ó Súilleabháin in this volume 10; Orlando Patterson, *Slavery and Social Death: A Comparative Study: A Comparative Study* (Cambridge, MA: Harvard University Press, 1982).

Individuals entered a household almost invariably as dependents of the head of the household and were subjected to coerced labour, and only in exceptional circumstances was their position just ornamental. Yet in contrast to many other regimes of coerced labour, the household can be considered an open system in the way it was defined by Watson in *Asian and African Systems of Slavery*. That is, a system in which the enslaved can be incorporated into the lineage or kinship system of the enslaver, which is in contrast to the closed system, where the enslaved is excluded.[8] This also definitely pertains to the medieval monasterial *familias* and the Roman *Familia Caesaris*, where the people who entered these households could rise to high positions, although it should be noted that this only happened in exceptional circumstances.

The options for exit were limited. The *famuli* of Marmoutier could leave the monastery's domain by marriage or by enlisting in the service of a lay lord. These were relatively good options compared to the ones of the *tlaatiltin* (the bondspersons in Tenochtitlan), for whom ritual killing was the only exit. No better was the fate of persons expelled from the ancient Egyptian household as they were in serious jeopardy of starvation. In Roman slavery, manumission as a means of exit had grave consequences. Indeed, a corollary of the extreme asymmetrical dependencies in the households discussed in this volume was the lack of options for exit. For most, exit was death, with suicide being one of the chosen routes, as has been extensively recorded for the Caribbean plantations. It was all in the interest of the head of the household to strictly limit the options for exit and to impose severe sanctions on desertion or disobedience. These limited options undergirded the extreme asymmetrical dependencies, and vice versa. This also explains why desertion has always been widespread. In the nineteenth century, the enslaved deserted to areas where slavery was abolished. This happened in North-East India, as explained by Muivah, as well as in many other parts of Asia, Africa and the Southern States of the United States.

The question is whether physically leaving the household should count as a form of exit. Here, the study of households overlaps with migration studies. Industrialization and urbanization, for example, are processes that did allow members of the household to acquire additional family income. This phenomenon often concerns younger family members who exit but might re-enter the household (or at least contribute to the family income until they establish their own household). This migration pattern is known as life cycle migration. Obviously, it can also concern the heads of households (as in the case of miners or seasonal migrant labourers), who leave the house in order to sustain the household. By contrast, there is no dearth of examples in which finding work outside has an eroding effect on the

8 James L. Watson, *Asian and African Systems of Slavery* (Berkeley: University of California Press, 1980): 7–9.

household's asymmetrical dependencies, as is demonstrated in the contribution by Kessler. In the Soviet Union, millions managed to escape from the *kolkhozy* by finding work in the industrial centres. On the other hand, individual members' kinship bonds and the authority of the head of the household may ensure that these migrants would continue to contribute to the household income. In contemporary history, migration remittances amply demonstrate this.

Over time, households seem to have been particularly effective in transforming collective obligations into individual obligations and enforcing them. For the state, the household is an essential unit to accumulate agricultural surplus, whereas proto-industrial entrepreneurs can engage households in cottage manufacture. This brings us to the question of how we can move forward, going from this volume towards a future agenda on how asymmetrical dependencies within large households can be instrumental in absorbing social transformations and severe external pressures. An example of such pressure is the way in which the Soviet Union squeezed the agricultural sector to facilitate rapid industrialization. In the course of the process, it tried to transform the dominant model of the rural household itself. Likewise, multiple family households, such as those in pre-Hispanic Yucatán, were reorganized by the Spanish friars to facilitate Christianization and tribute collection. In fact, the friars did the same with the *barangay* in the Philippines, relocating communities into pueblos within the sound of the church bells.[9]

Throughout history and across the globe, external political, economic and social pressures have transformed households into units of production, while keeping intact and even reinforcing their coercive powers to obtain agricultural products or manufactures in order to cater to the demands of rulers or markets. A case in point is Java's Cultivation System (1830–1870), which was imposed by the Dutch colonial administration and engaged 35 to 40 percent of all households in Java in the forced production of coffee, sugar and indigo. Corvée labour was nominally imposed on the landowning heads of the extended or multiple family households, but in practice it was shifted to their female and male dependents. The pressure on male dependent labour to produce cash crops was so intense that it fell on the women to assure food security. As a result, their average deployment in rice cultivation doubled from 47 to 92 days per annum. Demographic pressures leading to the limited availability of land could likewise result in additional workload for women. For example, in eighteenth-century Jiangnan, tremendous population pressure on the land led to women being more intensively involved in the textile cottage industry.[10]

9 William Henry Scott, "Filipino Class Structure in the Sixteenth Century," *Philippine Studies* 28, no. 2 (1980): 142–75; Marshall S. McLennan, "Land and Tenancy in the Central Luzon Plain; Marshall S. McLennan," *Philippine Studies* 17, no. 4 (1969): 651–82, and here 655.

10 Elise van Nederveen Meerkerk, "Peasant Households Under Pressure: Women's Work and the Cultivation System on Java, 1830–1870," in *Global Agricultural Workers from the 17th to the 21st*

It goes without saying that the gender lens is particularly important in answering the question of how external pressures are translated within the household. With few exceptions throughout human history, women have generally been in a subservient position within households and have therefore been subjected to great coercive pressures. This, in turn, opens up a new set of questions about how households under external pressure attempt to balance productive and reproductive challenges. How is mutual care within the household, which is essential for reproduction, reconciled with coercive labour conditions? How do households balance their pivotal role as safe havens for their members with external exigencies? How do rulers balance the need to preserve households as key institutes of social stability with the need to generate revenue? This book and the conference on which it is based should be considered as a starting point for further comparative research. This should, for example, include case studies into households in the Islamic world, serfdom in Europe (including Russia), plantations in the world of transatlantic slavery and labour camps in the twentieth and twenty-first centuries.

Century, ed. Rolf Bauer and Elise van Nederveen Meerkerk (Leiden: Brill, 2023): 45; Evelyn Sakakida Rawski, *Agricultural Change and the Peasant Economy of South China* (Cambridge, MA: Harvard University Press, 1972): p. 29, 55; Bozhong Li, *An Early Modern Economy in China: The Yangzi Delta in the 1820s* (Cambridge: Cambridge University Press, 2021): 90–92.

3. Research Lenses

3.4. Labour and Spatiality

H.L. Hammer "Household Coercion in Ancient Egypt: An Analysis of the Heqanakht Letters," in *Households as Coercive Labour Regimes*, ed. Stephan Conermann, Ulbe Bosma and Gijs Kessler (Berlin: De Gruyter, 2026): 41–68.

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CHAPTER 3

Household Coercion in Ancient Egypt: An Analysis of the Heqanakht Letters

H.L. Hammer

1 Introduction and Historical Background

In ancient Egypt, a household would generally function as a unit of production for the purposes of tax payment, subsistence and local economic exchange. Within each household, individuals lived and worked together, sharing resources and labour. However, this system of cooperation was often maintained through explicit or implicit coercive mechanisms of control, including servitude, forced labour and patriarchal authority. This paper will explore the mechanisms of coercion utilised within an ancient Egyptian household, using the Heqanakht Letters as a case study. These letters provide a detailed account of the daily life of an Egyptian household during the Middle Kingdom period.

The early second millennium, or the Middle Kingdom period in ancient Egypt (ca. 2055–1650 BCE),[1] saw significant economic growth, with agriculture and trade driving much of the economy. The Heqanakht Papyri are a collection of documents written (and dictated) by a landowner from central Egypt during the reign of Senusret I (ca. 1956–1911 BCE)[2] while he was away in Thebes. They provide instructions on how his household was to be managed in his absence, including several accounts on which he based his 'financial' decisions.[3] The letters provide a detailed account of life within Heqanakht's household, offering a unique insight into the

1 Gae Callender, "The Middle Kingdom Renaissance," in *The Oxford History of Ancient Egypt*, ed. Ian Shaw (Oxford: Oxford University Press, 2002): 148–217. During this period, the pharaohs strengthened their control over the country through the reunification of Egypt, which brought with it a retinue of new officials who played an active role in consolidating the new regime; see Andrea Gnirs, "Biographies," in *The Oxford Encyclopedia of Ancient Egypt*, ed. Donald B. Redford, vol. 1 (New York: Oxford University Press, 2001): 184–89.

2 With the exception of the first part of Account V, which dates to Year 5, all the documents in the collection date to Year 8 of Senusret I's reign; see Deborah Sweeney, "Letters," in *The Oxford Handbook of Egyptology*, ed. Ian Shaw and Elizabeth Bloxam (Oxford: Oxford University Press, 2015): 1058; Rainer Nutz, *Ägyptens Wirtschaftliche Grundlagen in der Mittleren Bronzezeit*, Archaeopress Egyptology 4 (Oxford: Archaeopress, 2014): 132.

3 James, P. Allen, *The Heqanakht Papyri* (New York: Metropolitan Museum of Art, 2002): 142; Nutz, *Ägyptens Wirtschaftliche Grundlagen*: 131.

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members and management of an ancient Egyptian household during the early second millennium.

2 Definition and Composition of the Household

General definitions of 'households' can be broad, referring to social groupings that span small family groups to large socio-economic units.[4] The definition put forward by Peter Laslett and Richard Wall focuses on the members of a household occupying the same physical space for particular activities like eating, sleeping, leisure and some work.[5] Wall expands this definition by asserting that the definition of a household, just like its structure, can vary greatly in different locations.[6] The ancient Egyptian term for 'household', *pr*, can refer to the physical structure of a building used to house its inhabitants, but it is intrinsically linked with any economic function that would occur within the structure.[7] This fits the idea of ancient agriculturally dependent civilizations well, with a 'household' in early Mesopotamia connoting a "primary unit of agricultural production".[8] Terminologies from the Middle Kingdom that include the constituent part *pr* in reference to a physical location habitually denote the economic or administrative function of the named location, such as *pr-ḥḏ* for the 'house of silver', meaning 'treasury', and *pr-šnꜣ* for

4 Mark Lehner, "Fractal House of Pharaoh: Ancient Egypt as a Complex Adaptive System," in *Dynamics in Human and Primate Societies: Agent-Based Modelling of Social and Spatial Processes*, ed. Timothy A. Kohler and George J. Gumerman (New York: Oxford University Press, 2000): 275–353.

5 Theoretical approaches to analysing households tend to assume the distant past to be inaccessible for comparative research and therefore focus on modern to early modern examples in an attempt to define what a household is, with the analysis of function depending on the agenda of the researcher and the type of household in question. Generalisations are often made to equate ancient examples with contemporary 'primitive' or 'underdeveloped' societies, which, although not entirely unworkable, lean towards a Eurocentric view that ignores the subtleties of the specific cultural contexts influencing the formation and function of households. See Emmanuel Todd, *The Explanation of Ideology: Family Structures and Social Systems*, trans. David Garrioch (New York: Basil Blackwell, 1985): 19–32, 191–95; Peter Laslett and Richard Wall, *Household and Family in Past Times* (Cambridge: Cambridge University Press, 1972): 2–5.

6 Richard Wall, *Family Forms in Historic Europe* (Cambridge: Cambridge University Press, 1983): 9.

7 Malte Römer, "Hauswirtschaft – Häuserwirtschaft – Gesamtwirtschaft: 'Ökonomie im Pharaonischen Ägypten'," *Orientalia* 78, no. 1 (2009): 1.

8 Ignace J. Gelb, "Household and Family in Early Mesopotamia," in *State and Temple Economy in the Ancient Near East: Proceedings of the International Conference Organized by the Katholieke Universiteit Leuven from the 10th to the 14th of April 1978 I*, ed. Edward Lipinski (Leuven: Department of Oriëntalistiek, 1979): 1–97.

the 'house of labourers', denoting some kind of labour establishment.[9] The economic function was key in defining a household in ancient Egypt; it appears that the unit of economic production is what was officially recognized as a *pr*, which itself could be constituted of several physical structures or domains[10] under the responsibility of one, typically male, head. This idea is echoed in Joachim Eibach's study of the evolution of London households during the 1600s, where he states: "Im Kern geht 'Haushalt' aber von einem funktionalen, primär ökonomischen Zusammenhang in Kontext von Koresidenz aus [At its core, however, 'household' presupposes a functional, primarily economic relationship in the context of co-residence]."[11] In her study of household maintenance and economics in early modern Sweden, Maria Ågren uses the term 'households' to refer to people that are grouped together in specific types of administrative texts, usually for some kind of economic purpose, that did things together, for each other, and were presumably ranked in an internal hierarchy partially based on age and gender.[12] Mark Lehner, in his analysis of the patterns in agricultural and flood management at different levels of Egyptian society, suggests that "the Egyptian state emerged from, was conceived as, and operated as an extended household-of-households",[13] with this unit of social organisation providing the model for the entire administrative system from the bottom up.[14] Each strata of society was then linked through

9 Other examples include *pr-mḏꜣt* for 'house of scrolls' or 'library', *pr-nbw* for 'house of gold', also meaning treasury. For the basic terms and their definitions, see Raymond O. Faulkner, *A Concise Dictionary of Middle Egyptian: Addenda and Corrigenda* (Oxford: Griffith Institute, 1972): 89–90.

10 Barry J. Kemp, *Ancient Egypt: Anatomy of a Civilization*, 2nd ed. (London: Routledge, 2006): 217–20.

11 Joachim Eibach, "Das Offene Haus. Kommunikative Praxis im sozialen Nahraum der Europäischen Frühen Neuzeit," *Zeitschrift für Historische Forschung – Vierteljahresschrift zur Erforschung des Spätmittelalters und der Frühen Neuzeit* 38, no. 4 (2011): 638.

12 Maria Ågren, "Households," in *The Whole Economy: Work and Gender in Early Modern Europe*, ed. Catriona Macleod, Alexandra Shepard, and Maria Ågren (Cambridge: Cambridge University Press, 2023): 29.

13 Lehner makes use of Complexity Theories, which consider the whole system, the parts, the networks, their interconnections and relationships in processes, mechanisms and systems to try and understand them, with an emphasis on Complex Adaptive Systems, which examine how these separate parts and networks of a system form the whole, whether intentionally or unintentionally, and are reliant on their self-replication to aid in the formation of a whole social unit. For an in-depth historiography on the theoretical backgrounds of Complexity Theories and Complex Adaptive Systems, see Roger Julius Hammer, "Strategic Development Process and Complex Adaptive Systems" (PhD diss., Aston University, 2011): 41–60. Lehner, "Fractal House of Pharaoh": 280.

14 Christopher Eyre, "Feudal Tenure and Absentee Landlords," in *Grund und Boden in Altägypten (Rechtliche und Sozio-ökonomische Verhältnisse): Akten des Internationalen Symposions, Tübingen 18.–20. Juni 1990*, ed. Schafik Allam (Tübingen: Schafik Allam, 1994): 113.

personal familial relationships or patronage-based relationships, which replicated the dependency-based obligations found in domestic households.[15]

At the highest level of the state hierarchy was the pharaoh, conceived as the 'patron-of-patrons', with everything in Egypt being his to control. Even the word 'pharaoh' originally denoted the palace, or the 'Great House'.[16] The idea of such authority formed part of the belief system as a whole, existing within the social environment that accepted it.[17] The reinforcement of this ideology worked to help guide and replicate the framework from which it emerged, i.e. the domestic household model.[18] It does not appear uncommon that the domestic household provided the institution that channelled resources to the people.[19] Practically speaking, the pharaoh could not be actively involved in the day-to-day of agricultural and flood management,[20] which ensured that sustenance, ideologically framed as the transference of *kꜣ* or 'life force' from the pharaoh, was passed down to the general populous.[21] The reality behind the transference of the *kꜣ*/ sustenance is that it operated from the bottom up through the vertical patronage links of "a hierarchy of embedded households", ideologically unified under the schemata of the ruling tradition, whose monuments dominate the archaeological record.[22] The Nile valley was socially and naturally divided into twenty-two administrative sections called 'nomes', which operated as a state in miniature, with its head, the *ḥꜣty-ʿ* or mayor, a capital town and surrounding lands occupied by fields, villages, estates, domains and households.[23] It was common for various types of 'households' in ancient Egypt to have usage rights to or own land far removed from their primary base, which means a household, including all lands and dependents, could be scattered across more than one nome.[24] In the context of temples of the Ramesside period, *m-pr* + (divine name), a term that means 'in the house/estate/domain of (divine name)', was used to designate the temples in major cult centres such as

15 David Scholoen, "The Patrimonial Household Model and the Kingdom of Ugarit" (PhD diss., Harvard University, 1995): 3.

16 Lehner, "Fractal House of Pharaoh": 280.

17 Richard F. Curtis, "Household and Family in Theory on Inequality," *American Sociological Review* 51 (1986): 168.

18 Murray Gell-Mann, "Complex Adaptive Systems," in *Complexity: Metaphors, Models, and Reality*, ed. George A. Cowan, David Pines and David Meltzer (Reading, MA: Addison-Wesley, 1994): 20.

19 Ågren, "Households": 44.

20 Lehner, "Fractal House of Pharaoh": 321.

21 Peter Kaplony, "Ka," in *Lexikon der Ägyptologie III*, ed. Wolfgang Helck and Eberhard Otto (Wiesbaden: Harrassowitz, 1980): 275–82.

22 Lehner, "Fractal House of Pharaoh": 320.

23 Lehner, "Fractal House of Pharaoh": 305–6.

24 Alan H. Gardiner, *The Wilbour Papyrus*, vol. 2, *Commentary* (Oxford: Oxford University Press, 1948): 25.

Thebes, Memphis and Heliopolis in Egypt and their associated lands in Nubia, suggesting an administrative or economic association.[25]

Similar to the highest level of state hierarchy, temples also had a heavily ideological as well as functional purpose. Ideologically, they were the house of the god they were dedicated to, who was present as the head of the household through their statue; functionally, they were part of the local network of control alongside local officials.[26] As modes of local economic control, the temples worked symbiotically with the state, with officials frequently holding priestly titles.[27] Offerings were habitually presented to the temples, large portions of which came from lands owned by the temple itself that were worked by and leased to its own labour force and dependents.[28] Through a process known as 'Reversion of Offerings', the accumulated offerings of the temples were passed down as payment to temple staff,[29] with storage facilities maintained to stock grain and other commodities for redistribution to local dependents.[30] Smaller temples could come under the jurisdiction of a larger temple domain; in Thebes, the royal mortuary temples of Ramesses II, Ramesses III and Ramesses V were included in the *pr* of the temple of Amun-Re at Karnak even though they received large royal donations, indicating a connection not solely built on economic dependence.[31] The term *pr* can then seemingly be used to refer to an estate as a whole or an individual part within a greater estate;[32] a letter dated to the twentieth dynasty, which details a complaint that *pr.w* (domains) mistakenly assigned to the *pr* of the Divine Adoratrice of Amun in fact belonged to the *pr* of the deceased Queen Teye, corroborates this usage.[33] Since smaller landholdings within a greater *pr* could also be referred to as a *pr*, it has been suggested that individual fields under the responsibility of one official or institution but assessed independently for economic worth can be identified as *pr*.[34]

25 Sally L.D. Katary, "The Administration of Institutional Agriculture in the New Kingdom," in *Ancient Egyptian Administration*, ed. Juan Carlos Moreno García (Leiden: Brill, 2013): 765–67.

26 Lehner, "Fractal House of Pharaoh": 295.

27 Kemp, *Anatomy of a Civilization*: 256.

28 Mahmoud Ezzamel, "Work Organization in the Middle Kingdom, Ancient Egypt," *Organization* 11, no. 4 (2004): 503.

29 Kemp, *Anatomy of a Civilization*: 256.

30 Lehner, "Fractal House of Pharaoh": 296.

31 Katary, "The Administration of Institutional Agriculture": 765–66; Ben J.J. Haring, *Divine Households: Administrative and Economic Aspects of the New Kingdom Royal Memorial Temples in Western Thebes*, Egyptologische Uitgaven 12 (Leiden: Nederlands Instituut voor het Nabije Oosten, 1997): 26–29.

32 Haring, *Divine Households*: 30, 345.

33 Haring, *Divine Households*: 344.

34 Haring, *Divine Households*: 345.

Temples cannot be separated from towns in the organisational structure of ancient Egypt, with temples operating as an extension of the 'state'[35] just as local rulers acted as intermediaries between the demands of the state and the needs of the local population.[36] In the context of urban settlements characterised as 'towns', there are common features that perpetuate the domestic household model regardless of whether the town was state-planned or evolved organically. The Middle Kingdom pyramid-town of Illahun, as an example of a state-planned settlement, included several large houses that functioned as modular centres of production, storage and redistribution to surrounding smaller structures housing the producers of the redistributed commodities.[37] Elephantine, the organic Upper Egyptian town by the First Cataract that was occupied continuously through the Third Millennium, presents features similar to Illahun, with a large governor's house that presumably contained storage and production facilities, and an additional structure on the opposite side of the town that seemingly had the sole purpose of storage and distribution of commodities.[38] The later early New Kingdom example of Amarna, another state-planned settlement, although less rigidly organised than Illahun, displays the same pattern of larger residences as centres for storage and redistribution surrounded by modular structures of production.[39] This replicates the Pharaonic ideology of reliance on a powerful patron which stems from domestic household organisation and further emphasises how the household model, utilised by the temples and towns that encompassed the means of production, was responsible for channelling resources to the people, who were, to varying degrees, dependent on the institution.[40]

Furthermore, focusing on the next level of the social structure, the village sphere of society directly informs the context for the case study of this paper. The conditions in the countryside in ancient Egypt cannot be described with certainty, apart from the generally accepted fact that it was less populated and wilder than by

35 The use of term 'state' has been debated within Egyptology as it utilises contemporary theory to evoke the notion of a unified, stable and static structure which has been previously viewed as exceptionally so for the case of pharaonic Egypt. Comparative studies utilising 'state' structures of other Bronze and Iron age societies help define the Egyptian 'state' in its context, noting the limitations of royal power, the authority of local elites and the dynamisms of the social, economic, political and territorial structure throughout the Pharaonic period. For an inodepth discussion on the 'state' structure of the Pharaonic period, see Juan Carlos Moreno García, *The State in Ancient Egypt: Power, Challenges and Dynamics*, Debates in Archaeology (London: Bloomsbury. 2019).

36 Lehner, "Fractal House of Pharaoh": 292, 295.

37 Kemp, *Anatomy of a Civilization*: 215–16; Lehner, "Fractal House of Pharaoh": 293–94.

38 Nadine Moeller, *The Archaeology of Urbanism in Ancient Egypt: from the Predynastic Period to the End of the Middle Kingdom* (New York: Cambridge University Press, 2016): 309–12.

39 Kemp, *Anatomy of a Civilization*: 284.

40 Ågren, "Households": 44.

modern standards, leaving the comparative approach as the best method for drawing parallels of daily life at the less visible levels of ancient Egyptian society.41 Based partly on comparisons with village life in Egypt from the seventeenth to the nineteenth century as elucidated by tomb scenes dating from the Old Kingdom onwards, local mayors (*ḥqꜣ-ḥwt* in ancient times, *umda* in early modern times) were responsible for the payment of taxes for their villages.[42] During this period, absentee patrons acted as an external local government, maintaining local infrastructure, assigning farmland and collecting taxes from village *umda*.[43] Village territories included agricultural land, plots of which could be owned or leased by other villages.[44] There is little reason to assume that ancient Egyptian villages did not operate similarly, with vertical patronage networks ensuring a flow of commodities upwards, but at the local village level, the primary focus was "agricultural production within a locally self-sufficient economy".[45] The local economy was maintained through networks of internal and external exchange[46] that connected individual households through a system of dependency; although one's own household was of primary concern, it was the village that provided social identity, and the collective well-being of the village increased the potential prosperity of individual households.[47] However, Laslett and Wall advise us best, stating that when it comes to specifically defining a household for any culture or time period, "the only appropriate response would be an appeal to the past persons who created that evidence".[48]

This brings us to the domestic level of Heqanakht's household, a small to mid-sized farming household commanding enough resources to be classed among moderate rural notables.[49] Heqanakht, in his official office, held the title of *ḥm-kꜣ* or 'Ka servant', which usually involved duties surrounding the mortuary cult and *kꜣ* statue of a high official,[50] a type of 'household' in its own right comparable to

41 Christopher Eyre, "The Village Economy in Pharaonic Egypt," in A*griculture in Egypt: from Pharaonic to Modern Times*, ed. Alan K. Bowman and Eugen Rogan (Oxford: Oxford University Press, 1999): 34–35.

42 Lehner, "Fractal House of Pharaoh": 292; Eyre, "Village Economy": 40; G.P.F. van den Boorn, *The Duties of the Vizier: Civil Administration in the Early New Kingdom, Studies in Egyptology* (London: Kegan Paul International, 1988): 243.

43 Kenneth M. Cuno, *The Pasha's Peasants: Land, Society, and Economy in Lower Egypt, 1740–1858* (Cambridge: Cambridge University Press, 1992).

44 Lehner, "Fractal House of Pharaoh": 287–88.

45 Eyre, "Village Economy": 36.

46 Eyre, "Village Economy": 54.

47 Eyre, "Village Economy": 39.

48 Laslett and Wall, *Household and Family in Past Times*: 24.

49 Eyre, "Village Economy": 48–49.

50 Allen, *The Heqanakht Papyri*: 105; Nutz, *Ägyptens Wirtschaftliche Grundlagen*: 131.

temples.[51] Although land endowments from his employment are directly connected to his household economics, it is Heqanakht's domestic household that informs this case study. It is not uncommon for evidence indicating the composition of individual households in the Middle Kingdom to come to us in the form of private stele or administrative documents,[52] but the letters and accounts written by Heqanakht are significant and unique in their details. Within the domestic setting, the household head, their immediate family members and their dependents were typically considered members of the household. In his case, Heqanakht's household consisted of a total of around eighteen people who are listed in descending order according to rank and seniority in the rations/wage list of Letter II.[53] Ågren notes how administrative documents are frequently used to group people together into what we recognise as households in an observable way, with assumptions made regarding internal hierarchies based in part on age and gender.[54] The identifiable members of his household are Heqanakht's mother, Ipi; a widowed or unmarried female relative, Hetepet; a foreman, Nakht (married, with dependents); a steward, Merisu (married, with dependents); a scribe/field hand, Sihathor; a field hand, Sinenbuit; Heqanakht's younger brother, Anubis; his son, Mer-Snefru; his daughter or sister, Sitinut; his wife, also Hetepet; two daughters, Nefret and Sitwerut; and three female servants, *bꜣkt* (one of whom is dismissed in Letter I).[55] Heqanakht's core family unit could be described, using Peter Laslett's terminology, as an Extended Family Household, a conjugal family unit comprising relatives other than offspring, with an upward extension to include Heqanakht's mother and other elder female relatives.[56] However, due to the presence of Nakht and his dependents, Merisu and his dependents, as well as Sihathor and Sinenbuit, who probably had no familial relationship with Heqanakht,[57] the more fitting typology

51 In a broader perspective, tombs could be considered as 'households' in the sense that they are directly linked with a specific subject, the deceased tomb owner, who had all the resources of the *pr* at their disposal. Tombs were endowed with lands that were worked by dependents who were likely associated with surviving family members, i.e. the oldest son of the deceased. The yield of these lands would pay the priests who maintained the tomb and cult until the resources dedicated to their maintenance were diverted to other mortuary or practical needs; see Salima Ikram, *Death and Burial in Ancient Egypt* (Cairo: The American University in Cairo Press, 2015): 187–91.

52 Römer, "Hauswirtschaft – Häuserwirtschaft – Gesamtwirtschaft": 6.

53 Allen, *The Heqanakht Papyri*: 107.

54 Ågren, "Households": 29.

55 Allen, *The Heqanakht Papyri*: 116; Nutz, *Ägyptens Wirtschaftliche Grundlagen*: 133–34.

56 Laslett and Wall, *Household and Family in Past Times*: 29.

57 Merisu's relationship with Heqanakht is questionable; it has been proposed by some that he may have been the younger brother of Heqanakht, which would give the core unit of Heqanakht's family a lateral as well as upward extension; he has also been thought to be the eldest son, which would explain his vast responsibilities in the household and specific instruction pertaining to Sneferu, Anubis, and the treatment of Heqanakht's wife. See Mattias Karlsson,

for Heqanakht's household would be the Multiple Family Household, which includes two or more conjugal family units that are usually connected by kinship or marriage.[58] In this case, they are better described as being connected through patronage and economics.

They lived in an area known as *nbsyt*, translated as Sidder Grove.[59] Its exact location is unknown, but it has been posited that it lay within the Memphite region of Lower Egypt, to the northwest of Thebes.[60] Although it is unclear based on the surviving evidence whether all members of the household lived in one estate, comparable archaeological evidence helps to indicate the type of household that Heqanakht's family and dependents occupied.[61] Archaeological evidence from Kom el-Sultan in Abydos reveal domestic buildings with storage facilities such as silos or magazines and a courtyard in front of them. Not all buildings contained such storage installations, which could indicate the communal use of such facilities or that a large site occupied by many individuals outside of the nuclear family comprised several units that could collectively be considered a single household.[62] Miriam Müller wrote extensively on the topic of drawing archaeological parallels between Heqanakht's possible household structure and size and Tell el Dab'a in the eastern Nile Delta. The estate that Müller focuses on for her comparisons also includes an outer courtyard space and facilities related to accommodation, storage or economic activity, with the entire estate growing through generations, suggesting the occupation by a single household/family over time.[63]

3 Entering and Exiting the Household

The Heqanakht letters do not go into great detail about the mechanisms of entering/exiting households, but evidence of the presence and dismissal of servants can be found in the letters. Three servants are mentioned in the documents, and although how they were acquired is not discussed, it is evident that being brought

"The Composition and Hierarchies of the Household of Heqanakht," DiVA Portal, 30.05.2015, https://www.diva-portal.org/smash/get/diva2:815360/FULLTEXT01.pdf [accessed 16.02.2024].

58 Laslett and Wall, *Household and Family in Past Times*: 30.

59 Miriam Müller, "Sidder Grove in the Delta: A Perspective on Heqanakht's Domestic Setting," in *The House of Heqanakht: Text and Context in Ancient Egypt; Studies in Honor of James P. Allen*, ed. Almansa-Villatoro et al. (Leiden: Brill, 2023): 109.

60 For discussions on the location of Heqanakht's household, see Kemp, *Anatomy of a Civilization*: 323; Hans Goedicke, *Studies in the Hekanakhte Papers* (Baltimore: Halgo, 1984): 12; Müller, "Sidder Grove in the Delta": 109; Allen, *The Heqanakht Papyri*: 121–25; Nutz, *Ägyptens Wirtschaftliche Grundlagen*: 132.

61 Müller, "Sidder Grove in the Delta": 108–21.

62 Moeller, *Archaeology of Urbanism in Ancient Egypt*: 239–40.

63 Müller, "Sidder Grove in the Delta": 113.

into the service of a household was, in some manner, a means of entering one.[64] In Letter I, Merisu, Heqanakht's steward in his absence,[65] is instructed to release a female servant from service for mistreating Heqanakts's wife, Hetepet.[66] The context of the letters and the household composition indicate that Hetepet is Heqanakht's second wife, mistreated by other members of the household who appear to view her as an intruder.[67] The terms used to refer to marriage are simple, descriptive terms that denote the action of establishing a house (*grg pr*), entering a house (*ꜣq r pr*), with the woman typically entering the house of her husband, or living together (*ḥmsi irm*).[68] Evidence of remarriage in ancient Egypt is not uncommon and could happen after the death of a spouse or a divorce.[69] Like the terms for

64 Two Middle Kingdom property transfer documents from the reign of P. Kahun I detail the transfer of property by Controller of Works, Ankh-ren, to his brother, Wah, and then from Wah to his wife, Shefet. This includes the handing over of three Asian dependents as part of the transaction, demonstrating that servants could be inherited or passed on to someone's 'ownership' through the transfer of property. It also appears that Wah included this property transfer in his 'marriage contract' with his wife, to ensure her security (and that of any potential children) in the event that he should die before her or that they should get divorced. The Semna dispatches, a collection of papyri recording the movements of people traversing the Semna gorge in the Upper Egypt/Lower Nubia region, include a record of two Medjay men, three Medjay women and two infants who came down from the desert to the Semna fort in search of Egyptian patronage. The Medjay, recorded in Semna Dispatch 5, wished to "serve the Great House l.p.h" as "the desert is dying of hunger"; they were actively seeking servitude to improve their living situation. The threat of starvation was a constant motivator to seek patronage, especially for those who could be considered marginalised or from the periphery of Egypt proper. For details on P. Kahun I, see Janet H. Johnson, "Speculations on Middle Kingdom Marriage," in *Studies on Ancient Egypt in Honour of H.S. Smith*, ed. Anthony Leahy and John Tait (London: Egypt Exploration Society, 1999): 169–72. For translations of P. Kahun I, see Richard B. Parkinson, *Voices from Ancient Egypt: An Anthology of Middle Kingdom Writings* (London: Norman, 1991): 108–10. For details on the Semna Dispatches, see Semna Dispatch 5 (4,6–12): Paul C. Smither, "The Semnah Despatches," *The Journal of Egyptian Archaeology* 31 (1945): 9; Edward F. Wente, *Letters from Ancient Egypt. Writings from the Ancient World 1* (Atlanta: Scholars Press, 1990): 72.

65 Allen, *The Heqanakht Papyri*: 111.

66 Allen, *The Heqanakht Papyri*: 16.

67 Allen, *The Heqanakht Papyri*: 108–10.

68 Christopher J. Eyre, "Crime and Adultery in Ancient Egypt," *Journal of Egyptian Archaeology* 70 (1984): 100–101.

69 Most documents concerning marriage and divorce survive from the New Kingdom and generally record the provision of maintenance for the wife, inheritance for any potential children and the disposal of property in the case of death or divorce. A text from the late Eighteenth Dynasty, written on a bowl fragment, contains a complaint from a man regarding property that supposedly belonged to him, which his wife, whom he had divorced, had taken. A later letter written by a woman to her sister details how the woman's husband was threatening divorce over the continued meddling of her mother and the lack of economic contribution from her family. See Eyre, "Crime and Adultery": 101; Wente, *Letters from Ancient Egypt*: 96–96, 147–48.

marriage, the terms for divorce are likewise simple and descriptive, generally describing the expulsion (*ḫꜣ*) or departure (*šm*) of a woman from the household.[70]

4 Division of Labour Within the Household

Heqanakht, as the head of the household, was primarily responsible for how labour, rations and land were to be divided in his absence.[71] As he states in Letter II: "Look, the whole household is just like my children, and everything is mine to allocate."[72] His domestic responsibilities while away from his home, involving land and personnel management, appear not dissimilar to his administrative duties in his office as a *kꜣ* or priest.[73] Merisu is one of the three men designated in Account V as Heqanakht's *ꜣḥwtiw* or 'farmers', being involved in numerous agricultural activities.[74] His role was not limited to agriculture, however; Letters I and II are predominantly or wholly addressed to him, instructing him in matters regarding the overseeing of household work, payment of salaries, negotiation of land leases, planting of fields and grain management. Additionally, he was responsible for having bread and grain sent to Heqanakht while he was away, as well as for accounts concerning the grain debts of neighbours who were involved in Heqanakht's economic network.[75] Although no official title for Merisu is included in the documents, the full view of Merisu's agricultural and administrative responsibilities indicates that he acted as an *imi-r pr* or an 'Overseer of the Household/Steward',[76] a title applicable to similar positions in the royal residence or the households of high officials during

70 Eyre, "Crime and Adultery": 101.

71 It is not stated in the letters what, if any, domestic labours the women engaged in for the household, but it is possible that they made food or weaved for the household or created surplus goods that could be traded. A letter from the Twelfth Dynasty details an issue that the lady of the house was having with her female slaves, who, it seems, could not weave without the supervision of the head of the house while the Lady of the house was fulfilling her temple duties. See Wente, *Letters from Ancient Egypt:* 82–83.

72 Letter II 25–26, Allen, *The Heqanakht Papyri*: 17.

73 Allen, *The Heqanakht Papyri*: 105.

74 It is written that he was to participate in *skꜣ* or 'plowing', *ikn* or 'hoeing', and *bꜣ* or 'hacking the land'; see Allen, *The Heqanakht Papyri*: 110–11.

75 For passages detailing Merisu's responsibilities in directing household work, see Letter I vo. 13–14, Letter II 31, 35–36; in the payment of salaries, see Letter I 16–17, vo. 5, Letter II 29–32; in negotiating land leases, see Letter I 9–10; in planting fields, see Letter I vo. 10–12; in managing grain, see Letter I 2–3, 11, 13–14, vo. 1–4, vo. 17, V 1–3, fr. A; in sending bread and grain to Heqanakht, see Letter V 30; in collating accounts of grain debts, see Letter I vo. 17.

76 Allen, *The Heqanakht Papyri*: 111.

the Middle Kingdom.[77] This authority is further demonstrated by Merisu's ability to send men out on missions.[78]

The responsibilities of Heti's son, Nakht, are not detailed as extensively as Merisu's, but it appears he shared some similar duties as well as financial liability for some of Heqanakht's properties.[79] In Account V, which assigns Nakht financial liability over Heqanakht's cattle,[80] Nakht is not listed as a 'farmer'. However, since this document was written about three years prior to Letters I–III, it is possible that he was promoted during this time.[81] Letter III, which is addressed to the Delta Overseer Herunefer, details a mission to Perhaa that Nakht and Sinebniut were sent on to collect debts owed to Heqaknakht. At the end of the letter, Heqanakht makes a point of saying that Nakht is "the one who sees to all my things",[82] apparently in reference to this mission specifically, as it is clear in Letters I and II that the overall running of the household estate was Merisu's responsibility. With this in mind, a title for Nakht could be *imi-r ṯꜣzt* or 'foreman' of agricultural activity,[83] which would explain both the breadth of his responsibilities, all related to farm work in some regard, and his status in relation to Merisu.[84]

Sihathor, the fifth name on the salary list, is also named in Account V as one of Heqanakht's 'farmers', and his work in the fields alongside Merisu, Snefru and Anubis is mentioned in Letter I.[85] He also appears to have been the house messenger; Letter I mentions that Merisu had sent Sihathor to Heqanakht with sub-par grain,[86] and both Letters I and II reference his projected return trip.[87] There is little detail discussing Sihathor's place in the household; however, it can be inferred through his apparent presence in Sidder Grove at the time of writing Account V and in

77 Wolfgang Helck, *Zur Verwaltung des Mittleren und Neuen Reiches* (Leiden: Brill, 1958): 92–93.

78 Letter I details how Merisu had sent Sihathor to Heqanakht and was instructed to send Heti's son, Nakht, and Sinebniut on a mission to Perhaa, a neighbouring district. See Letter I 3, 14–14, vo.1; Allen, *The Heqanakht Papyri*: 15–16.

79 Allen, *The Heqanakht Papyri*: 112. For details on the duties of Heti's son, Nakht, as mentioned in the documents, see Letter I, 3 for the lease of land, Letter III, 4 for grain debt collection, and Letter II 29–32 for salary distribution. For lines referencing financial liability for Heqanakht's property, see Letter I 1–3, 16–17 and Letter V 34 for Merisu, and Letter V 25–28 for Nakht.

80 Account V 25–28, Allen, *The Heqanakht Papyri*: 112.

81 Allen, *The Heqanakht Papyri*: 112.

82 Letter III, vo. 2. Allen, *The Heqanakht Papyri*: 18.

83 Helck, *Verwaltung*: 174.

84 Since Nakht could be sent on such missions by Merisu, it is possible that he was Merisu's deputy. However, his name precedes Merisu's on the salary list, which makes a directly subordinate relationship less likely. See Allen, *The Heqanakht Papyri*: 112.

85 For lines in the documents referencing Sihathor's farm work, see Account V 13, where he is listed as a 'farmer', and Letter I vo. 6–7, where Merisu is instructed to have him farm the land. Allen, *The Heqanakht Papyri*: 112.

86 Letter 1 vo. 1–2, Allen, *The Heqanakht Papyri*: 16, 112.

87 Letter I vo. 14, Letter II vo. 1, Allen, *The Heqanakht Papyri*: 16, 17, 112.

Thebes at the time of Letters III and IV that he was the scribe of these documents.[88] This would mean that he possibly acted as the household scribe and may have had a better grasp of the Middle Egyptian language than Heqanakht himself, judging by the language and forms used in Letter II, which was addressed to the Delta Overseer.[89]

Sinebniut is the third man to be identified as a 'farmer' in Account V and appears to have been subordinate to Merisu, Sihathor and Nakht; it was he who was Nakht's companion in the collection of grain debts in Perhaa, but Nakht is specifically named as being in charge of that mission.[90] In Account V, he was assigned to take care of Heqanakht's cattle, a job that was later given to Snefru and where there was no financial liability for Heqanakht's property, which suggests that Sinebniut was just a farmhand with no administrative responsibilities in the household.[91] His duties, however, seem no less valued than those of Sihathor and his other superiors as his allotment of grain and flax, detailed in Account V, is equal to that of Sihathor, while Letter II lists his salary as originally being equal to that of his superiors.[92]

The last two male members named in the rations list in Letter II, Anubis and Sneferu, appear to have been junior to the other men, judging by their allotments in the salary list, which are half as much as those of Nakht, Merisu and Sihathor.[93] They are mentioned as being only involved in ploughing,[94] although Merisu is instructed in Letter II to assign Snefru the task of cattle minding.[95] In Account V, Snefru is not included in the list of the workforce; however, as his duties described in Letters I and II indicate, he was old enough for farm work and more adult responsibilities when they were composed, which was three years after Account V.[96] This could suggest that in the interim, Snefru came of age and could thus be considered an adult,[97] a theory backed up by Heqanakht's instructions to Merisu in Letter I concerning Snefru: "Now, didn't I say 'Snefru has grown up'? Mind you about him. Give him a salary."[98]

88 Allen, *The Heqanakht Papyri*: 113.
89 Allen, *The Heqanakht Papyri*: 113.
90 Allen, *The Heqanakht Papyri*: 18, 113.
91 Allen, *The Heqanakht Papyri*: 113. For details on Sinebniut's responsibility for cattle and his lack of financial liability, see Account V 18–19 and 25–29, Allen, *The Heqanakht Papyri*: 19.
92 Allen, *The Heqanakht Papyri*: 113.
93 Letter II 17–18, Allen, *The Heqanakht Papyri*: 17, 113.
94 Letter I vo. 6–7, Allen, *The Heqanakht Papyri*: 16, 113.
95 Letter II 35–36, Allen, *The Heqanakht Papyri*: 17, 113.
96 Allen, *The Heqanakht Papyri*: 114.
97 Erika Feucht, *Das Kind im Alten Ägypten: Die Stellung des Kindes in Familie und Gesellschaft nach Altägyptischen Texten und Darstellungen* (Frankfurt: Campus Verlag, 1995): 237–38.
98 Letter I vo. 5–6, Allen, *The Heqanakht Papyri*: 16.

5 The Functioning of the Household as a Unit of Production and Economic Exchange

Economics was intrinsic to daily life for the ancient Egyptians,[99] and the interdependence of households within the wider community, as well as varying Nile flood levels, impacted the functioning of Heqanakht's and his contemporaries' households as economic units.[100] Grain was a staple in the ancient Egyptian diet and economy, and it is consistently measured in all of Heqanakht's letters and accounts in 'sacks' or *ḫꜣr*, which equate to about forty-eight litres.[101] The main grain types mentioned are emmer and barley, with barley seeming to be of more importance to Heqanakht in both his accounts and letters, indicating it may have had greater commercial value.[102] Grain was measured with a container called an *oipe*, which seems to have come in two sizes: a 'big *oipe*', which may have measured a full *ḫꜣr* or 'sack', and a smaller *oipe*, which may have amounted to around four *ḥqꜣt* or *heqat*.[103] Another indicator that barley was of greater commercial value to Heqanakht is that members of his household were given their rations/wages in barley.[104]

99 Kemp, *Anatomy of a Civilization*: 323.

100 It is worth noting here that many of the topics that dominate these Middle Kingdom papyri are rarely mentioned in surviving textual material from before the New Kingdom, but the comparisons that can be made suggest a continuation and evolution of habitual agricultural practices between these two periods in time. See Allen, *The Heqanakht Papyri*: 142.

101 Allen, *The Heqanakht Papyri*: 143–44.

102 Aside from the term *iti*, which can refer to barley or more generically to grain as food, four specific cereals are named; *iti-mḥ* or 'full barley', *bti* or 'emmer', *zwt* or 'emmer/wheat', and *wꜣt*, an unspecified type of barley. Emmer and barley were occasionally given equal importance in the accounts, but the documents indicate a preference for barley. In the ancient Egyptian economic system, barley was one of the main commodities against which the value of other products were measured. The value of items was expressed in units that were initially used as the measurements of specific commodities, such as *deben* or *kite* as weights of certain metals, *khar* or *oipe* for units of grain, and *hin* for specific oils. For a discussion on the grains mentioned in the Heqanakht Papyri and their values in his household, see Allen, *The Heqanakht Papyri*: 142–45. For a commentary on the generic term *iti*, see Richard B. Parkinson, *The Tale of the Eloquent Peasant: A Reader's Commentary*, *Lingua Aegyptia*, Studia Monographica 10 (Hamburg: Widmaier, 2012): 27. For discussions on the units used to express the value of commodities, see Kemp, *Anatomy of a Civilization*: 319–21; Evgeny S. Bogoslovsky, "On the Process of Appearance of Money in Ancient Egypt," *Altorientalische Forschungen* 14, no. 2 (1987): 227–36.

103 Allen, *The Heqanakht Papyri*: 145.

104 Wages or rations were generally calculated in grain, even if they were paid in other produce. The rations/wages of Heti's son, Nakht, and of Sinebniut were paid in barley (Letter I 15–16, Letter II 5b-6), and this seems probable for the rest of the household as well; see Allen, *The Heqanakht Papyri*: 145; Dieter Mueller, "Some Remarks on Wage Rates in the Middle Kingdom," *Journal of Near Eastern Studies* 34, no. 4 (1975): 254–63; also, for New Kingdom and Ramesside Period, Jac Janssen, *Commodity Prices from the Ramessid Period: an Economic Study of the Village of Necropolis Workmen at Thebes* (Leiden: Brill, 1975): 455–88.

Merisu and Nakht were instructed by Heqanakht in Letter II to "give *ꜣqw* to my people as long as they are working".[105] The root of the term *ꜣqw* comes from the verb *ꜣq*, which means 'to enter', so a literal translation would be 'income', although it has also been translated as 'rations', 'provisions' and 'wages' in other instances.[106] The rations given to Heqanakht's household appear to have been divvied up, at least in part, according to seniority and rank, with the largest amount of 0.8 *ḫꜣr* on the salary list in Letter II usually granted to an individual and their dependents.[107] It seems to have been the norm for salaries to be paid monthly, as Heqanakht wrote specific instructions regarding the advance payment of wages for Nakht and Sinebniut's mission to Perhaa, indicating a deviation from regular practice.[108] Heqanakht's household salaries had been cut due to an apparently low Nile flood,[109] with the 'normal' total monthly salary for the household being approximately 9.5 *ḫꜣr*, and the monthly food requirement for the necessary caloric intake amounting to roughly 7 *ḫꜣr* of emmer and 2 *ḫꜣr* of barely, giving a total monthly household consumption of 18.5 *ḫꜣr* (888 litres), which increases to about 21 *ḫꜣr* (1008 litres) when Heqanakht's food rations (0.65 *ḫꜣr*) and wages (1.85 *ḫꜣr*) are included.[110]

It is clear from the language used in the letters that Heqanakht owned land, which he received as a permanent endowment in his position as a *kꜣ* priest or

105 Letter II 29–30, see Allen, *The Heqanakht Papyri*: 17.

106 *Aqw* usually refers to the income received for work done or as one of the advantages of patronage; see Allen, *The Heqanakht Papyri*: 145–46; Mueller, "Wage Rates in the Middle Kingdom": 255–57; Thomas G.H. James, *The Hekanakhte Papers, and Other Early Middle Kingdom Documents*, Publications of The Metropolitan Museum of Art Egyptian Expedition 19 (New York: The Metropolitan Museum of Art, 1962); Klaus Baer, "An Eleventh Dynasty Farmer's Letters to his Family," *Journal of the American Oriental Society* 83, no. 1 (1963): 1–19; John B. Callender, *Middle Egyptian*, vol. 2, *Afroasiatic Dialects* (Malibu: Undena Publications, 1975): 121–22; Goedicke, *Hekanakhte Papers*; Wente, *Letters from Ancient Egypt*: 58–62; Parkinson, *Voices from Ancient Egypt*: 103–07.

107 In the case of Sihathor, this wage is granted to him alone, which could reflect the value attributed to his services as household scribe and messenger in addition to his duties as a 'farmer'; see Allen, *The Heqanakht Papyri*: 16–17, 112–13, 146.

108 Letter I 14–17, Letter II 5–6, Allen, *The Heqanakht Papyri*: 15, 146–47. As part of this advance payment for his trip to Perhaa, Nakht is allotted 1 *ḫꜣr* of full barley and 0.5 *ḫꜣr* for his dependents as a supplement for his absence. This practice is reflected in the beginning of the Middle Kingdom tale of the Eloquent Peasant, where the peasant, travelling away from home to sell goods, leaves his wife provisions to feed herself and their children while he is away. The peasant leaves twenty *heqat* of grain as nourishment for his wife and their children for an estimated twenty-five days. Leaving provisions behind, rather than wages, is meant to reflect a family in poor times. For a full discussion on the appearance of this practice in this literary context, see Parkinson, *The Tale of the Eloquent Peasant*: 28–29.

109 Allen, *The Heqanakht Papyri*: 142.

110 Allen, *The Heqanakht Papyri*: 147–49; Nutz, *Ägyptens Wirtschaftliche Grundlagen*: 135–36.

which he inherited, in addition to lands that had been leased or bought.[111] The fields are consistently referred to throughout the documents as *зḥt*, which indicates land that was dedicated to cultivation, with all the fields (*зḥwt*) being situated in his home at Sidder Grove or in nearby Perhaa, which may have been located closer to the Nile.[112] The fields mentioned in the letters are differentiated according to their usage, how they were obtained or their size. For example, Heqanakht owned fourteen arouras (roughly 114.8 hectares)[113] of land that "Ip Jr's son Khentekhtai gave",[114] which was in pasturage, to be hoed in preparation for grain.[115] Heqanakht also mentions "all the area of my *spзt* and all the area of my *ši*"[116] as lands that were planted with flax, with hopes of converting the *ši* lands to grain.[117] All useable land was dependent on the inundation,[118] and the letters indicate a possible low Nile flood, which may have been why Heqanakht leased an extra thirteen arouras (at a rate of roughly five sacks per aroura)[119] of fertile land in the previous year, namely to fulfil an unexpected need.[120] Heqanakht also instructed Merisu to lease a minimum of ten, ideally twenty, arouras of land as the non-ideal Nile flood conditions apparently continued for at least two seasons.[121] The minimum of ten arouras of this new land lease was to be paid for in cloth woven at

111 In Letter I vo.6, Heqanakht refers to it as "my land"; as "all the area of my *spзt* and all the area of my *ši*" in I vo. 9–10; and as "all my land" in Letter II 30. See Allen, *The Heqanakht Papyri*: 16, 17, 149.

112 Heqanakht writes in Letter I 3 that Heti's son, Nakht, and Sinebniut should "go down to Perhaa", suggesting it was at a lower elevation than Sidder Grove; this is further indicated through Heqanakht's concern in I 1, that his lands in Sidder Grove would "get wet", indicating that the fields in his home village were more reliant on a higher flood than those in Perhaa. For discussions on the locations of Sidder Grove and Perhaa, and on concerns over flood levels for workable land, see: Allen, *The Heqanakht Papyri*: 121–25, 149, 151; Baer, "An Eleventh Dynasty Farmer's Letters": 3 n.7.

113 For a brief comparison of land sizes, see Kemp, *Anatomy of a Civilization*: 166.

114 Letter II 32–33, Allen, *The Heqanakht Papyri*: 17.

115 Allen, *The Heqanakht Papyri*: 17, 149.

116 Letter I vo. 910.

117 Heqanakht expresses a preference for the *ši* lands to be converted for the growing of barley if possible, or emmer if the flood is too high, which suggests little to no control over the water level of *ši* lands. The term *ši* usually refers to a body of water, which in this context could mean a depressed field that temporarily filled with water during the inundation. The term *spзt* refers to the cultivatable land between settlements that would be artificially divided into basins. For further discussion, see Letter I vo. 11–12, Allen, *The Heqanakht Papyri*: 16, 150; O.D. Berlev, *Трудовое население Египта в эпоху среднего царства* (Moscow: Nauka, 1972): 234–42; Wolfgang Schenkel, *Die Bewässerungsrevolution im Alten Ägypten* (Mainz: Zabern, 1978): 28–29.

118 Allen, *The Heqanakht Papyri*: 151.

119 Allen, *The Heqanakht Papyri*: 151, Klaus Baer, "The Low Price of Land in Ancient Egypt," *JARCE* 1 (1962): 25–45.

120 Allen, *The Heqanakht Papyri*: 159.

121 Letter I 3–9, Letter II vo. 1–4, Allen, *The Heqanakht Papyri*: 16, 17, 154.

home.[122] To lease the ideal amount of twenty arouras, Heqanakht instructed his men to do their utmost to collect the debts owed to him in Perhaa and also sent copper with Sihathor to ensure that they could lease the full amount, which was to be used to grow emmer and barley.[123] Based on the number of men Heqanakht had in his household to work these lands (five men and one teenage boy) and the assumption that a grown man was expected to work ten to twenty arouras of land annually, this would give us a very speculative total of 45–110 arouras of land, not including fields that may have been leased out to others.[124]

6 Mechanisms of Coercion Within the Household

Before we discuss the mechanisms of coercion presented in Heqanakht's letters, we must first define what is meant by the term 'coercion'. Jonathan Pugh understands coercion as the intentional use of conditional proposals, which usually but not necessarily come in the form of threats, to undermine the decisional autonomy of the coercee by subjecting them to the will of the coercer.[125] Scott Anderson describes the process as requiring three elements; the coercer first communicates a proposal, and through this proposal the coercer aims to amend the costs or benefits of action for the coercee, with the intended result being that the coercer influences the coercee's course of action.[126] Theories exploring coercion tend to be centred on contemporary Western societies,[127] and they have been criticised

122 If the leasing rate was similar to the land previously leased by Merisu, the cloth would be worth around fifty *ḫ3r* of grain. Letter I 3–9, Allen, *The Heqanakht Papyri*: 16.

123 Allen, *The Heqanakht Papyri*: 153–55.

124 Letter III and account VI also include lists of debts owed to Heqanakht, possibly from land leases, totalling around 113.5 sacks (roughly 5,448 litres) of grain. If these presumed lease debts were going at the same rate as the land Heqanakht leased for himself, this would reflect another 22.7 arouras of land owned by Heqanakht. A low flood would mean that the debtors could not be relied on to pay Heqanakht as they would have also been affected by the low inundation; see Allen, *The Heqanakht Papyri*: 158–59.

125 Jonathan Pugh, *Autonomy, Rationality and Contemporary Bioethics* (Oxford: Oxford University Press, 2020): 92, 104.

126 Scott Anderson, "How Did There Come to Be Two Kinds of Coercion?" in *Coercion and the State*, ed. David A. Reidy and Walter J. Riker (New York: Springer Verlag, 2008): 19.

127 Many are framed in legal, military, domestic and other contexts particularly relevant to contemporary society. See Tony Honroe, "A Theory of Coercion," *Oxford Journal of Legal Studies* 10, no. 1 (1990): 94–105; Jennifer M. Crosswhite and Jennifer L. Kerpelman, "Coercion Theory, Self-Control, and Social Information Processing: Understanding Potential Mediators for How Parents Influence Deviant Behaviors," *Deviant Behavior* 30, no. 7 (2009): 611–46; Peter Viggo Jakobsen, "Pushing the Limits of Military Coercion Theory," *International Studies Perspectives* 12, no. 2 (2011): 153–70; Miriam Ronzoni, "On the Surprising Implications of Coercion Theory," *Political Studies* 70, no. 3 (2022): 739–56, for a selection of different applications of coercion theories.

by Anderson as being typically 'coercee-focused', with a general insistence that prior normative judgements are necessary for this type of social exchange to be recognised as coercion.[128] Anderson refutes this insistence by suggesting a coercer-focused, 'non-moralized' theory of coercion.[129] Although Anderson, like Pugh, Nozick and others, focuses his studies on contemporary Western examples, there are very interesting dissections of this social dynamic that can elucidate the significance of coercion in societies where, in its varying forms, it was a normative part of the social structure.

Outside of threats, coercion has various mechanisms through which it can operate, including violence or physical force, personal status and positional authority, or social pressure,[130] frequently combining two or more mechanisms to achieve the coercer's goals. This can only occur when the coercer has the ability and willingness to impose their will on the coercee,[131] and if the coercee accepts the perceived power of the coercer. The powers of the coercer can manifest in several ways: physical strength, intelligence, mobility, control of resources or personal status and social ties, to name a few.[132] However, the coercer does not necessarily have to possess power over the coercee, but must be perceived as having the power in a particular situation. The power on display could be inferred from the reputation of others who use their powers more visibly, meaning the coercer would not need to demonstrate their personal power.[133] What is important in this dynamic are power and perception; the power of one person would depend on their relative abilities and vulnerabilities as compared with others and the degree to which they could potentially be affected by other individuals,[134] while the perception of the coerced party should be that their autonomy is being undermined[135] and that they would be in a worse condition if they did not abide by the will of their coercer (s).[136] With this in mind, it is clear that coercing or yielding to coercion becomes far more logical when there is a significant difference in power between both parties, or when the risks for one individual are far graver than for the other.[137]

The mechanisms of coercion within households are based on the power of the household head over its members. It can be assumed, based on the position of the

128 Such accounts are labelled by Anderson as 'moralized'; see Scott Anderson, "Of Theories of Coercion, Two Axes, and the Importance of the Coercer," *Journal of Moral Philosophy* 5, no. 3 (2008): 395.

129 Anderson, "Theories of Coercion": 394–422.

130 Anderson, "Two Kinds of Coercion": 17.

131 Anderson, "Two Kinds of Coercion": 20–21.

132 Anderson, "Theories of Coercion": 414.

133 Anderson, "Theories of Coercion": 401.

134 Anderson, "Theories of Coercion": 415.

135 Pugh, *Autonomy, Rationality and Contemporary Bioethics*: 92, 101.

136 Anderson, "Theories of Coercion": 399.

137 Anderson, "Theories of Coercion": 406.

head of a household in relation to its members, that the head is of a higher social status than the other members and is therefore in control of resources and resource allocation, two of the numerous powers possessed by a coercer. It can also be assumed that, in most cases, the motives of the household head are for the benefit of the household as a whole. This means that the coercion of household members into behaving as the household head wishes could be considered 'morally legitimate', even if it undermines the autonomy of the members,[138] leaving the coercees potentially feeling demeaned by the process of being forced to do what is best for them.[139] In the case of the Heqanakht letters, the household head was maintaining his control while working away from home, so mechanisms of control were limited to the use of stern orders and veiled (or explicit) threats that one could communicate in letters. In this context, as in the context of most forms of coercion that do not involve the instant use of violence, threats can be considered as the use of latent force, the consequences of which will occur in the future, whereas violence is an example of immediate force; nevertheless, both can be considered forceful.[140]

The allocation of rations and 'wages/salary' as a method of control is a delicate balance of providing what is needed, providing what is earned, and providing what could be spared after a low inundation. Expedition texts from the Middle Kingdom, such as Sinai stela 137, detail how workers received a basic 'wage' measured in bread and beer but payable in other commodities, which would vary according to work and rank.[141] Likewise, in the Tale of the Eloquent Peasant, upon hearing of the peasant's first petition, King Nebkaure[142] ordered the High Steward to give the peasant standard daily rations of ten loaves of bread and two jars of beer, which, when compared to a graffito in Wadi Hammamat by the Herald Ameny, seem to realistically reflect the low wage of an expedition worker.[143] These examples of wage earnings do not necessarily reflect the domestic agricultural setting, which, in the context of the Heqanakht documents, seemed to differentiate between necessary food 'rations' and supplementary 'wages' earned from work.[144]

The salary list in Letter II presents the amended wages of the household after the state of the inundation forced a re-evaluation of the household budget. In the letter, Heqanakht also seems to anticipate the objections to his decisions regarding the new salary cuts:

138 Pugh, *Autonomy, Rationality and Contemporary Bioethics*: 101.

139 Anderson, "Theories of Coercion": 409–10.

140 Anderson, "Two Kinds of Coercion": 20–21.

141 Mueller, "Wage Rates in the Middle Kingdom": 249–63.

142 Referring to Amenemhat II, the third king of the Twelfth Dynasty of the Middle Kingdom; see Callender, "The Middle Kingdom Renaissance": 163–64, 480.

143 Parkinson, *The Tale of the Eloquent Peasant*: 92; Ronald J. Leprohon, "The Wages of the Eloquent Peasant," *Journal of the American Research Center in Egypt* 12 (1975): 97–98.

144 Allen, *The Heqanakht Papyri*: 147, cf. note 39.

> [Now], has the inundation been very [big]? Look, [our] salary has been made for us according to the state of the inundation, which one and all bear. Look, I have managed to keep you alive so far.[145]

In anticipation of the complaints, Heqanakht uses language that attempts to reason with his household while making it clear that there is no room for argument. It seems as though the passive grammar form used in the phrase "our salary has been made" was intended to specifically emphasise the lack of control Heqanakht had over the outcome of the previous year's flooding[146] while placing him and his dependents in the same struggle. It reads less as an attempt at coercion and more as an effort to relate to his household that circumstances could not be helped, but that they should trust him to manage his household appropriately. The anticipation of complaints against his rulings would have made him seem less credible a coercer[147] had he not been a familial or close relation in addition to being the household head; it seems that in close-knit groups, some resistance to coercion or a subsequent retaliation would be expected, but excessive familiarity would not necessarily undermine the power or legitimacy of the coercing agent. In further anticipation of complaints from his household, Heqanakht grows harsher in his warnings against arguing with him, reminding his dependents that "the whole household is just like my children, and everything is mine to allocate".[148] He goes on to tell them that they should only complain in the face of real hunger, that in Thebes, where he was working, people had "started to eat people",[149] and that their rations were far better than anyone else's at that time.[150] Even in the face of grain shortages it is unlikely that people resorted to cannibalism, and it is far more likely that this statement was an attempt by Heqanakht to shock his household into complacency with regard to the cuts to their salaries. This fits the tone of the rest of this paragraph, which seems to be intended as a reminder for Heqanakht's household that they were far more fortunate than others at the time and should be grateful for the secure patronage that Heqanakht had to offer. To stem the flow of complaints, Heqanakht threatens that anyone who rejects their rations should come to him and "live like I live",[151] which may have been an empty threat, but could also have been Heqanakht imposing his will and demanding the need for compliance in the face of lower-than-average yields and a limited ability to mete out punishments.

145 Letter II 3–5a, Allen, *The Heqanakht Papyri*: 16.
146 Allen, *The Heqanakht Papyri*: 39.
147 Anderson, "Theories of Coercion": 402.
148 Letter II 24–25, Allen, *The Heqanakht Papyri*: 17.
149 Letter II 26–27; Allen, *The Heqanakht Papyri*: 17.
150 Letter II 24–29; Allen, *The Heqanakht Papyri*: 17.
151 Letter II 37–38; Allen, *The Heqanakht Papyri*: 17.

Immediately following the reminder he gave concerning the good fortune of his household with such a steadfast patron who keeps them from true hunger and struggle, Heqanakht instructs Merisu and Heti's son, Nakht, to "give this salary to my people only as long as they are working".[152] This is a veiled threat of further cuts to, or the complete omission of, the salary of anyone who did not work for the continued subsistence of the household as a whole. This feeds into the concerns Heqanakht expresses through his letters about replenishing his grain stores while demonstrating a clear form of coercion available to a patron: control over access to resources. It is the control of resources and threats of further cuts to individual incomes that appear to be the frequent and effective forms of coercion in the household. Twice in the documents, Heqanakht places financial liability on the members of his household for anything lacking in his property. He states in Letter I that he would "count it against" Merisu if there was anything amiss with his barley seeds and all his property; likewise, Sinebniut and Heti's son, Nakht, are jointly held financially liable for Heqanakht's cattle in Account V.[153] Repercussions concerning one's income also appear to be the mode of coercion and punishment for not following instructions as written; Heqanakht instructs Merisu to provide extra rations to Heti's son, Nakht, and his dependents ahead of the latter's mission to Perhaa and threatens to take it out of Merisu's wages if he violates these orders.[154] This follows the basic archetype of a coercive threat: an agent intentionally threatens to bring about a consequence, the threat is made in order to prompt another agent to do (or not do) something, and one agent believes their threat will bring about the desired behaviour in the other agent.[155] Later, when querying why he was sent old barley instead of new full barley for his own income, Heqanakht threatens to calculate Merisu's income in the same old barley if this was done for any reason other than to replenish the household barley stores.[156] In the face of cuts to their salaries, it is likely that threats of further cuts or repercussions concerning their wages would be a key motivator for the household to obey Heqanakht, especially since the situation of grain shortage was not unique to their household. The need for loyalty is emphasised in Letter I, with Heqanakht telling Merisu that "this is not the year for a man to be lax about his master", and that "this is the year when a man is to act for his master".[157]

152 Letter II 29–30; Allen, *The Heqanakht Papyri*: 17.

153 Letter I 1–3; Account V 25–29, Allen, *The Heqanakht Papyri*: 15, 19.

154 Letter I 14–17; Allen, *The Heqanakht Papyri*: 15.

155 Anderson, "Theories of Coercion": 399, Robert Nozick, "Coercion," in *Philosophy, Science, and Method: Essays in Honor of Ernest Nagel*, ed. White Morgenbesser (New York: St Martin's Press, 1969): 440–44.

156 Letter I vo. 1–5; Allen, *The Heqanakht Papyri*: 16.

157 Letter I 13–14, vo.8–9; Allen, *The Heqanakht Papyri*: 15, 16.

Manipulating salaries and controlling access to resources need not be the only means of coercion. To ensure a more effective method of control, a patron could include boons or rewards as incentives for obeying orders and acting in accordance with their wishes. In Letter II, after instructing Merisu and Nakht to only give a salary to household members who are working, Heqanakht says, "If they are diligent, you will be thanked, and I will no longer have to make it distressful for [any of] you."[158] It is likely that being 'thanked' meant receiving a bonus to one's salary or being granted some other material reward as an incentive to ensure that the household worked effectively. Logically, it would follow that the entire household working diligently would result in higher yields than anticipated, with additional stores making such bonuses affordable. The notion of granting bonuses for extra work had already been set in Account V, written some years previous to the letters, in which extra stocks of barley are given to Sihathor, Merisu and Sinebniut,[159] possibly as a bonus for their increased responsibilities in Heqanakht's absence, but likely also as a way to reinforce loyalty.[160] The treatment of members of Heqanakht's household appears to have been of some concern to him in his letters, with two members in particular seeming to have certain issues with other members of the household. Letter II includes a statement by Heqanakht, instructing Merisu to either return any property of Anubis (possibly Heqanakht's little brother) that he had or replace it if it was lost, apparently irritated by the fact that he had written to Merisu twice before on the same subject.[161] He even issues the loose threat, "Don't make me write you about it another time", implying that there would be consequences for any further communication on the subject.

The most explicit forms of control and coercion come from Heqanakht's communications regarding the treatment of his second wife, as do the most blatant examples of potential resistance. Letters I and II both emphasise that the household needs to treat his wife better, with Letter I demanding the dismissal of a maidservant who had been mistreating his wife, admonishing Merisu for allowing this behaviour towards Hetepet.[162] This is a demonstration of the power that Heqanakht had over his household. The dynamic was predominantly reciprocal; Heqanakht could not maintain all his assets without his household, but the dismissal of the maidservant served as a reminder that not everyone was integral to the household (although the agents more likely to resist were also probably more important to the household as a whole or to Heqanakht personally), and that Heqanakht possessed the power to bring about drastic repercussions. It is unclear what hap-

158 Letter II 30–32; Allen, *The Heqanakht Papyri*: 17.
159 Allen, *The Heqanakht Papyri*: 18.
160 Allen, *The Heqanakht Papyri*: 180.
161 Letter II 34–35; Allen, *The Heqanakht Papyri*: 17.
162 Letter II vo.13–15; Allen, *The Heqanakht Papyri*: 16.

pened to this maidservant after her dismissal; it can be presumed that she returned to where she had come from, but as this seems to be irrelevant to the documents, we cannot say for certain.[163] Heqanakht continues to ask why the household was "doing bad things" to his wife, asking Merisu rhetorically if he had been given the same rights as Heqanakht and emphatically stating how good it would be for them to stop.[164] No punishment for the household is ordered or hinted at in Letter I, but the dismissal of the maidservant may have been enough to imply further repercussions for the rest of the household if this behaviour were to continue.

However, it appears that the mistreatment did continue as Letter II dedicates a paragraph to the subject, which reflects the resistance that the household was demonstrating towards Heqanakht's instructions. In this instance, Heqanakht is berating Merisu for keeping Hetepet isolated from her hairdresser and maidservant, telling him that he should have Hetepet sent to Heqanakht in Thebes if he did not want her in the household.[165] There is some debate about the intended meaning of the lines that followed. Some scholars have interpreted them as Heqanakht warning the household against attempting to have sexual relations with Hetepet,[166] whereas Allen does not attach any sexual connotation to the terms used and interprets the line as a metaphor for the conflict surrounding non-specific abuse and the general mistreatment of Hetepet: "whoever shall make any affair of the wife on the battlefield, he is against me and I am against him."[167] Heqanakht continues to talk sternly on the subject, concluding the matter with a veiled threat of expulsion from the household if such behaviour carried on, saying, "How can I be in one community with you (all)? Not when you won't respect the wife for me!"[168] Having already dismissed a servant for the mistreatment of his wife, we can assume that this threat was one of real consequence, but it cannot be disregarded that the expulsion of any of these members of the household would reduce the size of Heqanakht's workforce and therefore the expected yields from his lands. However, from the perspective of the household, we can speculate that the threat of losing Heqanakht's patronage would mean a loss of security, especially in the face of the years of hardship due to low Nile floods. We cannot accept without doubt that the rations Heqanakht allotted for his household were far higher than those of his contemporaries, but it is clear that they were still a relatively well-off household based on the amount of land that they had available for their own cultivation and to rent out to neighbours.

163 Nutz, *Ägyptens Wirtschaftliche Grundlagen*: 134.

164 Letter II vo.15–17; Allen, *The Heqanakht Papyri*: 16.

165 Letter II 38–41; Allen, *The Heqanakht Papyri*: 17.

166 Eyre, "Crime and Adultery": 92–105.

167 Letter II 41; for the translation and a detailed discussion on the grammatical analysis of the clause, see Allen, *The Heqanakht Papyri*: 17, 46.

168 Letter II 42–44; Allen, *The Heqanakht Papyri*: 17.

7 Conclusion

The information contained in the Heqanakht documents provides a snapshot of how a moderately well-off household was run during the early Middle Kingdom within its social, economic, historic and linguistic contexts.[169] Based on the composition of Heqanakht's household and utilising the terminologies proposed by Peter Laslett, the core household unit could be termed an Extended Family Household with an upward extension; however, due to the presence of other conjugal family units within the household, the more fitting term would be a Multiple Family Household.[170] Although there are limitations to how much we can infer from these surviving texts, it is clear that the subject of economics was of pivotal importance to the running of an ancient Egyptian household. With the annual inundation being irregular, households would have had to constantly adjust their resources to maintain their economic position in relation to their neighbours, within a symbiotic network of dependency that worked to maintain individual household subsistence. Ensuring the continuation of household stability went hand in hand with coercive management techniques that aimed to uphold the loyalty and continued labour of manual workers within the household. In the context of these documents, many of the coercive methods used came in the form of subtle to explicit threats intended for the members of the household. These threats tended to follow the pattern put forward by Robert Nozick in 1969: agent A intentionally threatens to bring about a consequence, making the threat in order to prompt agent B to do (or not do) something, and agent A believes that their threat will bring about the desired behaviour in agent B.[171] The most effective threat, it seems, was one that targeted an individual's rations while simultaneously demonstrating the power that Heqanakht had over household resources, especially in a time when multiple years of non-ideal flooding meant the continuous toil of the household, not only to maintain rations and wages but also to replenish stores of grain that would be used to rent land, loaned to neighbours and utilised for the general subsistence of the household.

The most explicit form of coercion is the threat of expulsion from the household, the use of which is mentioned in Letter I with the dismissal of Hetepet's servant. This could be seen as a demonstration of the power that Heqanakht may or may not, as the case may be, inflict on other dependents who do not follow his express direction. Expulsion as a general threat occurs once more in Letter II, again in reference to issues surrounding the mistreatment of Heqanakht's wife. The threat of expulsion would incur repercussions for both the household as a whole and the

169 Allen, *The Heqanakht Papyri*: 179.

170 Laslett and Wall, *Household and Family in Past Times*: 29–30.

171 Anderson, "Theories of Coercion": 399, Nozick, "Coercion": 440–44.

individual(s) expelled; losing members of the household would mean losing workers who are able to cultivate the land, which would then provoke the loss of a percentage of the yields predicted based on the land available. However, it would also mean the need for less produce to meet subsistence levels for the household. For the individual(s) expelled, it could mean a simple return to a possible previous patron. Otherwise, a lack of secure patronage could result in severe struggles, including but not limited to securing a position where far worse treatment could be expected, or possible starvation.

As these letters and accounts reflect instructions and orders, it is unclear how normative violence was as a mode of coercion within the household, but we can assume, based on Heqanakht's concerns about the treatment of his little brother, his son and his wife, that hearing of physical abuse inflicted on his family in his absence would not have been received well by Heqanakht. That is not to say, however, that it would not have been tolerated if it had been committed against unrelated household members. For the purpose of maintaining good will in the face of hard times, it seems that Heqanakht attempted to be as fair as possible when lowering the wages of the household, and that threats of further cuts in such times, as well as allusions to bonuses, was an effective way of securing loyalty and maintaining labour goals for the household in his absence.

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3. Research Lenses

3.4. Labour and Spatiality

Mònica Ginés-Blasi. "Introduction: Concealment in Labour Coercion and Dependency in Asia," in *Intentional Invisibilization in Modern Asian History: Concealing and Self-Concealed Agents*, ed. Mònica Ginés-Blasi (Berlin: De Gruyter, 2025): 1–22.

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Mònica Ginés-Blasi

Introduction: Concealment in Labour Coercion and Dependency in Asia

> The widespread notion of history as reminiscence of important past experiences is misleading.
>
> Michel-Rolph Trouillot, *Silencing the Past*: 14.

This edited volume addresses invisibilization in both history and historiography as an object of study.[1] The essays in this book focus on the concealment, silencing, absence and disappearance of people, information, and ideas in conventional historiographies, both by present-day actors – such as scholars, archivists and institutions – and by the historical actors themselves. Scholars from the humanities and social sciences have time and again faced the challenge of writing history beyond the constraints and frameworks set through grand narratives and established historiographies.[2] In the past three decades much scholarship has been developed in analogous fields of inquiry. The present collective work adds the novel contribution of focusing on 'concealment' and 'invisibility' to analyze the asymmetrical agency involved in the act of hiding someone or something from being 'inscribed' in the record, and the social marginalization involved in this process.[3] This book approaches the topic from a new angle: it deals with *intentional* concealment in the history of labour coercion and dependency studies. The asymmetry in relations of coercion and bondage renders an ideal model from which to analyze the ways in which narratives, metanarratives, tax-

1 For a theory on invisibility as a critical sociological concept in relation to suffering and marginalization see Benno Herzog, *Invisibilization of Suffering: The Moral Grammar of Disrespect* (Cham, Switzerland: Palgrave Macmillan, 2020).

2 Authors who have worked with silencing, invisibilization, disappearance and erasure in grand narratives – regardless of whether they use this terminology explicitly – are Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Boston: Beacon Press, 1995); Silvia Federici, *Witches, Witch-Hunting, and Women* (Oakland: PM Press, 2018); Silvia Federici, *Caliban and the Witch* (Brooklyn: Autonomedia, 2004); Johan Fredrikzon and Chris Haffenden, "Towards Erasure Studies: Excavating the Material Conditions of Memory and Forgetting," *Memory, Mind and Media* 2 (2023): 1–24; Ariella Azoulay, *Potential History: Unlearning Imperialism* (London: Verso, 2019).

3 Trouillot, *Silencing the Past*; Fredrikzon and Haffenden, "Towards Erasure Studies"; Azoulay, *Potential History*; Paul Connerton, *How Modernity Forgets* (Cambridge: Cambridge University Press, 2009). For a critical analysis of "invisibilization" see Herzog, *Invisibilization of Suffering*.

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onomies and knowledge structures are created and become established. In these processes, information is also lost or remains concealed.

Whereas most approaches to invisibilization and silencing in history have tended to focus on either the targets of invisibility – that is, the subjects and objects being concealed – or the reasons and consequences related to the silencing of groups of people, the chapters in this book focus instead on those actors who actively conceal, and on the processes of loss, both in history and historiography.[4] They particularly address intentional processes of concealment and *self*-concealment – that is, voluntary and semi-voluntary processes, and the porosity between intentional forms of disappearance and accidental losses.[5] By studying what I call 'concealing', 'self-concealed', and 'invisibilized' agents, this book aims at furthering our understanding of how grand narratives are forged, while, simultaneously, bringing to light the potential to challenge these narratives. In a nutshell, the chapters in this book address social practices in the process of invisibilization through the lens of coercion, bondage, and dependency in Asian history.[6] But this is not just an endeavour to unearth the invisible, or what remains in the shadows – the authors in this book do not only aim at making history from below, decolonizing the narrative, or writing subaltern history; instead, they aim at reflecting on what is left from the process of disappearance. They target the process of knowledge production and knowledge erasure by looking at remains from the void and by reading against the grain.

These essays analyze processes of invisibilization that are the result of intentional human agency. Intentional concealment might target the invisibility of particular people or knowledge. However, invisibility can also be a byproduct of another intentional action not directly targeting concealment. For instance, a non-intentional process of disappearance might be the destruction of a city by an earthquake.[7] Instead, this collaborative work aims at critically analyzing the processes that create knowledge and

4 On the study of silence and disappearance in history, see Trouillot, *Silencing the Past*; James Miles, "Historical Silences and the Enduring Power of Counter Storytelling," *Curriculum Inquiry* 49, no. 3 (2019): 253–59; Thomas S. Mullaney, ed., *The Chinese Deathscape: Grave Reform in Modern China* (Stanford: Stanford University Press, 2019).

5 These might correlate with the concept of 'calamitous and neglectful erasure' put forward by Fredrikson and Haffendel, see Fredrikzon and Haffenden, "Towards Erasure Studies: Excavating the Material Conditions of Memory and Forgetting": 15.

6 Cf. Fredrikzon and Haffenden, "Towards Erasure Studies: Excavating the Material Conditions of Memory and Forgetting."

7 Even though important work has been done to extend the concept of agency to nature and other non-human entities, and thus scholars in this field have argued against the classic understanding of 'agency' as based on human intentionality, natural agency falls out of the scope of this book. See for instance Vinciane Despret, "From Secret Agents to Interagency," *History and Theory* 52, no. 4 (2013): 29–44; Linda Nash, "The Agency of Nature or the Nature of Agency?" *Environmental History* 10, no. 1 (2005): 67–69; Bruno Latour, *Reassembling the Social: An Introduction to Actor-Network-Theory* (Oxford: Oxford University Press, 2005).

knowledge categories, and which might intentionally remove people, information, ideas, and categories from history. These are not isolated processes – they may happen in overlapping layers: from the original concealer (for instance, a human trafficker hiding illicit activities from the law), to the bureaucrat who recorded details and information on circulating labour migrants, to archivists who organized that information, to the researcher and professional historian, and even the institutions that might fund certain research projects rather than others. All of these processes of inscribing and processing information have a previous agenda. The authors in this book look at the backstories of disappearance, at the structures and the processes which make it possible. This volume, thus, addresses the cumulative reasons why concealment happens – particularly when invisibility is created on purpose.

Both historical and historiographical agents explain why certain groups of people, materials and knowledge remain in the shadows of historiography. The contributions in this edited book use in-depth analysis to bring to light intentional processes of invisibilization that allow a comparative analysis across time and space. Together, these essays underscore invisibilization, concealment, silencing and disappearance as intertwined and multi-layered processes that are produced due to the actions of either historical or historiographical agents – and often through the aggregate intervention of both.[8] Thus, disappearance is usually produced by a layering of concealments due to an extremely varied juxtaposition of phenomena, both at a micro-historical level and in relation to large historical processes, as well as at narrative and metanarrative levels.

Inspired by Tom S. Mullaney's work, scholars Carles Prado-Fonts and David Martínez-Robles have previously used the paleontological and archaeological concept of 'taphonomy' – the study of how organisms decay, become fossilized, and enter the fossil record – as a metaphor for how to study historical invisibility and the creation of taxonomies.[9] Just as taphonomy in palaeontology helps to study fossils, taphonomy in historiography tries to understand what led to the disappearance of the material no longer there, by focusing on the blank that is left from its absence. For example, new knowledge can be generated from a corpse lost by decomposition by looking at what is left from its decay; in this case, the grave which the corpse originally occupied. One of the conclusive understandings derived from contributions in this book is that concealment is the result of layer upon layer of loss, hiding and shaping information, which in turn affects the creation of taxonomies and structures of knowledge. Thus, borrowing from the archaeological concept of 'taphonomy', we might think of disappearance as a stratigraphy of concealment.[10] Indeed, the study of absence in history-making has been developed within various fields in the humanities, such as ar-

8 Cf. Trouillot, *Silencing the Past*: 27.

9 See Acknowledgements.

10 Richard Lee Lyman, "What Taphonomy Is, What it Isn't, and Why Taphonomists Should Care about the Difference," *Journal of Taphonomy* 8, no. 1 (2010): 1–16; Ronald E. Martin, *Taphonomy: A Process Approach* (Cambridge University Press, 1999).

chaeology and memory studies. Both fields mediate the relationship between the material and the immaterial.

In view of this interpretation, this volume's main objective is to integrate previous fields of research into a wider conceptual framework which comprises a more diverse range of forms in which invisibilization in history takes place. These have previously only been developed as – mostly – distinct and separate lines of analysis. Therefore, this book also aims at putting forward a constitutive conceptual framework which comprises these forms of invisibilization, underpinning the connections between these different lines of research. To do so, this collaborative work stands at the intersection between historical theory, the history of labour coercion and dependency studies, Asian studies, sociology, linguistics and translation studies, archival sciences, and digital humanities.

1 Silencing and Disappearance

The study of invisibilized, marginalized and silenced people in historical narratives is certainly not new. In the past three decades, scholars have made an enormous effort to critically analyze the preponderance of Western views, Eurocentrism, the enduring effects of colonialism in the establishment of taxonomies, and decolonizing the archive, the museum, as well as school curricula.[11] Furthermore, invisibility, absence, and disappearance have been addressed by material culture historians, archaeologists and sociologists who use material absence and social invisibility to investigate the consequences of disappearance and erasure in the construction of knowledge structures, taxonomies, and social orders.[12] These authors use material presence and visibility to understand the broader implications of absence. The present collective work stands on their work to build a conceptual frame on intentional invisibilization that can be used as a tool to study absence in history and historiography beyond material erasure and social marginalization.

In the past two decades, scholars in the humanities and social sciences have made important contributions to further our understanding of three concepts closely entwined with invisibility: a) the historical silencing of people as a result of the imposition of power by some groups over others; b) the historization and conceptualization of disappearance and erasure, and c) the effect of colonialism on memory and forgetting, tax-

11 Robert S. Nelson, "The Map of Art History," *Art Bulletin* 79, no. 1 (1997): 28–40; Gurminder K. Bhambra, Dalia Gebrial, and Kerem Nişancıoğlu, *Decolonising the University* (London: Pluto Press, 2018); Trouillot, *Silencing the Past*.

12 Julie de Vos, "The Absence That Will Not Go Away," *Journal of Material Culture* 28, no. 3 (2022): 1–19; Anna Storm and Krister Olsson, "The Pit: Landscape Scars as Potential Cultural Tools," *International Journal of Heritage Studies* 19, no. 7 (2013): 692–708; Herzog, *Invisibilization of Suffering*.

onomy and the creation of knowledge infrastructures. The latter particularly affects the way that archives and museums are created, in the way they reproduce the silencing of people and further affect the academic production of history. Good examples are works by Julia Laite, Paul Connerton, Aleida Assmann, Ann M. Blair, while there has been a boom of attention regarding the colonial archive and museum in the last decade.[13] These three areas of study present important grounds for cross-fertilization.

These different takes on absence are highly dependent on and entwined with the terminology which these authors use as a point of departure, and on whether they aim their attention to either concealing agents in history or in historiography. The author whose work is most closely related to this volume's approach is the Haitian historian Michel-Rolph Trouillot. Through a multi-historical focus – yet mostly based on the Haitian Revolution – Trouillot highlights the agency of those who hold 'power' in the production of 'historical truths'. However, he acknowledges that silencing is inherent to the production of history, as the very recording of an event implies leaving behind some of its constitutive parts. Authors working on the intersection between the production of history and power, such as Trouillot, point to the agency of those who have access to power in order to decide also how things are recorded and preserved.[14]

Although he does not mention it explicitly, Trouillot assumes that only those who operate the production of history ultimately correspond to those who asymmetrically hold more power than others in competing groups. Although I acknowledge the relationship between power and the creation of established narratives, I do not fully agree with either the perception that all – intentional – silencing is produced by those in power or that those in power, or, as Trouillot puts it, 'those who won', systematically influence the production of history.[15]

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13 Trouillot, *Silencing the Past*; Mullaney, *The Chinese Deathscape*; Fredrikzon and Haffenden, "Towards Erasure Studies"; Julia Laite, "The Emmet's Inch: Small History in a Digital Age," *Journal of Social History* 53, no. 4 (2020): 963–89; Connerton, *How Modernity Forgets*; Paul Connerton, "Seven Types of Forgetting," *Memory Studies* 1, no. 1 (2008): 59–71; Aleida Assmann, "Forms of Forgetting," Public Lecture at the Royal Dutch Academy of Sciences, 2014, https://h401.org/2014/10/forms-of-forgetting/ [accessed 25.03.2024]; Ann M. Blair, *Too Much to Know: Managing Scholarly Information before the Modern Age* (New Haven: Yale University Press, 2010); Rhiannon Mason and Joanne Sayner, "Bringing Museal Silence into Focus: Eight Ways of Thinking about Silence in Museums," *International Journal of Heritage Studies* 25, no. 1 (2019): 5–20. Regarding decolonization of the archive and the museum, for instance in reference to the recent controversy around the Humboldt Forum in Berlin, see Irene Hilden, *Absent Presences in the Colonial Archive: Dealing with the Berlin Sound Archive's Acoustic Legacies* (Leuven: Leuven University Press, 2022); Dortje Fink, Susanne Müller-Wolff and Amel Ouaissa, eds., *(Post)Colonialism and Cultural Heritage: International Debates at the Humboldt Forum* (Munich: Hanser, 2021).

14 Trouillot, *Silencing the Past*: 1–49; Franklin W. Knight, "Review of *Silencing the Past: Power and the Production of History*, by M.-R. Trouillot," *The Hispanic American Historical Review* 77, no. 3 (1997): 483–84. A good example is how politics and ideology influence teaching curricula. See Wojciech Józef Burszta, "Silencing the Past, Retrotopia, and Teaching History," *Sprawy Narodowościowe* 50 (2018): 1–13.

15 Trouillot, *Silencing the Past*: 19.

Indeed, power is omnipresent in all the chapters in this volume. In essence, concealing is exercising power. However, all the following essays show that power manifests in a wide range of forms and can be the result of power dynamics between diverse actors. Thus, departing from Trouillot, I contend firstly that the act of concealing can be independent from social hierarchy. Therefore, those individuals or institutions that are socially more powerful than others are not necessarily responsible for *all* the processes of silencing. My interpretation of power and of 'the state' includes many apparatuses and individuals' agencies, rather than homogeneous and abstract entities.[16] For instance, power is featured in the establishment of regulations, in the creation and handling of records, in colonialism, but also in the use of language to exercise control and in the avoidance of regulations – all of which encompass a wide range of actors and social practices.

Secondly, intentional concealment is not necessarily repressive. For instance, a self-concealed agent might wish to be kept in the shadows if that allows her or him to avoid coercion. Bastiaan Nugteren provides a good example in this volume by showcasing how Chinese circular migrants avoided being inscribed in migration records to gain freedom of mobility. Correspondingly, the other essays in this book show that the range of factors and agents which intervene in the disappearance, concealment and silencing of people and ideas is cumulating and complex. Whereas this book focuses on intentional process of concealment, it also pays attention to accidental or unintentional processes, as they are often entwined. Looking into the reasons why the actors did the silencing from an emic perspective might give us clues about processes of repression at a macro level.

In *Silencing the Past: Power and the Production of History*, Trouillot breaks down the process of silencing in history-making into four steps: firstly, silencing enters the historical process in the production of sources, which corresponds with the moment of fact creation; secondly, the moment of organizing these sources in the creation of the archive; thirdly, the retrieving of the information from the archive, which coincides with the creation of the narrative, and finally, the moment of interpreting and providing significance, which leads to the 'making of *history*'.[17] However, while Trouillot provides a fundamental study of the process of 'silencing' in history, his seminal ideas can be taken further to analyze the different forms of silencing, the diverse agents involved, and the multilayered process of covering and keeping uncovered. Perhaps what remains to be developed from Trouillot's work is a reflection on how

16 Nicos Poulantzas, *State, Power, Socialism*, trans. Patrick Camiller (London: Verso, 1978); Bob Jessop, *State Theory: Putting the Capitalist State in Its Place* (University Park: Pennsylvania State University Press, 1990). This is not to say that this understanding of the 'state' does not correspond to Trouillot's interpretation. Cf. Michel-Rolph Trouillot, "The Anthropology of the State in the Age of Globalization: Close Encounters of the Deceptive Kind," *Current Anthropology* 42, no. 1 (2001): 125–38.

17 Trouillot, *Silencing the Past*: 26 (italics in original).

silencing and taxonomies have a mutually invisibilizing effect: silencing creates taxonomies and these simultaneously also invisibilize.

Beyond Trouillot, questions about what enters into, is removed from or stays out of main narratives and knowledge structures have been mainly approached from memory studies – with particular attention to the disappearance of intangible information – as well as material culture and archaeology – which focus on materiality. Memory and forgetting are tightly linked to the notion of collective memory, or *mémoire collective*, which as a term is attributed to Maurice Halbwachs and appeared only in 1925.[18] Studies on the materiality of disappearance highlight the dichotomy between *absence* and *presence*, and have recently particularly called attention to the often-neglected role of the former as a tool for narrative construction as well as repression.[19] The notion of absence as a tool for repression is connected to the concept of *disappearance* – particularly developed in relation to the history of warfare – which evolved in the 1970s into the legal concept of *desaparecido*, that is 'the disappeared' and the forensic category of *desapariciones forzadas* or 'forced disappearances' as a tool for repression during the Argentinian Dirty War under Jorge Videla's dictatorship, as well as in the actions of the states of Cyprus and Chile.[20]

The concept of 'the disappeared' has been used in other contexts, such as in the activist campaigns fighting for the rights of the victims of the Spanish Civil War, during which people were either executed and thrown into ditches by the roadsides as a form of public exhibition, or were picked up at home and executed, to be later thrown into mass graves or buried at unmarked sites.[21] Carles Brasó-Broggi's chapter on 'missing soldiers' due to malnourishment in central China during the Chinese war against Japan provides an interesting counterpart to the concepts of absence and disappearance. Here, what was intentional about the 'disappearance' of young soldiers was not so much the reasons behind their actual deaths or their being reported 'missing', but the act of concealing information about the reasons for their death or disappearance. In this case, disclosing such information transparently or keeping it censored would have had wider political implications in the midst of an international armed conflict. Therefore, concealing and manipulating information on the physical disappearance of people was used with strategic tactical objectives.[22] As a result, his-

18 Nicolas Russell, "Collective Memory before and after Halbwachs," *French Review* 79, no. 4 (2006): 792–804; Maurice Halbwachs and Lewis A. Coser, *On Collective Memory* (Chicago: University of Chicago Press, 1992).

19 De Vos, "The Absence That Will Not Go Away."

20 Johnah S. Rubin, "Aproximación al Concepto de Desaparecido: Reflexiones sobre El Salvador y España," *Alteridades* 25, no. 49 (2015): 9–24.

21 This section follows de Vos, "The Absence That Will Not Go Away": 3.

22 For an example of the use of absence as an analytical tool in another context – in this case the reshaping of European narratives around the great losses produced as a result of the Holocaust – see Julie Kalman and Daniella Doron, "Absence in the Aftermath," *Journal of Contemporary History* 52, no. 2 (2017): 197–210.

torians' use of incomplete source material has led to partial, misleading and even biased interpretations and portrayals of a major historical process.

Perhaps because they were developed in relation to relatively recent events in contemporary history, the concepts of disappearance and of *desaparecidos* leads to the question of whether this conceptualization of absence implies knowledge of the previous existence of the disappeared person or object. Something has ceased to 'appear' in the eye of the observer, yet its absence is a 'non-absence', because the observer knows of its earlier 'presence'. This conceptualization implies a continuous temporal trace of visibility or presence in invisibility or absence – a person or body which has been made to disappear is missed in the present. Thus, as Ewa Domanska puts it in the context of the disappeared person in Argentina, 'the disappeared body is a paradigm of the past itself, which is both continuous with the present and discontinuous from it'.[23] In this case, Domanska departs from the oppositional structure of 'present vs absent'. By contrast, the terms suggested in this book, 'concealment' and 'invisibilization', underscore instead the action of hiding – people, objects, animals or immaterial beings and information – which, although present in the past, remain absent in the narrative, and therefore do not enter the taxonomical category, the structure of knowledge and the archival infrastructure. Thus, their concealment has produced partial and incomplete perceptions of micro-historical events and also of major historical processes. Indeed, the fact that we know that something is missing – or 'invisible' – implies that we know of its existence. Yet, this does not mean that knowing of or intuiting its past presence affects the process of history-making. In this sense, the present book offers a methodology and a theoretical framework on which further work can be built.

2 Memory and Erasure Studies

Scholarly attention on remembrance and forgetting has experienced a significant growth in the past two decades as a consequence of contemporary sensitivity on cultural memory and heritage which has accompanied political and academic debates regarding the remnants of Europe and North America's postcolonial responsibilities.[24] Scholars in mem-

23 Ewa Domanska, "The Material Presence of the Past," *History and Theory* 45, no. 3 (2006): 337.

24 For the most up-to-date perspectives on the legacies of enslavement in cultural heritage in Europe, see Stephan Conermann et al., eds., *Cultural Heritage and Slavery: Perspectives from Europe* (Berlin: De Gruyter, 2024). Other examples include the recent apologies of the Dutch government with regards to its past involvement in slavery, which are well portrayed in Mrinalini Luthra and Charles Jeurgens' chapter 'Humanising Digital Archival Practice'. Further instances include Cambridge University's acknowledgement of its historical connections with enslavement, see "University of Cambridge Advisory Group on Legacies of Enslavement Final Report" (Cambridge, 2022), https://www.cam.ac.uk/about-the-university/advisory-group-on-legacies-of-enslavement-final-report [accessed 25.03.2024]. See also the initiatives to study

ory studies tend to identify remembering and forgetting as neither inherently positive nor negative. They tend to consider them, in fact, tightly entwined and not completely inseparable. The moral significance that humans attach to these two notions – whether they are considered good or bad – depends on the context in which they are produced, and the use to which they are put.[25] Likewise, making something visible is not necessarily positive, just as making something invisible is not always negative. The present collective work also builds on the idea that invisibilizing and concealing are not necessarily negative, and that not everything and everyone need be recorded and remembered.[26] Thus, in general terms, uncovering information and visibilizing people are not inherently good. Similarly, the act of unearthing information regarding a self-concealed historical actor might even go against her or his own will. Indeed, in his analysis of contemporary social invisibilization, Benno Herzog argues that invisibility in social marginalization is not necessarily negative or equivalent to suffering, and it can be precisely a source of empowerment and equality.[27] Yet, concealing has also been a tool for repression, particularly in the history of coercion and bondage. Therefore, rather than attaching an ethical significance to concealment, this book underscores its analytical value for creating narratives and shaping metanarratives.

More recently, in the intersection between the lines of research which deal with intangible remembrance and forgetting, as well as with material culture, Chris Haffenden and Johan Fredrikzon initiated an analogous field of study: 'erasure studies'. This field is closely related to the previous area of inquiry on cultural memory and forgetting – such as Connerton's work – while also considering the physicality of erasure.[28] Fredrikzon and Haffenden's aim is to address the act of erasure as an object of study in itself and treating it 'as a productive phenomenon'. This has also motivated Haffenden's research project 'Self-erasure and practices of motivated forgetting in

Switzerland's' involvement with colonialism in what has been termed 'colonialism without colonies', in Marcel Brengard, Frank Schubert and Lukas Zürcher, "Die Beteiligung der Stadt Zürich sowie der Zürcherinnen und Zürcher an Sklaverei und Sklavenhandel vom 17. bis ins 19. Jahrhundert," Zurich, 2020; Patricia Purtschert, Francesca Falk and Barbara Lüthi, "Switzerland and 'Colonialism without Colonies': Reflections on the Status of Colonial Outsiders," *Interventions* 18, no. 2 (2016): 286–302. Associations merging academic research and activism such as *Zurich Kolonial* and the *European Observatory on Memories* (EUROM) have undertaken interesting dissemination initiatives in the past few years, see Charlotte Hoes et al., "Zurich Kolonial. A City Tour through Zurich's Colonial Past," https://www.zh-kolonial.ch [accessed 08.08.2023]; "European Observatory on Memories (EUROM)," https://europeanmemories.net/ [accessed 08.08.2023]. I am grateful to Monique Ligtenberg for providing a wealth of information on Swiss postcolonial thought.

25 Assmann, "Forms of Forgetting."

26 The autors of *The Craft of Oblivion*, precisely defend the importance of forgetting. See Albert Galvany, ed., *The Craft of Oblivion: Forgetting and Memory in Ancient China* (Albany: State University of New York Press, 2023).

27 Herzog, *Invisibilization of Suffering*: chapter "Invisibilization."

28 Connerton, "Seven Types of Forgetting."

nineteenth-century Britain', which is concerned with the erasure of one's own personal traces as an act of self-concealment.

Concealing and invisibility, although not applied with the same aims, are aligned with the conceptualization of the different types of erasure and forgetting which Connerton, Fredrikson and Haffenden have labelled 'repressive erasure'. This type of erasure is characteristic, although not restricted to, authoritarian and totalitarian regimes – and thus is related to the imposition of power upon groups and individuals, as well as in the creation of taxonomical structures and the shaping of memory. While these authors look into the removal of material already existing in the record, the present volume is also concerned with the intentional or semi-intentional act of abstaining from inscribing information into the record – and thus in the intentionalities which may lie behind the formation of the historiographical account.[29]

Researchers from archival sciences have approached the role of archivists and archives in enhancing and perpetuating the position of the powerful in society. Because of its taxonomical nature, this field has dedicated more attention in the past few years to the marginalization and invisibilization produced as a result of archivists' role in designing record-keeping systems. Certainly, archivists and archival institutions inherently hold enormous agency in the modelling of memory and knowledge, as they shape, interpret and reinvent the archive.[30] Although not everything needs to be recorded, invisibilization in archival sciences and digital humanities is not only produced in the choice of 'leaving out' of the record, but also in the organizational infrastructure of archival catalogues and finding aids, which also perpetuate derogatory terminology about marginalized groups to the present, as Mrinalini Luthra and Charles Jeurgens' show in their chapter.[31] As Luthra and Jeurgens argue, these are responsible for maintaining past colonial views, layer upon layer. In their chapter, they analyze how the mechanisms of access to information about the past by archival institutions have presented a lack of sensitivity not only to marginalized people in history, but also to the traumatic experience of their modern descendants. They suggest that by putting the spotlight on the mechanisms of access to information which generate silences, it is possible to create a more sensitive and socially just accessibility to the past in archival institutions. Therefore, their approach entangles academic, scientific, professional and ethical praxis.

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29 Encompassing these two perspectives brings to mind Tom S. Mullaney's work on taxonomy and disappearance, which lies at the centre of his *Coming to Terms with the Nation: Ethnic Classification in Modern China* and the edited volume *The Chinese Deathscape: Grave Reform in Modern China*. In both works, Mullaney shows how ethnotaxonomic classification of *minzu* or ethnonational groups as well as grave relocation in modern and contemporary China – which he terms an 'undocumented migration of the dead' – are the result of China's evolving political worldviews, aspirations, and aggressive capitalist developmentalism. Thomas S. Mullaney, *Coming to Terms with the Nation: Ethnic Classification in Modern China* (Berkeley: University of California Press, 2010); Mullaney, *The Chinese Deathscape*.

30 Joan M. Schwartz and Terry Cook, "Archives, Records, and Power," *Archival Science* 2 (2002): 1–19.

31 A form of erasure is precisely to 'increase bureaucratic efficiency', in what Fredrikson and Haffenden call 'operative erasure'. See Fredrikzon and Haffenden, "Towards Erasure Studies": 9.

3 Historical and Historiographical Agents

Invisibilization and concealment imply the existence of a basic asymmetry. Three differentiated agencies stand out in the chapters of this volume, which I refer to as 'concealing', 'self-concealed' and 'invisibilized' agents respectively.[32]

Firstly, 'concealing agents' are historical and present-day actors who handle information by recording or dealing with sources and the study of history, such as historians and archivists. By doing so, they might – willingly or unwillingly – manipulate such information. Historical actors and historiographical actors both have agency in the creation of a historical narrative.[33] Whereas Trouillot argues that narratives are always produced in history and acknowledges the power of all actors in the production of history – not only professional historians –, in this introduction I particularly accentuate the agency of the wide range of historiographical actors involved – historian, archivist, librarian, etc. – in shaping not only the historical narrative but also in the establishment of taxonomies and of knowledge structures.[34]

Secondly, 'self-concealed agents' are essentially actors who choose to remain silent. They might be, for instance, government officials aiding obscure businesses by hiding them from the law, or victims of exploitation remaining silent for fear of public shame, stigma or blame. Self-concealed and concealing agents are crucial to unearthing the history of the third category, 'invisibilized agents'[35] – mainly, the victims of bondage who are silenced by others. Although their hidden nature makes them difficult to trace and unearth, they come to light in the sources through their interaction with other actors. The historian also plays an important part in relation to self-concealed and invisibilized agents, as in some cases she/he can become aware of an absence by realizing that the narrative in official sources cannot explain how that social process emerges. By observing the missing piece, the historian can start re-reading the sources against the grain to throw light upon the concealing, the invisibilized or the self-concealed agents.[36]

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32 By referring to 'agencies', I wish to highlight the 'agency' of the social actors and institutions under scrutiny. Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler and Stephan Conermann. "The Analytical Concept of Asymmetrical Dependency," *Journal of Global Slavery* 8 (2023): 1–60.

33 Trouillot, *Silencing the Past*: 22–30.

34 Ibid.: 23–25.

35 Regardless of whether the actors in this category might be considered victims of coercion, I am using the term 'agent' as it is generally agreed among scholars that, as Stephan Conermann and Gül Şen have pointed out, even people in the worst forms of asymmetrical dependency still have agency. See Stephan Conermann and Gül Şen, *Slaves and Slave Agency in the Ottoman Empire* (Göttingen: V&R unipress, Bonn University Press, 2020): 19.

36 With regards to cultural heritage, Anna Storm and Krister Olsson use the 'human imposed "landscape scar"' of a pit in the mining town of Malmberget in Sweden, as a footprint from which to study cultural processes. See Storm and Olsson, "The Pit: Landscape Scars as Potential Cultural Tools."

4 Invisibility in the *jeux d'échelles*

This volume puts at the centre of analysis the impact which the processing and handling of information and data about the past has in the creation of narratives, and of how historians, archivists, and researchers in the social sciences might use this understanding as a productive methodological perspective. The contributions aim to create global and cross-temporal interchangeable understandings of how master narratives are shaped from a standpoint of power/marginalization dynamics by treating history and historization as interlinked taxonomical and epistemic processes.

Intentional concealment is a global historical and historiographical phenomenon. Becoming caught in the *jeux d'échelles*[37], or scale games, of the academic production of *history* – for instance, downplaying the two-way impact between microhistorical invisibilization and large historical processes – is inherently a concealing tool and can lead to biased perceptions, as Subin Nam and Carles Brasó's chapters clearly demonstrate. Thus, sticking to essentializing scalar approaches contingent on the local/global divide shapes master narratives in a way that strengthens and perpetuates one-sided officializing worldviews.[38] Conversely, a methodology that merges micro-history with global history, such as a micro-spatial approach, can become not only an uncovering tool but also aid in the creation of new understandings of the ways in which these master narratives are formed in relation to power dynamics.[39] A similar effect can be obtained from studies which break away from contextual-based analysis to instead create history with no reliance on established narratives, such as the recently suggested methodology put into practice by Johan Heinsen and Juliane Schiel in 'Coercion at Work: Situating Labour History after the Global Turn'.[40]

37 In discussions on global and microhistory the term '*jeux d'echelles*' refers to an understanding of history based on the interdependence of spatial and temporal scales. See Christian G. De Vito, "History Without Scale: The Micro-Spatial Perspective," *Past & Present* 242, no. 14 (2019); Richard Drayton and David Motadel, "Discussion: The Futures of Global History," *Journal of Global History*, 13, no. 1 (2018): 1–21.

38 Cf. De Vito, "History Without Scale": 356.

39 Ibid.; Christian G. De Vito and Anne Gerritsen, eds., *Micro-Spatial Histories of Global Labour* (Cham, Switzerland: Palgrave Macmillan, 2017). For practical examples based on this approach, see Johan Heinsen, "Runaway Heuristics: A Micro-Spatial Study of Immobilizing Chains c. 1790," *Annals of the Fondazione Luigi Einaudi* 56 (2022): 37–60; Xu Guanmian, "The 'Perfect Map' of Widow Hiamtse: A Micro-Spatial History of Sugar Plantations in Early Modern Southeast Asia, 1685–1710," *International Review of Social History* 67, no. 1 (2021): 97–126.

40 Juliane Schiel and Johan Heinsen, "Coercion at Work. Doing Social History after the Global Turn" (forthcoming).

5 Bondage and Asian Foci

The editorial choice in this book to study invisibilization through the lens of bondage and dependency in Asia is due to four core historiographical arguments. These are related to the intrinsic nature of invisibility in history; to the challenges of writing Asian history; to the academic and spatial positioning from which this book is written; to the challenges of writing a global history of labour coercion and bondage, and even to the inner mechanisms of the scholarly world in Europe which affect academic production.

Firstly, the study of labour coercion and dependency renders an interesting and fertile entry point into invisibility. Coercion and invisibility have in common that they can either be the result of power asymmetries, or generate and extend them. Indeed, they are often entwined, and invisibility can be used as a tool for repression, although one is not necessarily causative of the other. Furthermore, focusing on the history of bondage and coercion often implies unearthing and giving voice to self-concealed and invisibilized actors, objects, views and ideas, and thus they might share the same aims and subjects of analysis.

Secondly, the Asian perspective is also especially productive from the viewpoint of where this book has been written. Addressing Asian history from Europe – where the Eurocentric standpoint is still predominant and providing an Asian angle is proving an enduring test – implies confronting grand narratives and knowledge structures which often force scholars to think out of the box. Therefore, this book explores the question of invisibilization from an Asian perspective primarily because it provides a good example which might serve as a model approach for specialists to work with disappearance in a wide range of research fields.

Thirdly, despite the recent calls to bring Asia into discussions on labour coercion and slavery, in which Euro-American conceptualizations of slavery and bondage and studies on labour history are still dominant, there is still a long way to go to create new understandings on coercion from global and wide-ranging perspectives.[41] On the one hand, re-centring the narrative to Asian bondage and coercion is productive because it supports this ongoing endeavour, already set out by previous projects, such as the volumes by Damian A. Pargas and Juliane Schiel on global slavery through the Asian experience, by Kate Ekama, Lisa Hellman and Matthias van Rossum on the history of slavery and bondage in Asia, and by Gwyn Campbell and Alessandro Stanziani on bondage and human rights in Africa and Asia.[42] On the other hand, the history of

41 Kate Ekama, Lisa Hellman and Matthias van Rossum, "Slavery and Bondage in Asia – Towards a Global History of Coerced Labour," in *Slavery and Bondage in Asia: Towards a Global History of Coerced Labour*, ed. Kate Ekama, Lisa Hellman and Matthias van Rossum (Berlin: De Gruyter, 2022); Richard B. Allen, *European Slave Trading in the Indian Ocean, 1500–1850* (Athens: Ohio University Press, 2015).

42 Damian A. Pargas and Juliane Schiel, eds., *The Palgrave Handbook of Global Slavery throughout History* (Cham, Switzerland: Palgrave Macmillan, 2023); Ekama, Hellman and van Rossum, "Slavery and Bondage in Asia – Towards a Global History of Coerced Labour"; Gwyn Campbell and Alessandro

coercion in Asia provides enriching grounds to stimulate productive discussions and understandings on invisibilization, in historiography and by the historical actors themselves: from issues with language barriers and translation, access to sources, dominant Eurocentric perspectives, self-concealing intermediaries being difficult to trace, cultural and historical clashes, the predominant use of European sources, converging international legal frameworks, ideological tendencies and biases, and so forth.

In addition to this, fully integrating Asia with the history of slavery globally remains a challenge, as research on coercion in Asia has been driven as much by researchers in area studies as in history.[43] The field of Asian studies rarely puts the focus on the subject of coercion, slavery, and labour studies. Likewise, nationally-oriented history research has obstructed the assimilation of Asian views and conceptualizations into comparative debates of coercion. Moreover, integrating Asia into the global history of labour coercion also includes engaging scholarship produced in Asia. However, whether Asian researchers engage in these debates is highly dependent on the ongoing interests, discussions and dynamics of Asian scholarship, which might or might not be coeval to other geographically distant academic trends. Taking China as an example, the survey on Chinese scholarship on slavery which Claude Chevaleyre conducted in 2021 shows that Chinese scholarship does not pay much attention to slavery studies, and studies on labour tend to focus on European modern and contemporary history.[44] Thus, the unique nature of integrating Asian views into the global history of labour, coercion, and slavery presents an illustrative case of how clashing structures of academic production can be counterproductive in the facilitation and stimulation of fruitful and truly global discussions. This constitutes a fourth historiographical basis for this book's spotlight on modern and contemporary history of Asian bondage, coercion, and dependency.

Stanziani, eds., *The Palgrave Handbook of Bondage and Human Rights in Africa and Asia* (New York: Palgrave Macmillan, 2019). For a more complete recapitulation of the publications, networks, and projects which have emerged from the 1980s, see Claude Chevaleyre, "Beyond Maritime Asia. Ideology, Historiography, and Prospects for a Global History of Slaving in Early-Modern Asia," in *Slavery and Bondage in Asia: Towards a Global History of Coerced Labour*, ed. Kate Ekama, Lisa Hellman and Matthias van Rossum (Berlin: De Gruyter, 2022): 31–32.

43 Ekama, Hellman and van Rossum, "Slavery and Bondage in Asia – Towards a Global History of Coerced Labour": 4.

44 Chevaleyre, "Beyond Maritime Asia": 39.

6 The Chapters

Three entangled forms of exercising power stand out when examining all the essays collectively: concealing as a tool for the strategic legitimization of dominance; restricting and enabling the circulation of information through the use of language and translation; and exercising power by inscribing in the record – or by avoiding inscription in it. All chapters relate to these three categories in varying degrees.

The approaches in the first section target power directly in their inquiries by showcasing the strategic use of disappearance to legitimize dominance. Carles Brasó's chapter is concerned with how the reports of the Medical Relief Corps in China in the 1940s informed about the spread of malnutrition, sickness and the high death rate of soldiers in Central China, and how this information was concealed, not only incidentally, but also utilized intentionally with military strategic objectives. As a result, since the number of deaths was underreported, what happened in China's most isolated regions has until now been misrepresented in the study of China's war against Japan. Marina Torres' chapter on the trafficking of Chinese girls by Spanish missionaries to Southeast Asia in the eighteenth century demonstrates how charity became a tool not only for missionaries in China to suit their own agenda, but also as a means of legitimizing the expansion of European empires. Power in relation to religion takes on two forms in Torres' case study. Firstly, the different levels of power of religious orders within the Christian church led to some orders being studied more intensively by historians than others. Secondly, the use of *caritas* – or charity – to justify the Western enterprise in Asia, and the strategy of adaptation to Chinese culture by the missionaries, caused a misrepresentation of European missions. These add up to the reasons why the taking of Chinese girls by missionaries has remained understudied. Subin Nam's chapter portrays the different layers of international politics and regulations which might have contributed to making 'comfort women' stateless, and the international factors which kept the 'comfort women' issue unchecked and unaddressed for decades. Conversely, Martin Dusinberre's afterword offers an illustrative first-hand account of how the protagonists of a historian's study enact their own agency in the shaping of historical research. They intervene – intentionally or unintentionally – in the historian's journey of fieldwork and material collection. Dusinberre reminds us that memory, historical research, and writing are, thus, unstable and nonlinear processes in which historians' understandings are more often than not at the mercy of historical actors.

Interestingly, none of these approaches underscores Western colonialism in Asia as the fundamental instrument in wider narratives related to international power dynamics in Asia – perhaps with the exception of Torres' particular take on Sino-Spanish encounters, although it is not the only factor in her analysis. This disengagement with European colonialism is also a feature in Emma Kalb's and Manuel Pavón-Belizón's contributions. As Eurocentrism, colonial and postcolonial processes tend to be at the centre of global studies on coercion, slavery, and dependency, as well as

memory and forgetting, it is certainly surprising that six out of nine contributions in this volume move away from it.[45] This more widely varied perspective indicates that micro-spatial approaches which consider wide temporal ranges and which move beyond the theoretical framework on memory – often related to postcolonial theory – might broaden the spectrum to more plural and comprehensive perspectives.[46]

As a form of enacting power, language arises as an important instrument in five of the texts: Subin Nam's, Emma Kalb's, Pavón-Belinzón's, Luthra and Jeurgen's, as well as in Imogen Herrad's reflection on academic language. Invisibilizing through language in the five cases can be divided into two: through translation and editing in the transnational circulation of knowledge, and in the use of certain morphological forms when recording information within one particular language, which leads to creating taxonomical categories.

The two texts which target language more directly are Pavón-Belizón's and Herrad's, which address language dominance, editing and translation. Pavón-Belizón underscores translation as a tool not only for the transnational circulation of knowledge – or the lack thereof – but also for the international recognition of authors. As translation of an author's work signals their recognition in the national context, the scarcity of translations of Chinese women intellectuals becomes a measure of their (lack of) national consideration. This is indicative of their marginal position in China's academic and intellectual field due to the alarming circumstances of gender inequality in China, where pursuing an academic career at the expense of forming a family is negatively perceived by Chinese society – amongst other discriminations. Despite this, a very small number of works by Chinese women intellectuals have been translated into English. Through the analysis of the exceptional case of Dai Jinhua, Pavón-Belizón argues that the reason why some women have been picked for translation – and thus gained transnational visibility – are related to, firstly, personal social networks, and secondly, to their alignment with the publishers' interests. Thus, translation enhances transnational visibility – regardless of the author's national in/visibility; and the international circulation of knowledge and ideas is enabled through personal social connections and political and ideological affinities. Furthermore, in Western academia, where the study of Asia becomes specialized and conscribed into area studies, the translation and circulation of Asian authors stays within the confines of Asian studies, and does not penetrate the intellectual production of other fields – thus reproducing national-oriented research in the humanities and social sciences. The same might be said of other fields in area studies.

45 Cf. Marcel van der Linden, *Workers of the World: Essays toward a Global Labor History* (Leiden: Brill, 2008); Conermann et al., *Cultural Heritage and Slavery*; Azoulay, *Potential History*.

46 Cf. Michael Rothberg, *The Implicated Subject: Beyond Victims and Perpetrators* (Stanford: Stanford University Press, 2019); Michael Rothberg, *Multidirectional Memory: Remembering the Holocaust in the Age of Decolonization* (Stanford: Stanford University Press, 2009).

Imogen Herrad's central piece relates to Pavón-Belizón's chapter by highlighting the significance of language editing and translation as powerful tools to allow or restrict the circulation of knowledge and the visibility of certain authors at the expense of others.[47] Her text portrays the exercise of power through the dominance of English as a *lingua franca* in academic production. Herrad's contribution not only stresses the invisibilized work of academic language editors and translators: it also addresses how the ever-present loose ends of colonialism still infuse the academic world with inequality. On the one hand, this power is expressed through the dominance of Global North variants of English, and on the other, by the way historians reproduce terminology and linguistic forms derived from the colonial world. However, regardless of this agency of language, edition and translation, both Herrad's and Pavón-Belizón's texts point to the invisibility and lack of recognition of editors and translators in academia.

With regard to taxonomy, Subin Nam's chapter on the in/visibility of Korean 'comfort women' in Japan links the renaming of Korean people and their changing categorization as colonial subjects in Japan to their mobilization as forced labourers and as 'comfort women', as well as to the ongoing perpetuation of discrimination after liberation. Kalb draws on the partial or unfinished process of recording in the only available sources of the Mughal Empire – for the elite – to find moments of visibility of the enslaved. The underrepresentation of slaves is related to the overrepresentation of the elite. In this sense, her paper can be related to Luthra and Jeurgens' exposition of how archival classification and cataloguing has perpetuated colonial terminology – and thus, the invisibilization, mis- and underrepresentation of victims of colonialism – which affects the way users today access the archive.

Thus, recording information stands out as an important form of enacting power both during the historical process and in the shaping of its remembrance, as the information recorded is organized in archives, recovered in historiography, and used to historicize the past. Inscribing people and information has a double effect in creating visibility and enhancing invisibility, either by creating taxonomies which include some and leave others out of the record, or by simply stimulating self-concealment of those historical actors who wished to remain unrecorded or invisible. This is well portrayed in Bastiaan Nugteren's and Marina Torres' chapters.

Nugteren's chapter on the self-concealment of Chinese migrants to escape bureaucratic registration is a clear example of how the visibility produced by inscribing migrants into the record can induce self-concealment. In Nugteren's case study, the fear of being detectible by the authorities restricted freedom of mobility, as avoiding registration could imply avoiding taxes and fees, which affected personal economic freedom.[48] Nugteren's chapter can be added to the literature on the documenting or

47 For another take on translation in entanglement with power diplomacy, see Lisa Hellman and Birgit Tremml-Werner, "Translation in Action: Global Intellectual History and Early Modern Diplomacy," *Journal of the History of Ideas* 82, no. 3 (2021): 453–67.

48 Cf. Herzog, *Invisibilization of Suffering*.

undocumenting of migrants in the colonial context, such as John-Michael Rivera's *Undocuments*.[49] These Chinese migrants wished to go unnoticed to avoid regulations – the same way that traffickers conceal their actions, such as Marina Torres' missionaries. Nugteren's, Torres', Kalb's, Mrinalini and Jeurgens', and Brasó's texts show the tremendous effects which record keeping and the design of record-keeping systems have in shaping historiography, and in creating biased understandings of the past.[50] An integrative look at all these texts underscores concealment as power and information as its capital.

Finally, interdisciplinarity to enhance cross-fertilization between history, anthropology, sociology, digital humanities, numerical history, and archival science seems to be the most effective way of attempting to make history more equal. Luthra and Jeurgen's chapter instils hope because it shows that digital archival science can work towards reversing concealment, when concealment is synonymous with the continued invisibility of marginalized people and of power structures established by force and at the expense of human suffering. Paired with other texts, such as Brasó's and Kalb's, it is clear that concealment is not the same as invisibility – as neither of the cases portrayed in this book are fully 'invisible' (if they were, we would not know about them). However, by first being aware of how narratives are constructed, how they induce concealment or visibility, of the different ways narrative has been used as an in/visibilizing tool, and of what remains from the processes of inscribing, non-inscribing, circulating, and erasure, researchers in humanities and the social sciences can find ways to think outside the box and historicize regardless of master narratives, as recent projects are already doing.[51]

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49 John-Michael Rivera, *Undocuments* (Tucson: University of Arizona Press, 2021).

50 On the relationship between archives and power, see Schwartz and Cook, "Archives, Records, and Power"; Anna Laura Stoler, "Colonial Archives and the Arts of Governance," *Archival Science* 2 (2002): 87–109; Alessandro Stanziani, *Tensions of Social History: Sources, Data, Actors and Models in Global Perspective* (London: Bloomsbury, 2022); Mrinalini Luthra et al., "Unsilencing Colonial Archives via Automated Entity Recognition," *Journal of Documentation* (ahead-of-print, 31.01.2023), https://doi.org/10.1108/JD-02-2022-0038.

51 Schiel and Heinsen, "Coercion at Work: Situating Labour History after the Global Turn" (forthcoming).

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3. Research Lenses

3.5. Gender and Intersectionality

Introduction

The fifth research area focused specifically on asymmetrical power relationships as reflected in gender relations and gender orders. The question of gender asymmetries (in an open or latent form) ultimately arises in connection with any kind of social dependency or power asymmetry. Even more importantly, we are convinced that the gender perspective bears the potential of challenging a whole series of mainstream assumptions. Susan Stuard, for example, argues against the common theory established by Marc Bloch and others that ancient slavery was replaced by a system of serfdom during the early Middle Ages. Instead, she claims that slavery for women has continued.[1] In a similar way, David Herlihy illustrates that women's textile work was "domesticated" in the Central Middle Ages, shifting from the female-slave workshop of the Carolingian period to the artisan family, while women themselves effectively remained barrack-slaves[2]. The 'gendering of the history of strong asymmetrical dependencies' has made it possible to discern differences and complementary structures in the experience of bonded and oppressed men and women. It provided new insights for women's, gender and masculinity studies as well as for dependency studies and social history. In order to achieve that goal, the fifth research area also needed to delve into recent debates on intersectionality. Originally developed by scholars from gender studies, intersectionality has since been productively applied to various forms of social hierarchization, discrimination, discreditation and stigmatization. The approach focuses on intersections between structure and agency to analyze the combination of various markers of social difference, including gender as well as age, class, origin, ethnicity, religion, sexual orientation, skin color or physical stigmata and mutilations, all of which determine the web of strong asymmetrical dependencies that inform people's lives. Intersectionality states that various factors, such as gender, sexual orientation and race, do not exist in isolation from one another, but instead are linked by complex and interwoven relationships. Intersectional approaches maintain that paying attention to these relationships is essential for understanding the human condition. When systems of justice or other entities attempt to separate and isolate one of these factors, misconceptions are bound to occur and essential aspects of the human condition may be lost. Intersectionality argues for thinking of each factor informing the identity and the social position of a person as inextricably linked with all of the other factors. This framework allowed us to understand systemic injustice and social inequality in new ways. Racism, sexism, classism, homophobia, transphobia, xenophobia and religious or other belief-based bigotry and persecution did and do not occur independently of each other. Instead, these forms of oppression typically interrelate with one another, creating a system of asymmetrical dependencies that reflects the 'intersection' of multiple forms of discrimination. Starting from this hypothesis, it becomes apparent that identities are usually not addressed in social discourses and often come with their own forms of oppression, domination and discrimination. Laws and policies generally only address one form of marginalized identity. The overlapping of multiple oppressed identities often goes unnoticed. Intersectionality, by

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[1] Susan M. Stuard. "Ancillary Evidence for the Decline of Medieval Slavery," *Past & Present* 149 (1995): 3–28; Marc Bloch *Feudal Society*, trans. L.A. Manyon (London: Routledge & K. Paul, 1961).
[2] David Herlihy, *Opera Muliebria: Women and Work in Medieval Europe* (Philadelphia: Temple University Press, 1990): 161.

contrast, proposes that all aspects of one's identity must be viewed as simultaneously interacting with one another and affecting one's privilege (or lack thereof) and perception in society. Intersectionality does not only necessitate a rethinking of personal identity, but rather allows for an overarching analysis of asymmetrical dependencies present within identities. The framework of intersectionality also provides insight into how multiple systems of oppression interrelate and are interactive. Intersectionality is not a static field; rather, it is dynamic and constantly developing as a response to formations of complex social inequalities. Concerning gender aspects, there is a particularly large gap in the field of unfree labor. While gender historians have deconstructed outdated narratives in many fields over the last decades, the gender perspective has rarely been combined with a focus on coerced labor relations. While the new history of labor, for example, has turned gender asymmetries into a central category of analysis by examining productive and reproductive work, gainful and unpaid work, and work outside the household as well as work within the household, this question is still a rather marginal issue in debates on coerced labor. The fifth research area took this gap as its starting point and argued for a combination of 'feminist labor history' research with slavery and dependency studies.

3. Research Lenses

3.5. Gender and Intersectionality

Birgit Ulrike Münch. "Prostitution / Servitude / Slavery. Picturing Female Dependencies in Seventeenth Century Amsterdam," *Working Paper* 15, Bonn Center for Dependency and Slavery Studies (2024).

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WORKING PAPER 24 | 15

Birgit Ulrike Münch

PROSTITUTION / SERVITUDE / SLAVERY. PICTURING FEMALE DEPENDENCIES IN SEVENTEENTH CENTURY AMSTERDAM

UNIVERSITÄT BONN

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Prostitution / Servitude / Slavery. Picturing Female Dependencies in Seventeenth Century Amsterdam

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Abstract

This working paper seeks to explore the concept of asymmetrical dependency from an art and cultural historical perspective. Prostitution and sex work are central domains in which female dependency was negotiated and bargained over during the early modern period. The aim of this project is to modify the network of different asymmetrical dependencies as it relates to female occupations, in particular to female prostitution in Amsterdam in the seventeenth and eighteenth centuries, which is critically shaped by the role of the globalized metropolis in Dutch colonialism. The final section will focus on the concrete example of the exhibition on Dutch still lives "Augenlust," co-curated by the author (LVR-Landesmuseum Bonn, 23.09.22–20.02.23, held in cooperation with the Museum Allard Pierson Amsterdam), in which several cabinets were dedicated to the theme of asymmetrical dependency.

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I. Introduction

Prostitution and sex work are a central field of negotiation relating to urban modes of female dependency in the early modern period. The aim of this project is to readjust the web of different asymmetrical dependencies in the realm of female occupations. In particular it will focus on female prostitution and its broader associations and implications in seventeenth- and eighteenth-century Amsterdam, which were significantly shaped by the role of the metropolis in Dutch colonialism. Indeed, the unheard and unexplored voices of this group of women emerge in a generically diverse and under-utilized body of visual evidence.

The new conditions of this urban environment were crucial for pre-conditioning these acts of negotiation. Amsterdam experienced extreme population growth during the period under study. In the first place, the influx of religious refugees into the city led to an exponential increase in the number of inhabitants from 54,000 in around 1600 to 240,000 in 1740. Apart from a confessional motivation, seventeenth-century Amsterdam attracted an above-average number of young female migrants for other reasons. These reasons varied. One primary reason was the demand for domestic servants – primarily female – among the city's upper class and booming middle class. Another key reason was that the city provided exemplary care for the poor, while opportunities for unmarried pregnant women to give birth to their illegitimate children and receive medical care were also far superior to those in other cities of the time. These conditions attracted young women not only from Dutch and Flemish villages, but also from further afield in northern Germany and Scandinavia. Many of these women worked as domestic servants, in prostitution, or between the two areas.

During the pre-modern era beginning from the late fifteenth century, prostitution was closely linked both in internal and external perception to the port city of Amsterdam. Even then, legal documents, travel reports, diary entries and letters, overlapped with the growing production of fictional reports, including plays, novelizations and stories, as well as a booming visual media from paintings, statues and a variety of print media. In a growing number of novels published in this time, for example Betje Wolff and Aagje Deken's *Brieven an Abraham Blankaart* (1787–1789) the protagonists visited the brothels of Amsterdam. In other works the city was identified, in itself, as the Babylon of "fallen girls."

As the terminology of prostitution in its current sense has only been in use since the middle of the nineteenth century, the sources containing the terms *hoererij* or *hoeren* (whores) do not only describe the sale of sexual acts, but refer more generally to any non-normative extramarital affair that was not intended to produce offspring.[1]

[1] Fernando Henriques, *Prostitution in Europe and the New World* (London: MacGibbon & Kee, 1963); Julie Coleman, "Corpus Linguistics and Seventeenth-Century Prostitution: Computational Linguistics and History," *The Seventeenth Century* 33 (2017): 1–2; Wolfgang Pfeifer et al., "Prostitution," in *Etymologisches Wörterbuch des Deutschen*, 2nd ed. (Berlin: Akademie-Verlag 1993), digital version at https://www.dwds.de/wb/etymwb/Prostitution [accessed 20.10.2023].

Prostitution was legally forbidden following the *alteratie*, the deposing of the Spanish-Habsburg city government of Amsterdam by the Calvinists on 26 May 1578, and the resulting criminal prosecution produced extensive written sources that need to be delved into further. Another, perhaps unintended result was the increase of brothels throughout the entire city. The *Confessieboeken der Gevangenen* (interrogation records), which record the name, age, profession, place of birth, and offence of the delinquents being interrogated by the courts, were maintained until 1811. These show that between 1650 and 1749, over 9,000 trials against prostitutes were held, which means that one fifth of all criminal cases in Amsterdam at that time concerned 'prostitution' or connected acts.[2]

The female composition and control of Amsterdam's prostitution system has led previous researchers to portray the trade as progressive and to falsely characterize it in terms of female self-determination. Of the 890 *hoerenhouders* or *hoerenkeepers* (whore-keepers) mentioned in the criminal records of Amsterdam between 1650 and 1750, 'only' approximately 350 were male brothel operators.

As mentioned previously, the demography of early modern Amsterdam was further marked by the predominance of women. Indeed, records indicate that there was a 2:3 ratio of men to women among the poorest social classes. After all, one in three men went to sea at this time, and of these only two thirds returned to their hometowns. In addition, while sailors could sign on with the *Oost Indische Compagnie* (Dutch East India Company)[3] in several towns, they could only receive their wages in Amsterdam and Middelburg. This meant that when on leave, and newly paid, they would frequent brothels in these cities in larger numbers than in other areas.

The wives of these sailors were also in an extremely vulnerable position, as married women were sometimes left on their own in the city for several years, with very few able to rely on regular financial support from their husbands while they were at sea. Beyond the court records relating to prostitution, other crimes committed by women in the mid-seventeenth century may be related to this situation. For instance, many of the thefts prosecuted in this period were committed by women. Further documents reporting on female convicts and especially prostitutes, and the conditions in which they lived and were educated, appear in the visitor records of the women's prison, the *spinhuis* (house of correction, where the women had to work on spinning wheels). Here female convicts, especially prostitutes, were rehabilitated and educated to work in professions outside the sex trade following their release. According to various travelogues and early tourist guides, we know that the prisons, along with their inhabitants, were exhibited to visitors for a fee. These records are another key resource into the daily lives of the women and give us an insight into their lives beyond the words of their trials and court records.

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[2] Lotte C. van de Pol, *The Burgher and the Whore: Prostitution in Early Modern Amsterdam* (Oxford: Oxford University Press, 2011): 103–4.

[3] Jan Lucassen, "A Multinational and its Labor Force: The Dutch East India Company 1595–1795," *International Labor and Working-Class History* 66 (2004): 12–39.

Critical attention needs to be given to various forms of urban female dependency within Amsterdam in the seventeenth century, ranging from prostitution to slavery to other forms of domestic servitude, as well as to the allegedly self-determined work in brothels mentioned above. We can gain some knowledge of these women and their world from the contemporary fictional and non-fictional texts, pamphlets, reports and plays of the period. *Le Putanisme d' Amsterdam* (the Putanism in Amsterdam) of 1681, for example, A book that provides information on how to deal with prostitutes compares the purchase of prostitutes to a slave market[4], while *D'Openhertige Juffrouw* (The open-hearted virgin) (1699) describes the exchange, hire, and sale of prostitutes as directly comparable to the ways enslaved women were treated in Turkey[5]. In *De Amsteldamsche speelhuizen* (The Amsterdam Playhouses) of 1793, a prostitute is quoted as saying that she would rather change places with a Black maid or slave in Batavia than live in the *speelhuizen* and brothels as if she were in prison.[6]

This last example points to further questions that need to be asked in relation to prostitutes from Amsterdam's Black and Asian communities, which were made up of formerly enslaved persons who settled primarily in the Jodenbreestraat area in the seventeenth century. Some of these, including a woman named Christina, born to an enslaved mother in Batavia and brought to Amsterdam at the age of five by her owner Adrianus van der Geugten, were imprisoned in the *spinhuis* in 1766 for their "immoral life style."[7] The daughters of slaveholders were another group that complexify the assymetrical dependencies of early modern Amsterdam. For example, Wilhelmina Balk, whose father was the owner of the plantation *De Vriendschap* (the Friendship) in Berbice in present-day Guyana, was appointed by him as sole heiress and raised by a guardian in Amsterdam.[8] It was precisely from Guyana that many slaves came to the metropolis in the eighteenth century, but their legal status did not change despite the abolition of slavery. How should we define the forms of dependency of people in Amsterdam who were no longer enslaved? And, what was the servant relationship like for women in Amsterdam hailing from the colonies, for Black Jewish women and for daughters of slaveholders? Clearly, the sources offer an array of methodological challenges.

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[4] Anonymous, *Le Putanisme d'Amsterdam* (Amsterdam: Jogchemse de Rhin, 1681).

[5] Anonymous, *D'openhertige juffrouw, of D'ontdekte geveinsdheid* (Amsterdam: Widow of Gijsbert de Groot, 1699): vol. 1, 172.

[6] Anonymous, *De Amstedamsche speelhuizen* (Amsterdam, 1793?), vol. 1.

[7] Leo Balai, *Geschiedenis van de Amsterdamse slavenhandel over de belangen van Amsterdamse regenten bij de trans-atlantische slavenhandel* (Zutphen: Walburg Pers, 2013): 34; Markus Balkenhol, "Tracing Slavery: An Ethnography of Diaspora, Affect, and Cultural Heritage in Amsterdam" (Phd diss., Vrije Universiteit Amsterdam, 2014); Carl Harnack, "Slavernij in beeld," in *De Slavernij in Oost en West. Het Amsterdam-onderzoek*, ed. Pepijn Brandon, Guno Jones, Nancy Jouwe and Matthias van Rossum (Amsterdam: Spectrum, 2020): 236–38.

[8] See the British Guiana Colonists Index "B": https://www.vc.id.au/tb/bgcolonistsB.html [accessed 20.03.2024].

II. Methods and Challenges: Initial Thoughts

The theoretical horizon against which the concrete, source-based project work of this study has been developed is closely linked to the Cluster's broader questions about modes and models of dependency and is informed, to this extent, by a broader approach than the traditional European binary opposition of "slavery versus freedom" – an opposition whose terminological weaknesses are particularly evident in gender-related topics. For this reason, the theoretical approach adopted here focuses on *practices* and regards not only relations between people, but also between people and objects of material culture as equally important to understanding asymmetrical dependencies. The Cluster's methodological principles, theoretical frameworks and terminologies have been summarized in a exploratory paper published in 2021.[9] The specific asymmetry of the dependencies experienced by historical actors in the field of early modern female prostitution may be conditioned by factors of gender, (proto-)racism, colonial marginalization, and religious cultures – or by any conceivable combination of these factors. This project asks which factors led to the long silence surrounding asymmetrical dependency in this area, and which new sources need to be consulted in order to reveal them.[10]

By focusing on concrete case studies, rather than attempting an overview of unspecified social groups and tacitly assuming their homogeneity, the project draws on the methodology prominent in previous work produced at the BCDSS: the micro-historical approach put forward by Tomich and Zeuske.[11] This essay adopts, then, the concept of "comparative microhistories" as a tool to analyze several cases and to create from them the basis for a broader understanding of the issue at hand. Thus, this project also connects to the Cluster's concentration on a "micro-spatial approach".[12] In particular, I focus on a specific historical setting – the prosperous city of Amsterdam as a field of negotiation that brings to light asymmetrical dependencies of a very specific kind: female prostitution.

Another study that could be of great importance for the project from a theoretical-hermeneutical point of view, but which, in contrast to the texts mentioned so far, has not yet played such a decisive role in the Cluster's work, is Saidiya Hartman's *Scenes of Subjection*. This study asks us to think about forms of dependency and their progressive dissolution, not as constituents of the narrative arc of justice and progress in humanity's history, but as an

[9] Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler and Stephan Conermann, "On Asymmetrical Dependency," *Concept Paper* 1, Bonn Center for Dependency and Slavery Studies (2021), https://www.dependency.uni-bonn.de/images/pdf-files/concept-papers/bcdss_cp_1-_on-asymmetrical-dependency.pdf [accessed 20.03.2024].

[10] Lisa Hellman, Sinah Kloß, Christian Mader, Jutta Wimmler and Julia Winnebeck, "Interview: A Window on our Research Perspectives," *DEPENDENT. The Magazine of the Bonn Center for Dependency and Slavery Studies*, 2021-1: 16–22.

[11] Dale Tomich and Michael Zeuske, "The Second Slavery: Mass Slavery, World Economy and Comparative Microhistories," *Review – Fernand Braudel Center* 31, no. 2 (2008): 91–100.

[12] Christian G. De Vito and Anne Gerritsen, "Micro-Spatial Histories of Global Labour: Towards a New Global History," *in Micro-Spatial Histories of Global Labour*, ed. Christian G. De Vito and Anne Gerritsen (New York: Palgrave Macmillan, 2018): 1–28.

affirmation of a deeply constrained and compromised conception of slavery and freedom.[13] Hartman challenges the assumption that the forms of dependency endured by people classified as socially "different" even after the end of their respective dependency relations are merely the result of ongoing patterns of exclusion, a situation for which inclusion is the only viable solution. Instead, Hartman asks us to consider a different question, namely, what is meant by freedom? If freedom is *simply* the opposite of slavery, then it is a hollow concept. Thus, my project tries to re-evaluate concrete historical modes of dependency with a special focus on the possible ambivalence that inheres in the terms "slavery" and "freedom," which merely appear to be mutually exclusive.

Direct testimonies from enslaved people are rare in written sources within and beyond the Colonial-era Netherlands and its territories, partly due to the fact that writing and reading were forbidden in many colonies to enslaved people, who also had no access to writing materials. The autobiographical documents that have been preserved are from formerly enslaved people who talk about their lives in the past, almost as though viewed in a rear-view mirror. One important person is Boston Band, a resistance fighter and writing ex-slave, who was deported to Suriname in 1749 and died in 1766. He was previously one of the leaders of the rebellious slaves in East Surinam and is regarded as an important representative of the Maroons (runaway slaves). The Boston Band's text is of great importance in the field of Dutch history of slavery, even though it has only survived in Dutch translation, rather than in the original.[14] The written records of the formerly enslaved Angela van Bengalen, who was freed together with her children, can also be cited in this context. She was married several times, even though she was a *heelslag* (born as a child of two slaves), which contravened the rule that only enslaved persons with one enslaved parent could marry a European. She inherited, among other things, land from her three husbands.[15]

In this project, I will focus on images as key sources alongside juridical records, death and baptismal registers or administrative documents. Of particular interest are artefacts that directly or indirectly provide information on the theme of prostitution and asymmetric dependence. As a methodological approach to dealing with the victim archive, which is often difficult or indeed impossible to reconstruct, I will draw on Saidiya Hartman's approach of critical fabulation.[16] This theorem facilitates a multifaceted inquiry and, above all, eschews the mistake of trying to answer the question solely from the perpetrator archive. In her essay "Venus in Two Acts" (2008), she first draws attention to the fact that archives must be viewed critically and therefore asks specifically about the archive of the prisoners, then about the archive of the victims, and finally about how the wide archival gaps can be closed. She calls

[13] Saidiya V. Hartman, *Scenes of Subjection. Terror, Slavery, and Self-Making in Nineteenth-Century America* (New York: Oxford University Press, 1997).
[14] Frank Dragtenstein, *Alles voor de vrede. Die brieven van Boston Band tussen 1757 en 1763* (Amsterdam: Amrit, 2010).
[15] Eveline Sint Nicolaas and Valika Smeulders, eds., *Slavery. The Story of João, Wally, Oopjen, Paulus, van Bengalen, Surapati, Sapali, Tula, Dirk, Lohkay* (Amsterdam: Atlas Contact, 2021): 14.
[16] Saidiya Hartman, "Venus in Two Acts," *Small Axe* 12, no. 2 (2008): 1–14.

these gaps the "silence of the archive"[17] – gaps that reflect a specific aspect of the situation of those enslaved or forced into prostitution, and that often do not reveal the direct voice of the colonized. In order to give the silenced a voice and close these gaps, the literary scholar proposes to tell a counter-history. For this, however, it is necessary to become aware of the immanent structure of "violence in the archive." This in turn raises the question of how the stories of Black prisoners can be told with dignity without reproducing the violence. How can we succeed in adopting new perspectives that bypass the cruel representations of the colonizers? Saidiya Hartman proposes a way for dealing with the "violence of the archive" by means of what she calls "critical fabulation." Critical fabulation is meant to encourage dealing with the gaps in the archive that have been created by the lack of Black perspectives.[18] They are not meant to be filled by these unknown perspectives alone, but rather to serve as a starting point for a story that moves along the line between truth and fiction, asking, "What if?" or "What could have been?" She explains:

> By playing with and rearranging the basic elements of the story, by re-presenting the sequence of events in divergent stories and from contested points of view, I have attempted to jeopardize the status of the event, to displace the received or authorized account, and to imagine what might have happened or might have been said or might have been done.[19]

The aim is not to create a story based on the supposed facts of the archive as studied by earlier scholars, but one that goes beyond them. Hartman encourages us to look critically at the archive and to go beyond its boundaries. The challenge is to "both to tell an impossible story and to amplify the impossibility of its telling."[20]

My project applies Hartman's concept of critical fabulation to the field of visualizations and the field of prostitution and other forms of asymmetrical dependency and covers the entire spectrum from female labor to sexualized enslavement in the early modern era. The application of Hartmann's literary method to fields of art historical research includes, for example, artefacts shown in the backgrounds of an image, images in the broadest sense of

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[17] See Hartman, "Venus in Two Acts": 12, "Admittedly my own writing is unable to exceed the limits of the sayable dictated by the archive. It depends upon the legal records, surgeons' journals, ledgers, ship manifests, and captains' logs, and in this regard falters before the archive's silence and reproduces it omissions. The irreparable violence of the Atlantic slave trade resides precisely in all the stories that we cannot know and that will never be recovered. This formidable obstacle or constitutive impossibility defines the parameters of my work." See also the development of the concept in: Saidiya V. Hartman, *Wayward Lives, Beautiful Experiments: Intimate Histories of Riotous Black Girls, Troublesome Women, and Queer Radicals* (New York: W.W. Norton & Company, 2019) and Saidiya V. Hartman, *Lose Your Mother: A Journey Along the Atlantic Slave Route* (New York: Farrar, Straus and Giroux, 2006).

[18] See Kristina Maurer, "Critical fabulation als Perspektive für ein dekolonisierendes Theater," https://theaterdekolonisierenseminar.wordpress.com/2020/12/15/critical-fabulation-als-perspektive-fur-ein-dekolonisierendes-theater/ [accessed 20.03.2024]

[19] Hartman, "Venus in Two Acts": 11.

[20] Hartman, "Venus in Two Acts": 11.

the visual sciences, sketches, drawings and symbols as well as descriptions of images that no longer exist.

III. Prostitution, Labor, Servitude – or Slavery?

One characteristic of asymmetrical dependencies in premodern Europe is gender-related access to and exclusion from power structures, as well as a fundamental imbalance in the exercise of domination and violence. From a cultural-historical point of view, one of the oldest forms of these processes of power and violence is female prostitution, which even in its earliest ancient examples was obviously linked explicitly to urban social and power structures. The term "prostitution" has been used since the sixteenth century to refer to the sale of bodies as a trade.[21] In the entry "Prostituiren," the *Great Complete Encyclopedia of All Sciences and Arts* published by Johann Heinrich Zedler between 1731 and 1754 explains the term as broadly referring to "offering oneself for sale, presenting oneself, indicating oneself, giving oneself for sale; likewise, making oneself mean and contemptible, or bringing oneself into disgrace and ridicule through imprudent speeches and deeds."[22] While prostitution can be read as a synonym for "demeaning oneself, diminishing oneself and insulting oneself," it denotes "in particular, however, the lending or offering for fornication, or other indecent and disgraceful pursuits."[23] The European early modern period is no exception to this definition. Economically important metropolises at the international level such as London or Amsterdam were sites of flourishing female prostitution, often induced by poverty. As we will see below, Amsterdam was a center of the phenomenon in the seventeenth and eighteenth centuries due to its specific social and economic structure as the largest city in the Netherlands.

In what follows, I will firstly outline Amsterdam's prostitution system and its characteristics, and then present and discuss selected examples to highlight the extent to which the images expose strong asymmetric dependencies. The same images also help to address the question of overlap between the field of prostitution and those of female servitude and human trafficking. I will consider whether female prostitution in Amsterdam can be compared, paralleled or contrasted with different forms of dependency up to and including colonial slavery. Were there differences in the degree of visibility of female prostitution in the colonies in contrast to the – presumably – more socially regulated and sanctioned urban space of Amsterdam? In doing so, I will consider how specific "archives of victims" should be

[21] Douglas Harper, "Prostitute," Online Etymology Dictionary, http://dictionary.reference.com/browse.prostitute [accessed 20.10.2023], quoted after: Sydney Houston-Goudge, "Common Woman to Commodity: Changing Perceptions of Prostitution in Early Modern England, c.1450–1750" (M.A. thesis, Dalhousie University, 2011): 1 with further literature.

[22] Johann Heinrich Zedler, *Grosses vollständiges Universal-Lexicon*, vol. 29 (Leipzig, 1731): 947; William Gordon, *A Dictionary of Sexual Language and Imagery in Shakespearean and Stuart Literature*, vol. 3, *Q-Z* (London: Bloomsbury, 1994).

[23] See the original text in Zedler, *Universal-Lexicon*, vol. 29, 947: "Prostituiren, Prostituere, bedeutet in den Rechten so viel, als sich selbst feil und darbieten, dargeben, angeben, zu verkauffen geben; desgleichen sich gemein und verächtlich machen, oder sich durch unbesonnene Reden und Thaten in Schande und Spott bringen."

reconstructed in relation to their variability and how they overlap in both personal and structural terms.

Another chapter will delve more deeply into the question of how the problem of the non-represented can be considered in terms of Benjaminian hermeneutics, of what is marginalized or suppressed by discourses of power, and of how visual sources relate to textual sources in the area of asymmetrical dependence. The extent to which both areas are intertwined ultimately leads me to first tentative ideas, not yet a theory. account for the pecifics of the source material analyzed and open up general considerations on asymmetrical dependencies.

The final chapter will focus on the broader outreach of the project, specifically an exhibition at the LVR-Landesmuseum Bonn, for which I acted as co-curator. Three cabinets of this exhibition address the close intertwining of female labor, female criminality, and slavery of women and others.

III.1 Research Areas

This project has close links to three Research Areas within the Cluster:

(1) Research Area B (Embodied Dependencies) concerns the non-textual sources of asymmetrical dependencies. My project starts from the premise that the depiction of a prostitute / maid / slave / Black woman offers the possibility of illuminating the research topic in areas a) about which textual sources provide little or no information, and b) for which there are normative sources that need to be matched with constructions given in images. The pictorial corpus is extensive, especially for Amsterdam, and ranges from city views depicting a wide variety of ethnic groups to painted or engraved portraits, emblems or early photographs of families with servants in the colonies as well as in Amsterdam. Of special note are sources containing illustrations, including medical treatises and books (for example on venereal diseases), publications dealing with education and marriage, and pornographic literature. Travel reports (diaries, letters) and early travel guides to Amsterdam, including the visit to the *spinhuis*, are just as important as the baptismal, marriage and death registers. For example, the *ondertrouwregisters*, which have been preserved in their entirety for Amsterdam from 1565 to 1811, make it possible to investigate Amsterdam's Afro-Atlantic community and its prosopography, which has only recently been comprehensively addressed[24].

(2) In relation to Research Area D (Labor and Spatiality) which addresses the intrinsic ambivalence of the different forms of labor and dependency, the project focuses on the tension between the position of prostitutes in relation to maids or domestic servants, as well as to (former) slaves and the direct descendants of enslaved persons.

[24] Mark Ponte, "Al de swarten die hier ter stede comen. Een Afro-Atlantische gemeenschap in zeventiende-eeuws," *The Low Countries Journal of Social and Economic History* 15, no. 4 (2019): 33–62.

(3) The content of the project relates to questions of gender, otherness and intersectionality problems raised in Research Area E.

III.2 Slavery versus Prostitution in Word and Image, and Blind Spots in Stedman's *Narrative of Surinam* (1796)

One extremely important source for the project that still needs to be analyzed in detail is John Gabriel Stedman's *Narrative of a Five Years' Expedition against the Revolted Negroes of Surinam.*[25] This text, which was first published in English in 1796 and translated into numerous other European languages within the next few years, is the revised version of a diary that Stedman had written while he was a member of the Scottish Brigade of the Dutch army during the suppression of several slave uprisings in Suriname between 1772 and 1777.[26] Parts of the text were heavily edited by an anonymous writer commissioned by the publisher, but the diary had been extensively illustrated by Stedman himself. On the basis of these original illustrations, a total of eighty prints were created – by William Blake among others – which were added to the printed text with its edited content (**fig. 1**). The genesis of this highly regarded publication on slavery in Suriname thus already reflects the most diverse interests within the slavery debates of the late eighteenth century: author, anonymous writer and publisher represented quite different points of view and interests when it came to the question of the justification or abolition of slavery in the overseas colonies of the great European powers. A close comparison of the *Narrative of a Five Years' Expedition against the Revolted Negroes of Surinam*, the original version of Stedman's illustrated text, with the version finally published in print, therefore reveals very impressively the negotiation processes behind the publication history of the *Narrative,* and captures in a sort of microcosm the entire problem of reconstructing the source material. The thematic fields of "prostitution," "rape" and "slavery" as the two dominant forms of female dependence in the colonial field of action prove to be the focal points of these negotiation processes. In his diary entries, Stedman mentions, as if in passing, his numerous sexual contacts with female slaves.[27] Although these sometimes appear in the form of direct or mediated prostitution, they should not be equated with it in all cases. This means that while "slave" and "prostitute" do *overlap* as terms here, they are not synonymous. These mentions are completely erased in the printed versions in which Stedman's relationship with Joanna (**fig. 2**), a fifteen-year-old slave who lived with him in a form of concubinage and with whom he fathered a son, is brought into focus and romanticized.[28] Their shared history was completely removed from the 1824 publication

[25] John Gabriel Stedman, *Narrative of a Five Years' Expedition against the Revolted Negroes of Surinam. Transcribed for the First Time from the 1790 Manuscript*, ed. Richard Price and Sally Price (Baltimore: Open Road, 1988).

[26] John Gabriel Stedman, *Narrative of a Five Years' Expedition against the Revolted Negroes of Surinam* (London, 1796).

[27] Mario Klarer, "Humanitarian Pornography. John Gabriel Stedman's 'Narrative of a Five Years Expedition against the Revolted Negroes of Surinam' (1796)," *New Literary History* 36 (2005): 559–87.

[28] Beryl Gilroy, *Stedman and Joanna – A Love in Bondage. Dedicated Love in the Eighteenth Century* (New York: Vantage Press, 1991).

of the *Narrative*. By readjusting the dependency relationships of female figures – mostly nameless slaves in the diary versus the "wife" Joanna in the printed *Narrative* – not only the options, but also the limitations, of the fields of action for dependent female bodies subjected to colonial violence become clear: rape, contractual prostitution, concubinage.[29] This project will contrast such colonial negotiation processes with contemporaneous fields of action in Amsterdam, while the analysis of Stedman's records will focus on the hitherto neglected relationship between image and text.

Fig. 1: William Blake: engraving of a Dutch plantation owner and female enslaved person, book illustration of the work of John Gabriel Stedman´s *Narrative of a Five Year´s Expedition,* published in London 2nd December 1793, by J. Johnson. St. Paul's Church Yard.

Fig. 2: William Blake: Joanna, engraving in: John Gabriel Stedman´s *Narrative of a Five Year´s Expedition,* published in London 2nd December 1793, by J. Johnson. St. Paul's Church Yard.

[29] Jenny Sharpe, *Ghosts of Slavery. A Literary Archaeology of Black Women's Lives* (Minneapolis: University of Minnesota Press, 2003): 17–18.

IV. Picturing the Dimensions of Female Dependencies in Early Modern Amsterdam: Three Examples

IV.1 The *Aalmoezeniers'* Cycle: Female Poverty and Prostitution

The two paintings discussed in this chapter make up part of a cycle of five paintings in total. The complete cycle was created in the late 1620s by an artist unknown today, commissioned by the college of the Amsterdam *Aalmoezeniershuis* (the overseers of the poors´house) and deals indirectly with the theme of female labor and prostitution.[30] The individual paintings in the cycle refer to specific activities relating to the care of the poor, with various poorhouse regents appearing in the scenes. The largest painting shows the registration of the poor, with a second painting showing the distribution of bread. The artist's depiction of young women crowding round a bread counter is particularly striking. Two narrower paintings show the donation of clothes and a visit to the hemp-beating factory respectively. The latter was an institution that served to re-educate delinquent girls and women who had committed crimes such as illicit prostitution or begging. The fifth painting, square in shape, is entitled, "The House Call" and will be the focus of my reflections below (**fig. 3**). The five-part cycle was intended for the Regent's Room, which no longer exists.

[30] Norbert Middelkoop, "Schutters, gildebroeders en regentessen: Het Amsterdams corporatiestuk 1525–1850" (PhD. diss., Amsterdam University, 2019): 842–45; Ronni Baer, *Class Distinctions. Dutch Painting in the Age of Rembrandt and Vermeer* (Boston: Museum of Fine Arts Publications, 2016); Birgit Ulrike Münch, "Das Hostienwunder in der Wohnstube. Visualisierte Armutsdiskurse der Amsterdamer *Aalmoezeniers*," in *Kunst & Katholizismus in der niederländischen Republik = Art & Catholicism in the Dutch Republic*, ed. Esther Meier and Almut Pollmer Schmidt (Petersberg: Imhof, 2022): 183–95. An online resource with extensive text by Norbert Middelkoop is the Amsterdam Museum database: http://hdl.handle.net/11259/collection.37812.

Fig. 3: Anonymous: *Aalmoezeniers* Cycle: The Visit, Amsterdam Museum, Amsterdam 1626–ca. 1628.

The paintings are remarkable in several respects, beginning with the ways in which the regents are portrayed amidst a representation of the broader activities of the *Aalmoezeniers*, and simultaneously depicting the seven works of mercy.[31] This virtue cycle goes back to chapter 25 of the Gospel of Matthew, which describes the correct ways of dealing with poverty and wealth.[32] The distribution of bread directly depicts the feeding of the hungry and thirsty, while clothing the naked is shown in the scene of the donating of clothes. Visiting the sick, sheltering strangers and burying the dead are shown in the so-called House Call. The work of mercy of visiting the imprisoned is represented in the image of the hemp beaters. Probably for this reason, the artist relocated the work of mercy to a basement room, where one of the overseers is shown entering down a dark stone staircase (**fig. 3, detail**). This iconographic subtext is not surprising, for as Ralf van Bühren pointed out, the works of mercy were a highly

[31] On charitable works of art, see: Sheila D. Muller, *Charity in the Dutch Republic. Pictures of Rich and Poor for Charitable Institutions* (Ann Arbor: UMI Research Press, 1985).
[32] Matt. 25.31–46.

popular subject in both the northern and southern Netherlands and were taken up by many different confessions.[33]

Fig. 3, detail: Aalmoezeniers Cycle: The Visit, Amsterdam Museum, Amsterdam 1626–ca. 1628, detail: Brothel Scene.

Amsterdam's gathering economic power led to a rapid increase in population, including the sudden influx of refugees at a level that few cities experienced during this period. In 1600, Amsterdam had 60,000 inhabitants, but thirty years later – at the time the cycle was painted

[33] Ralf van Bühren, *Die Werke der Barmherzigkeit in der Kunst des 12.–18. Jahrhunderts. Zum Wandel eines Bildmotivs vor dem Hintergrund neuzeitlicher Rhetorikrezeption,* Studien zur Kunstgeschichte 115 (Hildesheim: Olms, 1998): 45; Sylvaine Hänsel, "Caritas und Pietas – Wohltäter im Porträt. Armut, Familie und Repräsentation in der niederländischen Malerei des 17. Jahrhunderts," in *Die andere Familie. Repräsentationskritische Analysen von der Frühen Neuzeit bis zur Gegenwart*, ed. Arbeitskreis 'Repräsentationen' (Peter Lang: Frankfurt am Main, 2013): 385–418.

– this number had increased to 115,000.[34] The expansion of the economy also attracted an equally growing number of refugees. An important factor, which was highlighted in the writings of Lotte van de Pol amongst others, were the immigrants who would come to the city for a fixed period, and often returned more than once. The number of single immigrant women, in particular, was extremely high and contributed to the high disproportion of male and female members of the population, which was generally recorded as 2:3 throughout the whole century. Unemployment and a broader situation of hopelessness led to a crime rate of over 50 percent among the poor female population.[35] The large proportion of single women, infants and children within the cycle appears to be a direct reference to the impoverished female household as a target group of the *Aalmoezeniers*.

The complexity of the sequence of images is most evident in the so-called House Call. Here the two *Aalmoezeniers* are in the center of the picture in a simple-looking living room with different groups of people. In the foreground on the right sits an elderly man who points with his index finger to his swollen ankle, and thus to his inability to work. The sick woman in the bed behind him raises her hands to heaven in prayer, while one of the *Aalmoezeniers'* caretakers is depicted gesticulating to a group of women beside her bed. So far, scholars have interpreted the room as a unified pictorial surface, but it is clear that the left-hand side has a different argumentative focus. This half of the picture also shows an elderly couple who are not idle, but busy looking after small children, including an infant who has just been changed while the father of the house dries the nappy by the fireplace. A young woman in the middle ground on the left admonishes two young children, while another woman is bent over a washtub in the foreground, and a little girl seen from the back sits in a spinning chair. In the left half of the picture, children are already at work, and thus experience an education strongly characterized by the work ethic. In various prints, the spinning wheel stands for female education, so for example in a woodcut by Lieven de Witte, entitled "Van de aerbeyt der menschen," or "from the Work: the People."[36] This institution became a popular destination for the educated middle classes to visit, especially at the time when the painting was created.

In 2001, Dieter Beaujean investigated the extent to which paintings in the Northern Netherlands can provide keys to further layers of meaning, but his findings are sobering. Among some 1,000 paintings he examined, he found very few images that could be

[34] Jan De Vries, "The Population and Economy of the Preindustrial Netherlands," *Journal of Interdisciplinary History* 15 (1985): 661–82; Jan De Vries and Ad van der Woude, *Nederland 1500–1815. De eerste ronde van moderne economische groei* (Amsterdam: Balans, 2005): 39; Ulrich Ufer, *Welthandelszentrum Amsterdam. Globale Dynamik und modernes Leben im 17. Jahrhundert*, Stuttgarter Historische Forschungen 8 (Köln: Böhlau, 2008): 95–96.

[35] Lotte C. van de Pol, "The Lure of the Big City: Female Migration to Amsterdam," in *Women of the Golden Age. An International Debate on Women in Seventeenth Century Holland, England, and Italy*, ed. Els Kloek, Nicole Teeuwen and Marijke Huisman (Hilversum: Verloren, 1994): 73–81; Lotte C. van de Pol and Erika Kuijpers, "Poor Women´s Migration to the City: The Attraction of the Amsterdam Health Care and Social Assistance in Early Modern Times," *Journal of Urban History* 32, no. 1 (2005): 44–60; Birgit Ulrike Münch, "Arbeitende Frauen," in *Augenlust? Niederländische Stillleben im Detail*, ed. Alexandra Käss, Birgit Ulrike Münch and Torsten Valk (Dresden: Sandstein Verlag, 2022): 176–85.

[36] Lieven de Witte, Woodcut: "Van den aerbeyt der menschen," in Andries vander Muelen, *Een zuverlic boexkin van der ketyvigheyt der menschelicker naturen* (Gent: J. Lambrecht, 1543).

interpreted as an essential part of an iconological concept.[37] This makes it even more remarkable that a hidden layer of meaning of a cautionary nature can be shown in the painting of the "House Call": here, above the fireplace, is a frameless picture attached to the wall with nails, which Van Bühren has interpreted as a wedding party, intended to offer a strong contrast to the sparse interior of the living room.[38] However, the careless hanging of the picture, and above all the suggestion of the staircase on the left and finally the couple in the centre of the table – the man grasping his partner by the waist in a posture indicating sex – clearly indicate the negative character of the depiction, which hints at a brothel scene. In numerous Dutch 17th century paintings, the staircase symbolises the fact that events take place far from the eye, in the dark. Numerous brothel scenes, for example, contain the staircase in the background. Thus, the image is by no means a "picture of better times," but rather a didactic admonition to take the righteous path at an early age. The fact that the artist has further placed a second, framed, picture within the first, frameless, one speaks for his unique pictorial wit. This is emphasized by the placement of a small child's chair at the lower edge of the picture, virtually inviting the little viewer to look at the brothel scene and to recognize it as a warning example of the "wrong way."

IV.2 Imprisoned Women as / Forced to Play Prostitutes: Bartholomeus van der Helsts *Portrait of the Regents of the spinhuis*

The *spinhuis* was an Amsterdam invention that had opened as a women's prison in 1597, two years after the equivalent for men, the *rasphuis*.[39] It took in unemployed women, women who had allegedly or actually committed a crime, those who were "causing trouble" or prostituting themselves without permission. It served as a reformatory, but also as a tourist attraction. Many travel guides of the seventeenth and eighteenth centuries recommend a visit to the *spinhuis*. For a fee, both male and female spectators could watch the sinful women through a grille. Prints and paintings show that, again for a fee, the women entertained their audience by sometimes wearing heavy make-up and provocative clothing, performing an alleged offence and being punished for it.

In the background of the painting by Bartholomeus van der Helst's *Regents of the Spinhuis* from 1650 (**fig. 4 and fig. 4, detail**),[40] we see a scene featuring the regent raising his slipper at a young woman who tries to duck. The spinning wheel as a symbol of female labor was eponymous for the institution. It served as a sign of the will to work, and the idea was that it was only through introducing a person to a culture of work that a criminal could be brought back to the path to virtue. The pedagogical impetus is striking; and the belief that children should be introduced to physical work at a very early age, with girls set to work on the spinning

[37] Dieter Beaujean, *Bilder in Bildern. Studien zur niederländischen Malerei des 17. Jahrhunderts* (Weimar: Verlag und Datenbank für Geisteswissenschaften, 2001): 212.
[38] Van Bühren, *Die Werke der Barmherzigkeit*: 48.
[39] Olfert Dapper, *Historische beschryvinghe van Amsterdam* (Amsterdam: Jacob van Meurs, 1663): 32–33.
[40] Norbert Middelkoop, Gusta Reichwein and Judith van Gent, *De oude meesters van de stad Amsterdam. Schilderijen tot 1800* (Amsterdam: Amsterdams Historisch Museum, 2008): 104–5.

wheel, is found in numerous sources. In various other contexts, the reference to the spinning wheel is also tangible as a warning against inactivity. A sentence emblazoned above the entrance to the Amsterdam *spinhuis* on the corner of Achterburgwal is still legible today: it informs those entering about the function of the institution: "Schrik niet ik wreek geen quaat maar dwing tot goet. Straf is myn hant maar lieflyk myn gemoet."[41] Some of the *spinhuis*'s inmates came from the colonies, such as a woman named Christina.[42] She was the daughter of a mother enslaved in Batavia, and had been brought to Amsterdam as a five-year-old by her owner, Adrianus van der Geugten. Because of her "immoral way of life" she was imprisoned in the *spinhuis* in 1766.[43] As hard and sometimes unfair as life in the *spinhuis* may have been, the Netherlands and Amsterdam are distinguished by a large number of charitable institutions, orphanages and foundations for old men and women, and are thus far ahead of other European countries of the time.

Fig. 4: Bartholomeus van der Helst: Regents of the Spinhuis, dated in the middle of the book (alphabet Anno 1650), 233x317 cm; Amsterdam, Amsterdam Museum.

[41] "Do not cry / weep, for my intention is not to seek vengeance for transgressions but to compel you towards virtue. My hand may be unyielding, yet my heart is gentle." Translated by the author. In the following: Unless otherwise stated, the translations are by the author.

[42] Lotte C. van de Pol, "The Whore, the Bawd, and the Artist: The Reality of Imagery of 17th Century Dutch Prostitution," *Journal of Historians of Netherlandish Art* 2 (2010), https://jhna.org/articles/whore-bawd-artist-reality-imagery-seventeenth-century-dutch-prostitution/ [accessed 20.10.2023]; Lotte C. van de Pol, "Prostitutie en de Amsterdamse burgerij: Eerbegrippen in een vroegmoderne stedelijke samenleving," in *Cultuur en maatschappij in nederland, 1500–1850: Een historisch-antropologisch perspectief*, ed. Peter te Boekhorst, Peter Burk and Willem Frijhoff (Amsterdam: Boom, 1992): 179–218.

[43] Julia Holzmann, *Geschichte der Sklaverei in der Niederländischen Republik. Recht, Rassismus und Handlungsmacht Schwarzer Menschen und People of Color, 1680–1863* (Bielefeld: transcript, 2022): 209–43, see also 279–80.

Fig. 4, detail: Bartholomeus van der Helst: Regents of the Spinhuis, dated in the middle of the book (alphabet Anno 1650), 233x317 cm; Amsterdam, Amsterdam Museum, detail of the "prostitutes" and visitors.

IV.3 Christiaen van Couwenbergh's *Three White Men and a Black Woman* / The Sexual Harassment / The Rape)

Christiaen van Couwenbergh's painting signifies a caesura and a crossing of boundaries that has been addressed surprisingly rarely in previous scholarship; when it has been mentioned, it has been described in terminologically problematic ways (**fig. 5**). Dated to 1632, it shows three white men in an interior room about to rape a Black woman.[44]

[44] Birgit Ulrike Münch, "Verloren im Theater des Grauens. Sexuelle Gewalt, male bonding und black-facing in Christiaen van Couwenberghs unethischem Bild," in *Sinn und Sinnlichkeit in der Kunst*, ed. Helen Boeßenecker et al. (Petersberg: Michael Imhof Verlag, 2023): 28–35.

Fig. 5: Christiaen van Couwenbergh: The Sexual Harassment / The Rape, 105x125 cm, Musée des Beaux-Arts de Strasbourg, 1632.

In sensual cycles, or in a painting of the Prodigal Son, Couwenbergh depicts sexual desire, women and men seducing each other, sometimes without a clear dominance of one sex. The painting under discussion, however, is quite different: a naked man sits on the bed with its dark blue coverlet, which is placed diagonally in the room; he has grabbed the unclothed woman and pulled her onto his lap. Her hand, placed on top of his, would suggest consensus if seen by itself, but her right arm, held in a defensive stance, and the fact that her mouth is open in a cry, indicate her distress and suggests that she is begging for help. Behind the seated couple is a clothed man who has also raised his hands in a defensive gesture but seems to be smiling mischievously. Most significant is the man in the foreground to the left, who is dressed only in a white loincloth. He is communicating with the viewer whom he seems to be addressing, pointing to the raptus scene with his right index finger.

As recently as 1999 in the catalogue of the exhibition on Dutch classicism, which was shown in Rotterdam and Frankfurt, the painting is described as intriguing and even comical, even though the woman is being held apparently against her will. However, the prior interpretations and terminology have been criticized by Diane Wolfthal in her work *Images of*

Rape, which directly refers to this painting.[45] It is also notable that, despite Couwenbergh's remarkable œuvre, very little work has been carried out on this painting and the artist himself. The painting remains a rare example of such a drastic interpretation of a rape scene.

Paul Vandenbroeck described the painting as "Rape of an African Woman" in the catalogue *Beeld van de andere* (Antwerp 1987) and included it in the category "Instructional Pieces and Parables."[46] A "man ready for a bath" prepares to "wash a Negress," but is laughingly mocked by a second man for this futile endeavor. In this interpretation, the painting thus shows an *impossibilium*, like the classic example in Jeremiah 13:23 (where the question is asked, "Can the Ethiopian change his skin, or the leopard his spots?"), or in Aesop's fable "Washing the Ethiopian White." All other researchers have ruled out any reference to Aesop and the biblical text, as no washing utensils have been included within the image and only a chamber pot is seen at the back.

However, it seems plausible that the categorization as a "didactic piece" is correct when considering the finger pointing at the lightly clothed man. But if we return to the widespread iconography of the Prodigal Son, the contemporary viewer may also have held a direct association with the loincloth-clad sinner. If the naked, standing man is a self-portrait of the artist, as in at least four other genre scenes and portraits of the period, this would cast him in the role of the penitent, placing himself not amusingly but warningly next to the crime. In any case, it seems that the subversive depths of this painting have not yet been sufficiently explored. I have suggested recently that the key to interpreting the work is a play: Gerbrand Adraensz Bredero's play "Moortje" from 1615, an adaptation of "Eunuchus," a play by the Roman comic poet Terence (ca. 190–159 BC), which the author himself describes and which he transferred to the Amsterdam of his time. For example, he turned the eunuch into a black enslaved woman.[47]

[45] Diane Wolfthal, *Images of Rape: The "Heroic" Tradition and Its Alternatives* (Cambridge: Cambridge University Press, 1999): 45–53.

[46] Paul Vandenbroeck, *Beeld van de andere, vertoog over het zelf over wilden en narren, boeren en bedelaars* (Antwerp: Koninklijk Museum voor Schone Kunsten, 1997): 23–27.

[47] Birgit Ulrike Münch, "Verloren im Theater des Grauens. Sexuelle Gewalt, male bonding und black-facing in Christiaen van Couwenberghs unethischem Bild," in *Sinn und Sinnlichkeit in der Kunst*, ed. Helen Boeßenecker et al. (Petersberg: Michael Imhof Verlag, 2023): 28–35.

V. Exhibiting Untold Stories

V.1 Augenlust / The Lust of the Eyes

This exhibition, which was in preparation since 2019 and took place in 2022, set itself the goal of facilitating new approaches to Dutch still lives, and in this way negotiated questions that have rarely or only recently been asked in relation to images within this genre (**fig. 6**).[48] The exhibition faced several challenges. It set out to focus on a narrow group of paintings. One painting was chosen to be the center of every cabinet, with each cabinet concentrating on a single (pair of) theme(s), such as global and local; fish and seafood; slavery, female labor; man as an object; abundance of children / infant mortality, and female artists.[49] We put great emphasis on sustainability by sourcing the objects grouped around the painting in each cabinet, including everyday objects such as books and globes, from as few museums as possible in order to save on energy costs and transport. Three museums in Amsterdam were chosen as the main lenders: the University Museum of the Free University of Amsterdam, the Allard Pierson Museum and the City Archaeological Museum.

Fig. 6: View of the exhibition space of the exhibition "Augenlust" (LVR-Landesmuseum Bonn in cooperation with the Allard Pierson Museum, Amsterdam), co-curated by the author together with Alexandra Käss and Lothar Altringer.

[48] Alexandra Käss, Birgit Ulrike Münch and Torsten Valk, eds., *Augenlust? Niederländische Stillleben im Detail* (Dresden: Sandstein Verlag, 2022); see also the following review of the exhibition: Eva Lehner, Review of *Augenlust? Niederländische Stillleben im Detail*, ed. Alexandra Käss, Birgit Ulrike Münch und Thorsten Valk, Histrhen. Rheinische Geschichte wissenschaftlich bloggen, 15.02.2024, http://histrhen.landesgeschichte.eu/2024/02/rezension-augenlust-lehner [accessed 25.04.2024].

[49] Alexandra Käss et al.: "Augenlust? Nicht nur ein Fest für die Sinne," in *Augenlust? Niederländische Stillleben im Detail*, ed. Alexandra Käss, Birgit Ulrike Münch and Torsten Valk (Dresden: Sandstein Verlag, 2022): 22–25.

It is only at first glance that still lifes follow the same patterns as each other. For instance, *trompe-l'œil* plays with our perception, while *vanitas* still lifes remind viewers of their own mortality in a moralizing way. But the literally "dead objects" (*nature morte, stilleven*) that are united in the paintings – whether fish and oysters, flowers, fruit baskets, game, snails from the New World, hourglasses or globes – are also fascinating in their own right. They tell us about the time in which the paintings were created in an astonishingly condensed way, and at the same time provide information on topics that are vital in historical and current discourse. In this way, still life painting of the seventeenth century is not only a witness to its own time of origin: its contents also provide information about the social conditions that prevailed at the time. Still lifes point to globalization and migration, to colonialism, to the unfair distribution of resources, to differences in status and exclusion based on race and gender.[50] In order for visitors to discover these themes – which are so topical today – in the pictures, it is essential to sensitize viewers to the richness of detail in still lifes, all the more so as the sensual experience holds a greater primary importance within this genre than all others.

Only a few particularly high-quality and unusual still lifes were shown, in accordance with the greater themes of reduction and sustainability focused on in the exhibition. While this might sometimes disrupt the flow of the viewing experience, the curatorial team hoped that it would engage the visitors' curiosity and lead to larger discussions beyond the frame of the exhibition. The fifteen works selected were presented in "thematic cubes" or small cabinets, which intended to offer visitors the opportunity to become fully involved in the details of each individual picture (**fig. 7 and fig. 8**). The objects assigned to the still lifes helped to draw attention to certain aspects of the pictures, and act as an invitation to view them from fresh angles, rendering visible details in the picture that are often overlooked, thus making them apparent for the first time and thereby deepening our knowledge of them. This concept not only brings the diversity and richness of detail of still lifes into focus, but also offers visitors the opportunity to use the pictures and objects to gain insights into Dutch life in the seventeenth century, and the ways these highlight how objects in the paintings were produced, earned or imported.

[50] Gloria Wekker, *White Innocence. Paradoces of Colonialism and Race* (London: Duke University Press, 2016); Gloria Wekker, *Witte onschuld. Paradoxen van kolonialisme en ras* (Amsterdam: Amsterdam University Press, 2017).

Fig. 7: Exhibition cabinet, exhibition "Augenlust" on the subject of "The Human being as a commodity: Slavery, sugar cane as a 'bloody' raw material."

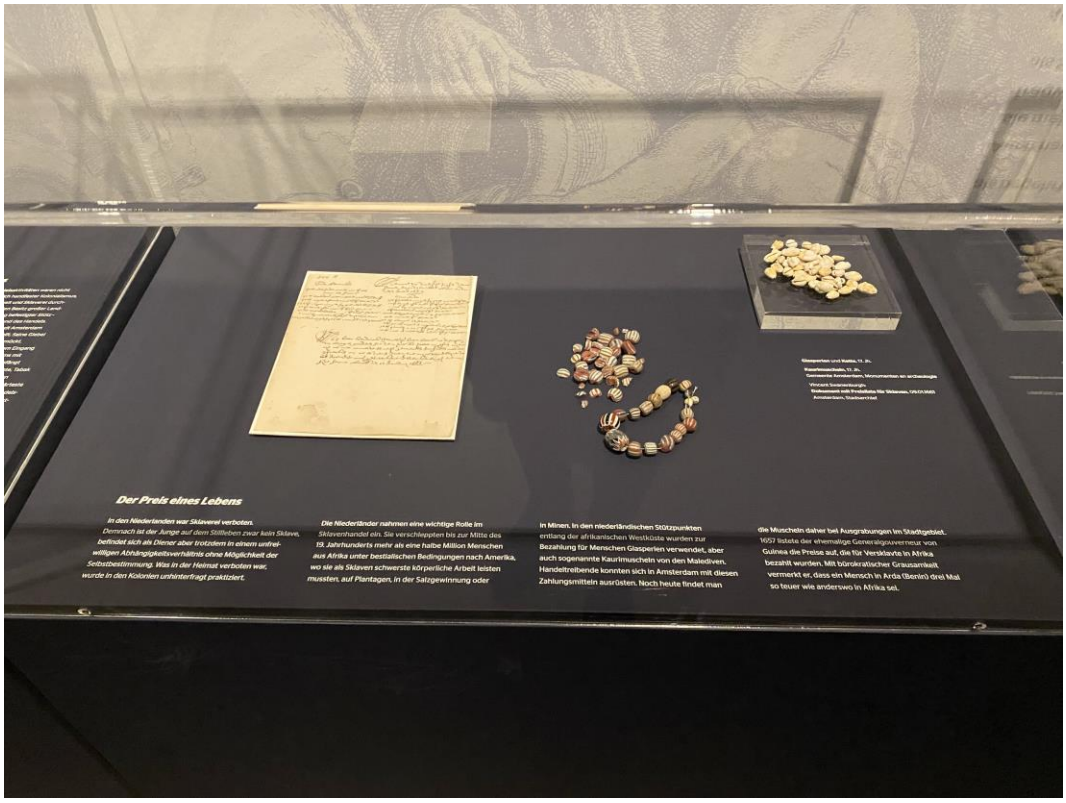

Fig. 8: Exhibition cabinet, exhibition "Augenlust" on the subject of "The Human being as a commodity: The price of a life." Source on the price of enslaved people and Kauri shells (Kauei snails) as a means of payment in the early modern slave trade.

In addition, the fact that these fifteen topics which are still being negotiated today, strongly shaped or configured seventeenth-century society, including globalization and colonialism, race and gender, poverty and wealth, allow the exhibition to invite visitors on a voyage of discovery and exploration of the world in miniature. The aim of the exhibition was to demonstrate that a still life painting is not necessarily harmless, but also depicts dangerous forms of dependency or those which today might be categorized as objectionable in some ways. Paintings may appear innocent at first glance, but what they show is not.

In recent years, some museums have deemed the previous, almost inflationary, use of the term "Golden Age" as too one-sided. At the end of 2019, for example, the curator of the Amsterdam City Museum, Tom van der Molen, decided to ban the term "Golden Age" from his museum altogether. The museum wants to be "polymorphous and inclusive," and the so-called "Golden Age" witnessed not only prosperity, peace and opulence, but also poverty, slavery, forced labor and human trafficking.[51] "Golden Age" is therefore a misnomer.[52] Our exhibition took on the task of explaining that the cabinets should be interpreted in a straightforward manner, and perhaps even with pride. Visitors were presented with a text which asked them to act as a servant (both male and female) to the artist in numerous still lifes, incorporating luxury objects associated with the still lifes themeselves. Visitors are shown that the slave trade was widespread at the time of the decline of the Roman Empire, and that it by no means ended with the Romans but, on the contrary, that a flourishing slave trade existed throughout the Middle Ages, especially in the Christian Mediterranean regions. In the late Middle Ages, enslaved people were working at European courts or in well-off families as servants, or in the menageries as animal keepers. Just like people with dwarfism or "wolf people" – sufferers of hypertrichosis – enslaved people were highly sought after in the courts from the end of the fifteenth century onwards as curiosities, and were often depicted in art. In some seventeenth-century paintings their sumptuous clothing and their close contact with the family who owned them, especially with the children, testify to the close, long-standing relationships between the individuals. Many African pages had originally arrived at the courts as children, but as adults they were abruptly excluded from the closest circle of the family, as they could no longer take on the role of cute "accessories," constant companions or entertainers. The closeness and familiarity suggested in the picture is therefore not an automatic given within the background of the asymmetrical dependence of this relationship.

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[51] Tom van der Molen, "The Problem of the 'Golden Age'," Curator´s project, CODART features, https://www.codart.nl/feature/curators-project/the-problem-of-the-golden-age/ [accessed 20.10.2023]; Brigit Katz, "Why the Amsterdam Museum Will No Longer Use the Term 'Dutch Golden Age'," *Smithsonian Magazine* (16.09.2019), https://www.smithsonianmag.com/smart-news/amsterdam-museum-will-no-longer-use-term-dutch-golden-age-180973140/ [accessed 20.10.2023], quoting Tom van der Molen: "The Golden Age occupies an important place in Western historiography that is strongly linked to national pride. But positive associations with the term such as prosperity, peace, opulence and innocence do not cover the charge of historical reality in this period. The term ignores the many negative sides of the 17th century such as poverty, war, forced labour and human trafficking." See also https://www.theguardian.com/world/2019/sep/13/end-of-golden-age-amsterdam-museum-bans-term-from-exhibits [accessed 03.07.2024].

[52] Tom van der Molen, "The Problem of the 'Golden Age'," https://www.codart.nl/feature/curators-project/the-problem-of-the-golden-age/[accessed 20.10.2023].

Following the rise of colonialism, the number of households with Black servants substantially increased[53], especially in Amsterdam. It is difficult to reconstruct the living situations of Black servants, as the cultural archives of the victims of slavery are far less often able to provide information than those of the perpetrators – and they have begun to be consulted only recently. It is important to make even a few traces visible. It is true that the slave depicted in various paintings lived in the house of a wealthy bourgeois family and not on a plantation, but even here he was an unfree human being, exposed to violence without protection. Where did the person depicted in these paintings see his own place in relation to the exuberant luxury objects?

The exhibition focuses on the situation in Amsterdam. In addition to the unfree Black people living as servants in wealthy households, there were also a number of free or liberated Black people living in Amsterdam, primarily in the Jodenbreestraat area, close to Rembrandt´s famous house and the Sephardic synagogue – where many Jews also worked as merchants. However, far too little is known about their living conditions, and though sources such as marriage and baptismal registers have become more freely available in recent years, they have rarely been consulted in this context.[54]

In numerous portraits or, as in our exhibition in the still lifes, the "pageboys" appear in orientalized clothing.[55] To what extent the artists portrayed a stereotype, or rather an individual person, is also a research question that is not easy to answer.[56] The depictions often evoke sensuality – by means of clothing or dark, luminous skin color – with the sitters gazing sometimes with childlike admiration and sometimes full of desire at the male or female white person who is the focus of the picture, whom they present with fruits, flowers or large, "exotic" shells. The distinction of skin color and the juxtaposition very dark to strikingly light

[53] Katja Wolf, "'Und ihre siegreichen Reize steigert im Kontrast ein Mohr.' Weiße Damen und schwarze Pagen in der Bildnismalerei," in *Weiße Blicke. Geschlechtermythen des Kolonialismus*, ed. Karl Hölz, Viktoria Schmidt-Linsenhoff and Herbert Uerlings (Marburg: Jonas Verlag, 2004): 19–36; Elmer Kolfin, *Van de slavenzweep en de muze. Twee eeuwen verbeelding van slavernij in Suriname* (Leiden: KITLV, 1997); Elmer Kolfin, "Zwarte modellen in de Nederlandse kunst tussen 1580 en 1800. Feit en fictie," in *Black is beautiful. Rubens tot Dumas,* ed. Esther Schreuder and Elmer Kolfin (Zwolle: Waanders BV, 2008): 70–88; Elmer Kolfin, "Becoming Human. The Iconography of Black Slavery in French, British and Dutch Book Illustrations, c. 1600–1800," in *The Slave in European Art. From Renaissance Trophy to Abolitionist Emblem*, ed. Elizabeth McGrath and J.M. Massing (London: University of London Press, 2012): 253–97; Diane Wolfthal, *Household Servants and Slaves. A Visual History 1300–1700* (New Haven: Yale University Press, 2022). Wolfthal's recent book is central to my research, but draws few connections between forced labor, slavery and prostitution.

[54] Mark Ponte, "Tussen slavernij en vrijheid in Amsterdam," in *De Slavernij in Oost en West. Het Amsterdam-onderzoek*, ed. Pepijn Brandon, Guno Jones, Nancy Jouwe and Matthias van Rossum (Amsterdam: Spectrum, 2020): 248–56; Mark Ponte, "Al de swarten die hier ter stede comen. Een Afro-Atlantische gemeenschap in zeventiende-eeuws," *The Low Countries Journal of Social and Economic History* 15, no. 4 (2019): 33–62.

[55] Elizabeth McGrath, "Caryatids, Page Boys, and African Letters. Themes of Slavery in European Art," in *The Slave in European Art. From Renaissance Trophy to Abolitionist Emblem*, ed. Elizabeth McGrath and J.M. Massing (London: University of London Press, 2012): 3–39.

[56] Birgit Ulrike Münch, "Die Schattenseiten des Luxus, oder: Der Mensch als Ding," in *Augenlust? Niederländische Stillleben im Detail*, ed. Alexandra Käss, Birgit Ulrike Münch and Torsten Valk (Dresden: Sandstein Verlag, 2022): 125–35.

skin tones, is not noticeable in this work, but the pageboy has deliberately been included in the dark background behind the elaborate arrangement on the table.[57]

The debate about how to acknowledge and discuss slavery is currently a central issue in the Netherlands. Much has been achieved in recent years, including through large-scale exhibitions, the erection of monuments to the victims of colonialism, and public apologies by the state. In the process, it is becoming increasingly clear how long stereotypes and colonially-influenced images have gone unchallenged, and how rooted they still are in everyday culture in the twenty-first century.[58] For instance, the helper of St. Nicholas (Sinterklaas) has been Black-faced Zwarte Piet since the late colonial age in the nineteenth century. He is famous as a permanent fixture of the Dutch St. Nicholas festival (Sinterklaas). There has been a heated public debate for more than ten years about whether the racist connotation of Piet, who has to punish the bad children, should be abolished. In addition to "Blackfacing," white people made-up as Black, the performers of Swarte Piet wear the orientalizing ceremonial clothing of a servant, thereby evoking references to the depiction of the pageboy in still lifes as well as the problematic colonial past.

Between the mid-sixteenth and mid-nineteenth centuries, over 520,000 people – 5% of Africas 10 million inhabitants – were kidnapped, tortured, forced to work or killed by people from Dutch ships, trade and merchant companies alone[59]. With the war against the Habsburgs, the Spanish-Portuguese colonial empire was also a point of attack for the Dutch provinces; economic networks had to be configured more globally, as the way into many ports was now blocked following the entry into war. The trading companies, especially the VOC, the Dutch East India Company founded in 1621, and the WIC, the West India Company, ensured that by the middle of the seventeenth century, half of the world's trade was controlled in Dutch ports. With the Dutch East Indies – modern-day Indonesia – they secured a monopoly in the spice trade, for example with the extremely precious nutmeg, which was grown and distributed by thousands of slaves from Bengal.

The ship as a much-cited symbol of the trading power of the Netherlands symbolizes the transport of precious fruits, porcelain and fabrics, but also stands for the numerous ships that sailed to West Africa, bought people and held them in captivity for months until the ship was filled and set sail. The ship stood for inhumane confinement, because just like the spices and food, the human cargo was arranged economically. Many slaves, who often spoke different languages and could therefore not communicate with one another, died during the crossing of illnesses, exhaustion or because they were executed after attempted revolts as cautionary examples. More than 300 are said to have been tried on Dutch ships alone. The number of

[57] Katja Wolf, "Weiße Damen und schwarze Pagen": 19–36.
[58] See: Karwan Fatah-Black and Matthias Van Rossum, "Slavery in a 'Slave Free Enclave'? Historical Links Between the Dutch Republic, Empire and Slavery, 1580s–1860s," *WERKSTATTGESCHICHTE* 66–67 (2014): 55–73.
[59] Iris Därmann, *Undienlichkeit. Gewaltgeschichte und politische Philosophie* (Berlin: Matthes & Seitz, 2020): 130–56.

those who put an end to their suffering by going on hunger strike or committing suicide, for example by jumping into the sea, was also large.

Thus, there is inevitably blood present in the making of a splendid still life. Against this background, the expensive and opulent clothing of the persons we interpret to be maids or pages within the still lifes seems almost cynical, especially when we consider that the consumption of the most fascinating goods from all over the world could never have been possible without this human commodity, enslaved, half-naked and humiliated for the luxury of others in the colonies.

In Suriname, one of the former Dutch colonies, the abolition of slavery on 1 July 1863 is celebrated as Keti Koti, "broken chains." Starting in 2021, when mayor Femke Halsema of Amsterdam apologized for the city's role in the slave trade, there has been widespread discussion about whether Keti Koti should also become a public holiday in the Netherlands.

In the seventeenth century, however, there was little sense of injustice among all colonial powers. The Dutch colonial masters, who were active all over the world, saw no problem in the exploitative treatment of the people within these territories.[60] On the contrary, the Dutch staged themselves metaphorically as masters of the world, who were allowed to take the treasures of the earth for themselves. On the tympanum of the Amsterdam *stadhuis,* dating to 1655, all the continents celebrate the successes of the trading power and pay homage as a matter of course to the city of Amsterdam, to which they deliver goods from all over the world and lay them at its feet. The fact that people had to perform hard labor so that raw materials and goods could flow into the trading metropolis was seen as self-evident and just. A blind eye was turned to the injustice of the slave trade and its gruesome practices, at least in public debate. The poet Willem van Focquenbroch, who is still popular today, recounted his life as a high-ranking administrator at Fort Elmina in present-day Ghana. We hear nothing about the slave trade, but much about the idea of the foreign land, first as a place of longing, but soon we also hear his complaints about loneliness away from home. The cover of his report, which also contains letters (*Africaense Thalia*), refers to European history with a reference to the battle for Troy, while also depicting indigenous people dancing. European culture is thus brought together with African culture as old Europe self-confidently inscribes itself in its new possessions and appropriates them. It is the destiny of Europeans, Focquenbroch's report suggests, to seize this land and its treasures. Self-glorification, disparagement of the other and concealment of criminal actions made it possible to continue the system of injustice without feeling guilt. Plantation owners had drawings and paintings made of their overseas properties, as did for instance Amsterdam's city secretary Jonas Witsen, who commissioned his friend, the painter Dirk Valkenburg, to travel to Suriname for several years to document his properties there. Valkenburg was contractually forbidden to give any pictorial material into third hands. Most of the drawings show the mills, or almost romanticized water views of the sugar plantations. One painting shows a gathering of female and male slaves – a rare image of its

[60] Dienke Hondius, "Black Africans in Seventeenth Century Amsterdam," *Renaissance and Reformation / Renaissance et Réforme, Center for Renaissance and Reformation Studies* 31, no. 2 (2008): 85–103.

kind. If it depicts an authentic celebration, which is not definite, it should be noted that Witsen had abolished free Saturdays, and the slaves were granted only one day off per year. The sparse dwellings of the slaves are absent from most of the pictures, which focus instead on the view of the beautiful landscape, while violence and death seem far away.

The exhibition shows objects that memorably visualize the purchase of the "human commodity," and at the same time are designed in their complexity in such a way that visitors can clearly assign the material culture.

Textual sources help to identify the prices paid for enslaved people.[61] For instance, on January 9, 1661, the Amsterdam notary Vincent Swanenburgh signed a document in which Hendrick Mathijs, Governor General in Guinea, listed prices for slaves in Africa in 1657. In Ardra (Benin), the list indicates, slaves were three times as expensive as in other parts of Africa. Most importantly, the source indicates that payment was not made by money but by trade goods: 40 pounds of coral or 120 pounds of Schleswig textile had to be spent for a slave. Alternatively, one could pay with "bougis," also known as cowrie shells.[62] The cowrie shell – more accurately a form of snail – was the first and most widespread trade currency and a popular means of payment, especially in Africa. The cowries, which came primarily from the Maldives, were brought from there to the European market and then used to pay for slaves in West Africa. The most important European trading point for cowries was Amsterdam, where archaeological excavations still find these shells in the city area today. As the list shown in the exhibition makes clear, a price for a slave was set at just 100 pounds of "bougis" – a means of payment that symbolized the path to slavery for thousands. A list of objects in Dutch still lifes whose production involved slave labor and harsh exploitation in the colonies would be staggeringly long. It would include tobacco, spices and sugar, a commodity that is taken for granted today, but was particularly sought after in the seventeenth century. The sweetener of choice in pre-modern Europe was honey, because sugar cane does not grow here. For this reason, sugar, obtained through slave labor, had to be imported from the Americas, and was extremely expensive to produce.[63] In contrast, sugar is often depicted as an exquisite sweet in still lifes.

Since sugar cane spoils quickly after harvesting, and so had to be pressed in mills on site. The juice obtained was boiled before it could be further refined. It was then transported to Europe in the form of cones (sugar loaves), thereby adding to the expense within the trade networks and the importance of Amsterdam as a nexus within the European import of the product. Sugar was initially only available in pharmacies and was considered a medicine and luxury good. The Dutch were extremely successful in the Brazilian sugar trade in the seventeenth century, importing it from their possessions in America. Some Amsterdamers came to great

[61] See here and in the following: Münch, "Die Schattenseiten des Luxus, oder: Der Mensch als Ding": 32–33; for the premodern concept of possession and consuming subjects, see: Elizabeth Kowaleski-Wallace, *Consuming Subjects – Women, Shopping, and Business in the 18th Century* (New York: Columbia University Press, 1997).
[62] www.amsterdam.nl/stads- archief/themasites/amsterdam-slavernij/1661-bougis/ [accessed 20.10.2023].
[63] Erik Odegard, "Suiker en slavernij in Nederlands-Brazilië," in *De slavernij in Oost en West. Het Amsterdam-onderzoek*, ed. Pepijn Brandon et al. (Amsterdam: Spectrum, 2020): 149–56.

wealth through trade in the "white gold," such as Oopjen Coppit, whom Rembrandt portrayed in life-size in precious robes in 1634 with her husband, Marten Soolmans, manager of the sugar refinery "'t'Vagevuur" (Purgatory). What is cynical about this is not only that sugar cane was cultivated with slave labor, but that the slave traders in turn were often paid with promises of the coveted commodity of sugar, which had yet to be earned in the future. Business deals with promises of goods fueled a perfidious cycle and the exquisite sweet of the still lifes continued to have an ugly existence beneath its beautiful veneer.

V.2 Banning the "Golden Age" and Returning Identities: Recent Approaches in Dutch and Flemish Museums

Johan Maurits was the governor of Dutch Brazil for eight years from 1636 to 1644, and during this time he significantly boosted the sugar trade there through low prices and slave labor. After his return to the Netherlands, the *Braziliaan* expanded his extremely wealthy townhouse in The Hague, today the famous museum *Mauritshuis*. In 2019, the museum took a critical look at its colonial history and the one-sided positive image of the cultured Johan Maurits, who was well versed in Brazilian botany and culture. Since then, the press has also ironically referred to the Mauritshuis as the "Sugar Palace."[64]

In the course of this, a bust of Johan Maurits was removed from the museum's foyer and was re-contextualised in relation to various objects on the upper floor. In the course of the subsequent exhibition, "Shifting Image – In Search of Johan Maurits" in 2019, a project was initiated that deals for the first time exclusively with Johan Maurits's time as governor in Brazil and his role in the transatlantic slave trade.[65] Various publications are expected as results in the coming years.[66]

As part of its drive to expand its coverage of history, the Amsterdam Museum curated an exhibition entitled "Dutch Masters Revisited," in which portraits of a key group of thirteen Amsterdam citizens of color from the seventeenth and eighteenth centuries, a mix of historically famous and unknown, were recreated in photographs. The historical citizens were represented by public figures, such as the former Dutch national football player Ruud Gullit. Judikje Kiers, the director of the museum, told the daily newspaper Het Parool, "These are important steps in a long process, but we are not there yet. We will continue to work with people in the city to uncover underexposed stories and perspectives of our shared history."[67]

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[64] Lena van der Linde, *Bewogen beeld. Op zoek naar Johan Maurits / Shifting Image. In Search of Johan Maurits* (The Hague: Mauritshuis, 2019).

[65] The project, located at the *Mauritshuis*, is led by Dr Erik Odegard in close cooperation with Leiden University.

[66] Initial research results can be found in Carolina Monteiro and Erik Odegard, "Slavery at the Court of the 'Humanist Prince.' Reexamining Johan Maurits van Nassau-Siegen and His Role in Slavery, Slave Trade and Slave-Smuggling in Dutch Brazil," *Journal of Early American History* 10, no. 1 (2020): 3–32.

[67] See Manuel Charr, "Dutch Museum Drops the Term 'Golden Age'," *Museum next*, 23.09.2019, https://www.museumnext.com/article/dutch-museum-drops-the-term-golden-age/ [accessed 20.10.2023].

In contrast, the Rijksmuseum, the Netherlands' most high-profile museum, has continued to use the term "Golden Age." The institution's director, Taco Dibbits, argued in 2019: "The name refers to a period in history of great prosperity. That does not alter the fact that we acknowledge the dark side of this. The Rijksmuseum approaches history from different perspectives. For example, we are opening an exhibition on slavery next year."[68] This exhibition was held between May and September of 2022,[69] and took "ten true stories" as its focus.[70] The selection stands thus in striking contrast to the ten to twelve million Africans estimated to have been abducted from Africa between 1500 and 1850, or the 500,000 Africans taken to the colonies in Latin America and the Caribbean by the Dutch between 1600 and the abolition of slavery in the Netherlands on 1 July 1863. Ten stories of enslaved people, but also of slaveholders, men and women. The exhibition traces their footsteps, and further asks what their lives were like. Are there clues as to how they characterized their situation? As a follow-up to the exhibition, material culture related to slavery is now continuously recorded in a database entitled "Rijksmuseum & Slavery: 1650–1960," which currently includes over seventy objects.[71]

VI. Conclusion

This project starts from the premise that a) thinking and knowledge about asymmetrical dependency are profoundly shaped by non-written, visual artefacts, and b) these visualizations are central to expanding and making visible the hitherto marginalized victims' archive in the field of prostitution within the large corpus of extant images. In many instances, as my case studies show, the images of this subject area have so far been insufficiently analyzed. It is therefore important to start from the distinctiveness of the pictorial medium, which follows its own inner logic and language of meaning. A central approach is to research the ways by which silenced archives of victims can be accessed, and which methods can be used to accomplish this.

The few case studies that I discussed brought to light very different thematizations of the subject: word-image-relations, iconographies and iconologies of prostitution versus slavery and labor, visual fiction versus written sources of fiction and non-fiction, as well as interdependencies between the phenomena in the colonies and in Amsterdam, and the question of interweaving or mentioning the respective other space of knowledge. This becomes apparent, for example, when it is reported that the prostitutes in the colonies could not be mentioned in the diaries of colonizers, as the family at home should not be allowed to

[68] See Tom Christiaens, *Low Countries*, 13.09.2019, https://www.the-low-countries.com/article/dutch-museum-bans-term-golden-age/ [accessed 03.07.2024].

[69] *Slavery*, Rijksmuseum, Amsterdam, the Netherlands. Curators of the Exhibition were: Valika Smeulders, Head of the Department of History; Eveline Sint Nicolaas, Senior Curator of History; Maria Holtrop, Curator of History; Stephanie Archangel, Junior Curator of History. May 18, 2021–August 29, 2021.

[70] Sint Nicolaas et al., eds., *Slavery. The Story of João, Wally, Oopjen, Paulus, van Bengalen, Surapati, Sapali, Tula, Dirk, Lohkay* (Amsterdam: Rijksmuseum / Atlas Contact, 2021).

[71] https://www.rijksmuseum.nl/en/rijksstudio/20160--rijksmuseum/collections/rijksmuseum-slavery-1650-1960?ii=0&p=0 [accessed 20.10.2023].

read about them. Alternatively, situations in the colonies are often directly compared with those of Amsterdam brothel in other reports meant for WHAT PUBLIC.

Only after a thorough categorization of the different image media and comparison of these with text genres will it be possible to fully analyze the research field of female asymmetrical dependency in the field of prostitution and related contexts. It can already be re-stated that the image corpus is very extensive in the individual fields and can illuminate crucial blind spots, especially in those areas where the textual sources are silent. There is a need to examine whether the concept of literary or pictorial fiction can be an effective tool across the board, but this seems to be the case, especially in regard to often ignored background scenes or those of purely illustrative character.

The exhibition "Augenlust," curated in 2022, demonstrated that even in a seemingly "innocent" pictorial subject such as still lifes, both overt and covert allusions to asymmetrical dependencies can be found in very different areas. In particular, it addressed the areas of "slavery" and "female labor" very intensively due to the subject matter, and demonstrated that the artists made deliberate use of the opposites (luxury exploitation; global seafaring, constructed as masculine – local domestic activity, constructed as feminine) within the still life.

The present paper ends with a look at the paradigm shift in museum and exhibition curating that has taken place in recent years: hitherto marginalized persons (for example, formerly enslaved people, maids, etc.) are being analyzed more closely, and the question of interaction with the artist and the voluntariness of sitting in portraits is being reflected upon. The focus has turned intensively to concepts: Picture titles that are problematic must be re-considered, and exhibition or collection titles such as "Golden Age," need be contextualized as much as persons central to the age in question, in order to elicit the contrasting dimensions of both luxury and exploitation.

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3. Research Lenses

3.5. Gender and Intersectionality

Julia Hillner and Harry Mawdsley. "The Exiling of Women from Antiquity to the Early Middle Ages: Data, Patterns, and Research Avenues," in *Norms of Dependency in Late Antique and Early Medieval Societies: Contextualising Roman Legal Terminology*, ed. Martin Schermaier, Julia Winnebeck and Matthias Becher (Berlin: De Gruyter, 2025): 181–212.

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The Exiling of Women from Antiquity to the Early Middle Ages: Data, Patterns, and Research Avenues

This chapter presents and discusses a data collection concerning the exiling of women in late antiquity, here defined as the period from the fourth to the mid-seventh century. Although they make up a minority of the total cases of exile during these centuries, a substantial number of exiled women are documented in late antique sources. Their experiences have attracted little attention from scholars, as the wealth of recent studies on exile have tended to privilege the treatment of men, and especially bishops.[1] This paper is a first step in redressing that imbalance.

We will begin by explaining our definition of "exile", which has guided how we have selected our data. We will then describe the features and limits of the data collection itself, the sources it is drawn from, and the categories we have chosen to order the information. Here, we will highlight trends, patterns, and peculiarities, before briefly discussing, first, how these compare to what we know about women's exile in the earlier Roman empire and, second, how cases from the later Roman empire compare to those from the post-Roman world. Finally, we will point to a range of research avenues that are worth pursuing further based on this dataset. Most importantly, a suggestion from the data that deserves further scrutiny is that in late antiquity the motivations, conditions, and experiences for and of women's exile seem to have changed significantly in comparison to the earlier imperial period.

1 See for recent studies Daniel Washburn, *Banishment in the Later Roman Empire, 284–476 CE* (London: Routledge, 2013); Julia Hillner et al., eds., *Clerical Exile in Late Antiquity* (Frankfurt am Main: Peter Lang, 2016); Dirk Rohmann et al., eds., *Mobility and Exile at the End of Antiquity* (Frankfurt am Main: Peter Lang, 2018); Jennifer Barry, *Bishops in Flight: Exile and Displacement in Late Antiquity* (Berkeley: University of California Press, 2019); Julia Hillner, "Waves Across the Pond: Exiling Clerics in Late Antiquity," *Studies in Late Antiquity* 3 (2019): 331–36. See also the database: Julia Hillner, Dirk Rohmann and Harry Mawdsley, "Clerical Exile in Late Antiquity," 01.07.2018, www.clericalexile.org [accessed 24.10.2023], which collects around 500 cases of exile in late antiquity.

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1 Defining "Exile"

In its most basic sense, an "exile" is simply a person who has spent a prolonged period outside his or her homeland. The term is most often used to describe persons who are forced to leave their communities, rather than those who choose to settle in foreign lands, but even strictly voluntary forms of migration sometimes fall within the term's semantic range. In the Roman and post-Roman worlds, exile was a similarly capacious concept, denoting a "state of being" that could be applied to virtually any kind of migrant.[2]

To collect our dataset, however, we have concentrated on a particular type of exile: that which was intentionally inflicted by those in power. It is more aptly called banishment. This is not a form of movement for which there is an easy analogy in the modern Western world. While deportations happen today, these are usually reserved for so-called "illegal immigrants", who are sent back to their native countries. By contrast, in the Roman empire and the post-Roman kingdoms, banishment tended to happen within the boundaries of the polity, usually because the authorities wanted to retain control over those affected. Banishment thus acted as a form of incapacitation, which limited victims' activities and movements in a similar way to how the modern prison penalty functions today.[3] Indeed, as we shall see, the boundaries between banishment and imprisonment were frequently blurred during the period, as individuals could be sent to enclosed institutions, such as fortresses, monasteries, or domestic residences, and forced to remain there.[4]

Banishment was a common penalty in late antiquity. As such, it was generally enforced as a result of formal legal proceedings: an offender was accused of a crime, convicted by a tribunal, and sentenced to banishment as punishment. The punishment came in different forms, with Roman law recognising distinct penalties such as *exilium*, *relegatio*, *deportatio* and *aquae et ignis interdictio*.[5] Each of these incorporated technical differences concerning the conditions of the sentence. *Deportatio*, for example, was invariably severe since it was always permanent, compelled offenders to reside in particular locations, and resulted in the loss of their property and citizenship; by contrast, *relegatio* did not strip offenders of their civic status and otherwise provided greater scope for leniency, with judges determining its duration, spatial lim-

2 Washburn, *Banishment* (n. 1): 3. See also Laura M. Napran, "Introduction: Exile in Context," in *Exile in the Middle Ages. Selected Proceedings*, ed. Laura M. Napran and Elisabeth van Houts (Turnhout: Brepols, 2004): 1–9.

3 On "incapacitative sanctions", see Terance D. Miethe and Hong Lu, *Punishment: A Comparative Historical Perspective* (Cambridge: Cambridge University Press, 2005): 30–33.

4 Julia Hillner, *Prison, Punishment and Penance in Late Antiquity* (Cambridge: Cambridge University Press, 2015): 194–241.

5 Mary V. Braginton, "Exile under the Roman Emperors," *The Classical Journal* 39, no. 7 (1944): 391–407; Washburn, *Banishment* (n. 1): 16–40.

its, and whether or not it was combined with property confiscation. An awareness of these different penalties was retained in the post-Roman kingdoms, but there was also a degree of legal simplification, with legislators favouring the more flexible sanction of *exilium*, in which the terms of the sentence were decided on a case-by-case basis.[6]

Although legal texts give us much insight into how legislators envisaged the application of banishment, they are less forthcoming on the realities of the punishment. In order to explore "real-world" instances of exile, we must turn to other sources, especially narrative ones. Here, we are faced with the problem that ancient and late antique authors did not necessarily reproduce the exact legal details around cases of banishment. In our data collection we have, therefore, decided to include all incidents in which women were forcibly removed from particular areas or regions, even where we cannot establish if this happened as a result of a formal trial and conviction, or of "extra-judicial" coercion. By "extra-judicial" we mean forced movement not intended as punishment per se, but enacted by persons in power to achieve some strategic goal. Rulers, for example, might expel their aristocratic opponents from court to remove them from the political sphere, or send their disobedient relatives to crown properties to control their behaviour. While these cases were sometimes the result of trumped-up charges, rulers had other coercive means at their disposal, so we cannot assume that an individual's banishment necessarily resulted from a criminal conviction.

2 84 Exiled Women: Identities and Circumstances

Overall, we have identified 84 cases of exile that concern women (nos. refer to the Appendix). For our date range, we have followed the chronological framework of the *Prosopography of the Later Roman Empire* (PLRE), from the reign of Gallienus to that of Heraclius (260 to 641 CE), although our first cases of female exiles date only from the later tetrarchy, from 311 (nos. 1 and 2).[7] While for this chapter we have not systematically collected all known male exiles as well, and are especially missing complete information on the numbers of exiled lay men, by way of comparison we can point at some relevant figures from other collections: for example, of the 497 cases of exile recorded by the database *Clerical Exile in Late Antiquity*, 468 concern men and only 11

6 Harry Mawdsley, "Exile in the Post-Roman Successor States, 439–c.650" (PhD diss., University of Sheffield, 2019): 62–68.

7 Arnold Hugh Martin Jones, John Robert Martindale and John Morris, *The Prosopography of the Later Roman Empire*, vols. 1–3 (Cambridge: Cambridge University Press, 1971–1992), henceforth and in the Appendix PLRE. Not all our exile cases are in PLRE, however, and some women are only mentioned in the entries of their male relatives or contacts, a common problem in PLRE.

women (e.g. female ascetics). There are a further 18 cases of exile of whole groups in this database (e.g. the followers of a bishop), among whom may well have been women, as we know for certain in one case.[8] Similarly, of the 258 cases compiled by Harry Mawdsley in his dissertation on exile in the post-Roman kingdoms, 191 concern men compared with only 33 women, along with an additional 34 cases involving larger groups, some of which again may have included members of both sexes.[9] As these examples demonstrate, therefore, we only have a small number of female cases, compared to what we know of the number of men who were exiled or fled from arrest in late antiquity. Nonetheless, 84 is a large enough figure to draw some reasonably robust conclusions, including statistical ones.

For personal data, we have collected information on, where possible, exiled women's names, as well as their kinship relations and their "status". In terms of the latter, we have distinguished between: royal women, by which we mean relatives both of emperors and of rulers of post-Roman kingdoms (the so-called "barbarian" kings); senatorial women, by which we mean members of the late Roman aristocracy; elite women, by which we mean relatives of nobles in the post-Roman kingdoms; ascetic women, by which we mean those who took a monastic vow; ecclesiastic women, by which we mean deaconesses or female relatives of clerics; and freed women, or women who were unfree either under Roman slavery or under the more flexible category of "unfreedom" in the post-Roman world.[10]

We have also collected information pertaining to the circumstances of exile. In addition to the start date of exile, these data include geographical information on the territory within or from which a woman was exiled, distinguishing between the Roman empire and individual post-Roman kingdoms. Our collection also contains data on the authority responsible for the exile (for example, an emperor, a post-Roman ruler or a bishop),[11] as well as on the reason for the exile, and the conditions to which the respective woman was subjected. These conditions could vary considerably, and we have sought to contain this variety in the dataset. Recorded conditions include the expulsion or forced emigration of a woman from a given territory, or the banishment of a woman to the margins of a territory, such as the Great Oasis in Southern Egypt or the North African desert (we call this "frontier banishment"). Both forms do not seem to have imposed further limits on her mobility. Other conditions could involve banishment to a specific place, such as an island, the separation from a woman's kinship or service network, and property confiscation, to downright inca-

8 Hillner, Rohmann and Mawdsley, *Clerical Exile* (n. 1). The group of mixed gender were monks and nuns exiled from Syria in 525; see Pseudo-Dionysius of Tel-Mahre, *chronicon* 3.22.

9 See appendix 2 in Mawdsley, *Exile* (n. 6): 316–65.

10 On unfreedom, see Alice Rio, "Freedom and Unfreedom in Early Medieval Francia: The Evidence of the Legal Formulae," *Past & Present* 193 (2006): 7–40.

11 Due to limited space, the printed version of the dataset, which appears below in appendix 1, does not include this information.

pacitation through forced labour, house arrest or monastic confinement. We have also included cases here which did not start out as legal forms of banishment, but as attempts to avoid legal or coercive repercussions that effectively turned into banishment. There are a good number of cases in which women fled to churches or monasteries, after which they either remained there permanently or temporarily, or were further processed into exile from there.[12]

Aside from a couple of inscriptions, most of the sources underpinning this dataset are narrative or polemical sources: chronicles, histories, and ecclesiastical treatises. It is therefore important to point out that what we have assembled are not neutral, objective data on banishment, but data on how women's exile was reported. To some extent the patterns emerging provide a window into what late antique and early medieval authors found noteworthy and, crucially, data on how they wrote about women's banishment. They are not a comprehensive picture of the actual institution. This must be taken into account in their interpretation. For example, we must ask whether similarities in describing women's banishment by different authors points to patterns of actual reasons for and conditions of their treatment, or whether there are literary conventions, shared agendas, or inherited traditions at play in the representation of these events.

In terms of these patterns, we must first note the chronological distribution of the cases contained in the dataset. Although on average we could calculate that, during late antiquity, a woman may have been exiled somewhere at least every five years, the phenomenon, or the reporting about it, seems to have accelerated over the course of the period. While we can only count eight cases of exile for the fourth century, by the sixth century this number rises to 39. In terms of women's identity, over half of the cases of exile concern imperial or royal women, followed by another third that concern female members of the Roman senatorial or post-Roman elites. A tenth involves ecclesiastical or ascetic women, while the smallest group are unfree or freed women (see Graph 1).[13] The focus of our sources on women from the top of society is not surprising, given their elite perspectives. Similarly, the predominantly Christian nature of our sources – and their attention to doctrinal conflicts or debates about dogma – explains the appearance of women somehow associated with Christian communities. While the presence of unfree women (however small) in this dataset may

12 On church or monastic asylum becoming exile, see Margarita Vallejo Girvés, "Case Studies of Church Asylum and Exile in Late Antiquity," in *Mobility and Exile at the End of Antiquity*, ed. Dirk Rohmann et al. (Frankfurt am Main: Peter Lang, 2018): 113–39.

13 The numbers include some overlaps of identity markers, such as ecclesiastic senatorial women (e.g. deaconesses), which have been counted in both categories. Some attributions are not entirely certain.

be surprising, these cases are also all related to ecclesiastical matters, with one possible exception.[14]

This insight suggests that we may need to correlate the chronology and the identity of women, or the reporting on these, with the reasons for which they were exiled (Graph 2). In terms of such reasons, we can also note that aside from the more conventional exile for legal crimes (whether secular ones, such as adultery or treason, or "ecclesiastical" ones such as remarriage or illicit sexual relationships with clerics), we also see a large number of cases where the legal context is unclear.[15] It appears that, in late antiquity, wives often accompanied their husbands into banishment not because they had been complicit in their crime, but because they were encompassed by their husband's sentence. One such example can be seen in Visigothic Hispania, when King Reccared banished a group of Gothic notables from Mérida for conspiracy in 587.[16] After one of their number, a man named Vagrila, had escaped from custody and sought asylum in a local basilica, the enraged king decreed that the fugitive, along with his seemingly innocent wife (no. 69) and children and all their possessions should become the property of the church in perpetuity (although this sentence was quickly rescinded when the bishop freed the enslaved family in an ostentatious display of clemency).[17]

What is even more striking is that wives often seem to have been punished with banishment and also property confiscation for an offence that their husband had committed, after the husbands themselves had been executed. We see this especially in cases of treason or usurpation. For example, John Chrysostom described two such cases in an open letter to a young widow (nos. 4 and 6), written between 378 and 382 while he was still a priest at Antioch. Here, he mentioned the wife of the *secundicerius notariorum* Theodore, beheaded for treason in 371. Subsequently, the property of his wife was also confiscated and she was "banished from her freedom", enlisted among wool workers and "compelled to lead a life more pitiable than any bondmaid", which could mean that she was forced to reside among the servants at court.[18] John Chrysos-

14 The possible exception is Septimima (no. 70), a nurse in a Merovingian royal household convicted of treason in 589. Her precise status is not clear, but she may well have been unfree; on household slavery and servitude in the early Middle Ages, see Alice Rio, *Slavery after Rome, 500–1100* (Oxford: Oxford University Press, 2017): 135–74.

15 For exile as a statutory penalty for sexual crimes in late Roman law, see Antti Arjava, *Women and the Law in Late Antiquity* (Oxford: Oxford University Press, 1996): 193–202; for ecclesiastical crimes, see Julia Hillner, "Gregory the Great's Prisons: Monastic Confinement in Early Byzantine Italy," *Journal of Early Christian Studies* 19 (2011): 433–71. Some women were exiled for more than one reason (such as regime change and criminal activity); these reasons have been counted separately in Graph 2.

16 On this conspiracy, see Roger Collins, *Visigothic Spain 409–711* (Oxford: Blackwell, 2004): 68.

17 *V. Patr. Emer.* 5.10–11, CCSL 116: 81–92.

18 John Chrysostom, *Ad viduam juniorem*, 4: τῆς ἐλευθερίας αὐτῆς ἐκπεσοῦσα ταῖς ταμιακαῖς ἐρίθοις ἐγκατελέγετο, καὶ πάσης θεραπαινίδος οἰκτρότερον ζῆν ἠναγκάζετο βίον (trans. Nicene and Post-Nicene Fathers); on this letter and its description of violence against women, see Belinda Washington, "John Chrysostom's Letter to a Young Widow: Reflections on Imperial Women Roles at Regime

tom then went on to detail another case, that of Artemisia (perhaps the widow of the usurper Procopius of 365–6) who was equally stripped of her property, so that she had to roam around begging, a type of banishment that may be similar to the legal sentence of *interdictio aquae et ignis*, the exclusion from the basic necessities of life.[19] It should be noted that John was writing here to dissuade his widowed correspondent from remarrying. He therefore had a clear agenda to describe marriage in negative terms and to point out what terrible effects it could have on wives. Nonetheless, because he names actual names, we can be sure that his accounts were grounded in some real occurrences, while leaving it unclear whether these women had committed any crimes beyond having made questionable marital choices.

Finally, we must pay attention to the conditions of women's exile, as highlighted in Graph 3. In this graph, the shaded bars each depict a different way in which exiled women were treated, arranged to indicate a continuum from the least restrictive form (left) to the most restrictive (right). The darkest bar indicates cases in which women were not only banished to specific locations but were also held in some kind of imprisonment. At the other extreme, we have cases of flight, expulsion, and forced emigration. In terms of chronology, it should be noted that one of the most incapacitating forms of women's exile, monastic confinement, began to be inflicted upon women only from the late fifth century onwards, at least according to our sources. It seems to have started out as a measure by which women sought to escape from more humiliating treatment, but which then regularly resulted in a state of immobilisation. One of the first cases is that of Leontia, wife of the usurper Marcian, who in 479 fled to the monastery of the Akoimetoi on the outskirts of Constantinople, where the emperor, Zeno, could then conveniently "abandon her" (καταλιμπάνει; no. 20).[20] Around a decade later, at the opposite end of the Mediterranean, the Burgundian princess Chroma was exiled to a convent by her uncle, King Gundobad, after he had murdered her father and annexed his kingdom (no. 32). Thereafter, monastic confinement became a very common sanction for women in the Eastern Empire, where it was even enshrined in law.[21] It would also become common in the post-Roman kingdoms, although not until the second half of the sixth century perhaps because there were fewer female monastic houses there initially.[22]

Change," in *Empresses-In-Waiting. Female Power and Performance at the Late Roman Court*, ed. Christian Rollinger and Nadine Viermann (Liverpool: Liverpool University Press, 2024): 67–96. On Theodore, see also PLRE I (n. 7): Theodorus 13, p. 898.

19 Artemisia is no. 4 in the appendix. On *interdictio aquae et ignis*, see Braginton, "Exile" (n. 5): 391–407.

20 John of Antioch, frg. 234 (ed. Mariev).

21 Julia Hillner, "Monastic Imprisonment in Justinian's Novels," *Journal of Early Christian Studies* 15 (2007): 205–37.

22 On the development of monasteries in the West, see Marilyn Dunn, *The Emergence of Monasticism. From the Desert Fathers to the Early Middle Ages* (Oxford: Blackwell, 2003).

3 Comparison to Women's Exile in the Early Empire

The following discussion makes use of a second dataset on women's exile, as assembled by Frank Stini in the prosopographical appendix (*Alphabetischer Katalog*) to his study on exile in the early empire.[23] It is important to emphasise that these data have been collected from qualitatively different sources (especially early imperial historians), for a different research project using different methods, and with different questions in mind than our own. For this reason, we are not fully comparing like with like. Given that these data exist in published form, however, it is still worth at least tentatively indicating similarities and differences, even if what follows needs to be considered with caution.

A first point of convergence that we can note is the ratio of exiled men and women. Because Stini has collected evidence for both, we can stipulate that, for the early empire, 15% of all recorded exile cases concerned women (45/305). This is exactly the same as the ratio in Harry Mawdsley's catalogue on exiled individuals in the post-Roman world as mentioned above (15%, 33/224). It seems therefore that, at least numerically, the interest by authors in women's exile remained fairly constant over the longue durée. This will need verification, however, against Stini's methods of inclusion or exclusion of certain forms of banishment, especially with regard to arbitrary, rather than legal forms of banishment, and because we lack full data on the number of male exiles on the later Roman empire.[24]

We also note some striking differences between Stini's data and our own. The first concerns the identity of exiled women, which seems to diversify substantially in late antiquity. In the early empire, the vast majority of exiled women (60%) that appear in Stini's catalogue are aristocratic women, of either equestrian or more frequently senatorial status. Royal (imperial) women, the largest group in our dataset, only make up a third. An even smaller group – just four cases – are "foreign" women: the wives or daughters of defeated foreign rulers who had been brought to Rome and allowed to live there or somewhere in Italy in banishment from their homelands.

In late antiquity, as we have seen, royal women make up the largest group, and new types of exiled women emerged, of "ascetic" or "ecclesiastic" identities and also of much lower status. The group of exiled female aristocrats therefore substantially decreases. Rather than reflecting an actual decline in the use of exile against aristocratic women, this pattern is almost certainly due to historiographical changes, with authors now prioritising Christian affairs and the individuals caught up in them over

23 Frank Stini, *Plenum exiliis mare. Untersuchungen zum Exil in der römischen Kaiserzeit* (Stuttgart: Franz Steiner, 2011): 219–77. This catalogue contains men and women.

24 Stini's catalogue does contain types of banishment that happened outside due judicial process, like the banishment of relatives of defeated foreign leaders, which points at an equally capacious definition of exile as employed here. For example, he includes Thusnelda, wife of the Cherusci noble Arminius, who was interned in Ravenna in 15CE (Tac. Ann. 1.57–59).

politics involving lay elites, as already mentioned. Simply put, we lack the critical mass of Tacitus, Suetonius, Pliny, or Cassius Dio to fully capture the fate of senatorial women in late antiquity. It is also worth noting that the boundaries between imperial and aristocratic women were more fluid in the earlier empire, and so some female relatives of former emperors can be counted among the latter rather than the former.[25]

Another difference relates to the reasons for which women were exiled. Peculiar late antique crimes such as heresy, usually refusal to convert to the Christian orthodox position of the day, or ecclesiastical offences, are of course absent from Stini's catalogue.[26] Yet there are also some divergences that are less easy to explain. The vast majority of exiled women in the early empire were apparently charged with specific crimes under existing law. Next to accusations of treason, magic, incest, poisoning and so on, the most frequent accusation was of adultery, for which – as is well known – the *lex Iulia de adulteriis coercendis* of 18 BCE prescribed banishment, in the form of *relegatio in insulam*, that is to an island, with some property confiscation, but without loss of citizenship.[27] To be sure, in the early empire not every instance of exile was the result of judicial proceedings, especially in the case of imperial women, and often accusations were a smoke screen for other reasons to remove troublesome individuals.[28] For example, in 62 CE Claudia Octavia, the divorced wife of Nero, was banished for adultery to Pandateria, because Nero's new wife Sabina Poppaea resented her presence (Octavia was, indeed, killed shortly after).[29] Yet, "real" adultery processes and condemnations did happen. For example, according to Pliny, Gallitta, the wife of a military tribune was condemned to exile under the *Lex Iulia* for adultery with a *centurio*, after having been brought to court, the emperor's *iudicium*, by her rather unwilling husband.[30] Late Roman emperors continued to legislate on adultery, with eventually the penalty becoming a peculiar form of banishment, confinement in a monastery, as mentioned above. Of actual adultery cases resulting in banishment – in a monastery or not – we hear comparatively little, however. The majority of women's banishments in late antiquity were an outcome of what is better described as coercion than legal norms. In the early empire, the really clear occurrences of this type almost exclusively involved banishment as a result of war captivity, that is, the afore-

25 For example Iunia Calvina, a great great granddaughter of Augustus through her mother, banished in 49 CE for incest (Tacitus, *Ann.* 12.8.1).

26 On heresy as a crime, see Laurette Barnard, "The Criminalization of Heresy in the Later Roman Empire: A Sociopolitical Device?" *Journal of Legal History* 16 (1995): 121–46.

27 Jane F. Gardner, *Women in Roman Law and Society* (Bloomington: Indiana University Press, 1986): 121–27.

28 As Mary Boatwright, *Imperial Women of Rome. Power, Gender, Context* (Oxford: Oxford University Press, 2021): 69–78 notes, not all banishments of imperial women involved formal trials, but there was always a "judicial" context implied through the reference to existing "crimes".

29 Boatwright, *Imperial Women* (n. 28): 75.

30 Pliny, *ep.* 6.31.

mentioned wives and daughters of defeated foreign rulers. Such practices continued in the later empire; the Ostrogothic queen Matasuentha (no. 46) is one example.

An even trickier case are women who accompanied their banished husbands or were banished after their husbands' executions. In the early empire, the former did happen although not frequently. In the majority of such cases – as far as we can tell – the wife accompanied her husband voluntarily or because she was suspected or even condemned for having been complicit in his crime, usually conspiracy. For example, at the time of Nero and then Vespasian, Fannia, wife of the stoic philosopher and ardent republican P. Helvidius Priscus, accompanied her husband twice into exile, and was afterwards also banished herself by Domitian for publishing a vita of her husband. She was clearly seen as a troublemaker.[31] In late antiquity, by contrast, the number of female companions of exiled men increased substantially. In addition, the exile of apparently innocent women after the violent demise of their male relatives – due to failed conspiracies or regime change – does not seem to have occurred in the early empire.

Finally, we can note differences in the conditions of exile. To start with, we know much more about the locations of women's exile in the later Roman empire.[32] Late antique authors thus exhibited a greater interest in the conditions of banishment than their early imperial counterparts, again showing how changes in writing practices have a significant impact on what we can say about the "reality" of exile. Nonetheless, what we do know about exile destinations in the early empire is suggestive of real changes between the two periods. In the early imperial period, women – like men – were most frequently sent to specific locations, where they were expected to remain for the duration of their sentences, as opposed to being simply expelled or forced to relocate from an area. Mediterranean islands were the most common destinations for banished women, as they were for banished men. This is interesting, since some historians have argued that such islands were selected by the authorities as they were located far away from the Empire's political centre, but also from frontiers and thus its military forces.[33] But while these security concerns might make sense for banished men, they hardly apply to women, who were not likely to be expected to take up arms. Instead, as Stini himself argues, islands were chosen because they inflicted a greater sense of alienation upon offenders by emphasising the distance to their home communities (usually the city of Rome) and by denying them the comforts and enjoyments of urban life.[34] Consequently, the authorities' preference for island banishment suggests that the conditions of women's exile were shaped mainly by

31 Stini, *Plenum exiliis mare* (n. 23): 242.

32 In the case of Stini's catalogue we lack information about the locations of exiled women in just under half the cases; in our dataset, it is 20%.

33 Theodor Mommsen, *Römisches Strafrecht* (Leipzig: Duncker und Humblot, 1899): 973.

34 Stini, *Plenum exiliis mare* (n. 23): 171–88.

penal considerations. This is not surprising, given that women were generally being banished as result of formal legal processes.

In the later Empire, island banishment almost completely disappears; in fact, there is only a single documented example of a woman being exiled to an island during the period, and this is to Rhodes, a rather large territory (no. 84). If a woman was exiled to a specific location, it was usually a city or even more typically, a frontier location. This development was, however, also not specific to women. As Julia Hillner has shown elsewhere, the late antique shift from island to frontier banishment was probably driven by the increasing use of exile to punish religious dissidence, and in particular a desire to send those with unorthodox views to the margins of the empire away from an imagined centre.[35] Aside from frontier banishment, the comparison with Stini's catalogue suggests that another key development in late antiquity was that women's exile became, on the whole, more restrictive. This was particularly true in the case of imperial and royal women and the wives of failed usurpers, who were routinely banished to fortresses, palaces, or other domestic residences where they were forcibly detained. This development culminated in monastic confinement, which obviously did not exist in the early empire.

4 Comparing Women's Exile in the Late Roman and Post-Roman Worlds

Having reflected upon the differences between the early and late imperial periods, we will now consider how the collapse of the Empire may have impacted the exiling of women. There was no decline in the number of women banished in the successor states, with the ratio of documented cases remaining almost identical across the categories of Roman and post-Roman (see Graph 4). On the contrary, given that the Roman category includes examples from the Eastern Empire and thus covers the entire period of study, there was a considerable uptick in the frequency of cases in the post-Roman west. This was presumably a consequence of political fragmentation, which multiplied some of the contexts in which women might be exiled. The vast majority of cases, however, are associated with either the Merovingian or Vandal kingdoms (see Graph 4). To some degree, this disparity must reflect the vagaries of source preservation rather than actual differences in the application of the penalty. In Merovingian Gaul, for example, the survival of a substantial narrative text – Gregory of Tours' *Decem Libri Historiarum* – means that cases were more likely to be recorded here than in neighbouring kingdoms. Nonetheless, in Vandal Africa, it is possible that women were, in fact, banished in greater numbers than were their counterparts else-

35 Hillner, *Prison* (n. 4): 212–17.

where in the post-Roman west. Vandal kings were the only "barbarian" rulers to routinely employ the penalty against religious dissidents, as they looked to promote their favoured brand of Christianity at the expense of the Nicene church.[36] While these attempts to establish orthodoxy primarily affected men, especially Nicene clerics and court officials,[37] Vandal kings sometimes extended the scope of their measures to include women as well.[38] This context of religious persecution, absent from other kingdoms, helps explain the overrepresentation of Vandal cases in our dataset.

If we move beyond the overall figures of Roman and post-Roman cases and compare specific variables, some interesting patterns emerge. With regard to status, there was broad continuity in the frequency of cases involving imperial/royal (23:26) and senatorial/elite (11:11) women, which is not surprising given the continuing preoccupation of post-Roman sources with those at the top of society. Interestingly, the number of cases involving unfree/freed women quadrupled (1:4), but because of the tiny sample size it is difficult to know if this represents a real change in how exile was implemented. Perhaps more significant is the fact that there are no documented cases involving ecclesiastic or ascetic women in the post-Roman west, compared with 4 and 5 cases in the Roman Empire respectively. Given that the exiling of such women was typically associated with disputes over orthodoxy, the decline in these cases can perhaps again be linked to the general absence of religious conflict in most of the successor states.

This lack of interest in enforcing orthodoxy can similarly be detected in the changing reasons for exile (see Graph 5). While there is superficial parity in the number of Roman and post-Roman cases in which women were exiled for heresy, all the latter instances were linked to the Vandal kingdom. Elsewhere in the post-Roman west, women were apparently no longer banished for religious dissidence. As for the other reasons for exile, most exhibit continuity from the Roman to the post-Roman periods, with the number of cases remaining roughly the same. Indeed, the only really significant change is the increased prevalence of women exiled on account of regime change. In our categorisation of the data, we defined "exile due to regime change" as occurring when an imperial/royal woman was banished following the death or deposition of a monarch without her being convicted of criminal charges. Apparently unknown in the Principate, it is possible that its emergence in late antiquity may partly indicate changes in reporting strategies, insofar as the sources become less likely to record a case's legal aspects. Even if that is true, however, late antique rulers do appear to have been much more concerned about the potential threat posed by royal women than were their early imperial counterparts.

The exiling of such women following regime change is thus a distinctive feature of late antiquity, and more particularly of the post-Roman world. It is documented

36 Andrew H. Merrills and Richard Miles, *The Vandals* (Chichester: Wiley, 2010): 177–203.

37 Robin Whelan, *Being Christian in Vandal North Africa: The Politics of Orthodoxy* (Oakland: University of California Press, 2017): 143–64.

38 Examples in the appendix include nos. 17, 24, 25, and possibly 9.

most frequently in Merovingian Gaul, presumably because of that polity's frequent division into smaller *Teilreiche*, which increased the number of courts and hence the number of royal women who could be exiled. But crucially, the practice is reported at least once in (almost) every post-Roman kingdom, suggesting it was a cross-regional phenomenon of some significance. The most plausible explanation for its increased prominence is that royal women posed an even greater threat to rulers after the collapse of the Empire. This was partly due to these women's dynastic connections, which made them useful assets for men looking to stake a claim on the throne. While this was also true of royal women in the Roman Empire, the hereditary principle was, on the whole, stronger in the successor states, and so new kings had good reason to put superfluous royal women out of the reach of their rivals.[39] It is also the case that these women were more directly involved in high politics than their Roman counterparts precisely because of the breakdown of imperial structures. In the post-Roman kingdoms, bureaucracies and institutions were weaker, and politics more personal and centred upon the king's court. Given that the court also functioned as a domestic space, the lack of separation between the public and private spheres allowed royal women to carve out significant influence for themselves. They acted as power brokers between aristocratic factions and, as managers of the royal household, they often controlled the royal treasury.[40] Yet royal women were also uniquely vulnerable, since their standing had no secure basis beyond their relationship with the reigning monarch. Regime change therefore put them in a very precarious position. For a new king on the make, banishing his predecessor's wife and other female relatives was an attractive strategy, since it removed a potentially disloyal figure from court politics and may have facilitated the seizure of considerable quantities of liquid wealth.

We might expect any changes in the reasons for exile to have influenced its conditions, but this is difficult to establish on the basis of the surviving evidence (see Graph 6). This is because the number of unclear cases increases by fourfold in the post-Roman kingdoms, limiting our ability to draw robust conclusions from the data. Even so, there are some developments that warrant further discussion. The absence of religious conflict outside Vandal Africa, for example, seems to have led to a decline in frontier banishment in the post-Roman world; there are only two documented cases of this form of exile, both of which are associated with the "persecution" of Nicene Christians by Vandal kings. The apparent reduction in cases of monastic confinement is more misleading. With a single exception, the Roman cases date from the late 470s onwards, that is after the collapse of the Western Empire, and thus are contem-

39 On succession practices in the barbarian kingdoms, see Ian N. Wood, "Kings, Kingdom and Consent," in *Early Medieval Kingship*, ed. Ian N. Wood and Peter Sawyer (Leeds: University of Leeds Press, 1977): 6–29.

40 Janet L. Nelson, *Politics and Ritual in Early Medieval Europe* (London: Hambledon Press, 1986): 1–48; Pauline A. Stafford, *Queens, Concubines and Dowagers: The King's Wife in the Early Middle Ages* (London: Leicester University Press, 1983): passim.

porary with the successor states.[41] Indeed, as mentioned already, this type of exile emerged at roughly the same time at both ends of the Mediterranean but is not reported with any frequency in the post-Roman west until the later sixth century (when the sources become better and female monastic houses proliferated). The successor states did not, then, witness a decline in monastic confinement, but rather its emergence as a strategy of dealing with politically-dangerous women.

Finally, it is possible that exile became more restrictive in the post-Roman west, at least for certain kinds of women. If we concentrate on cases of imprisonment or those in which women were held in specific locations, the evidence in the successor states is inconsistent, with the former declining (9:6) and the latter increasing (7:11). A pattern can be discerned, however, if we concentrate specifically on royal women. In the Roman Empire, 41% of cases involving such women resulted in the victim being held in a specific location or imprisoned. By comparison, in the post-Roman west, the figure rises to 62%, or 70% if we discount cases in which the conditions of exile are unclear. This would support our earlier suggestion that royal women posed a greater threat than they had done before, with rulers intensifying the conditions of banishment in the hope that it would limit the woman's potential to cause trouble.

5 Avenues for Further Research

By way of concluding remarks, we would like to point at three questions emerging from the above discussion that, in our view, warrant further investigation.

Provided that we can trust our data to reveal real trends, we must ask, first, why there was an increase in incidents where women were exiled not via judicial procedure or for crimes that they had themselves committed, but as wives of men who had offended the authorities in some way. Perhaps late antique authors did not know or perhaps they were, unlike classical authors, uninterested in legal technicalities, leaving it open whether such wives had been complicit in usurpations or plots. But the frequency of such cases reported by late antique authors also suggests that at least some women were targeted simply qua being a wife, that is, that they were collateral damage of their husbands' actions. Perhaps – although this is a very cautious perhaps – wives were increasingly seen as liable for their husband's behaviour due to changing attitudes towards marriage. As Kate Cooper has shown, in late antiquity the marriage bond came to be seen as the strongest social relationship in a household, at the expense of a wife's relationship with her birth family. This was partly because of emerging Christian ideas around the indissolubility of marriage, partly due to a rising habit of elite men to seek out socially inferior brides, and partly due to, in the post-Roman kingdoms, inheritance practices around land which disadvantaged the prop-

41 The exception is Olympias (no. 10 in the appendix).

erty holding of women.[42] These features of marriage may have increased the dependency of wives on their husbands, which in turn meant they were less protected against the consequences of their husbands' behaviour.

Second, we should ask why the number of exiled royal women increased in late antiquity. On a very basic level, this may have been because there were more of them. From the tetrarchy onwards, late imperial rule was frequently collegial in nature, multiplying the number of women associated with the throne. This proliferation of royal women continued after the collapse of the Western Empire when new polities emerged that each had their own ruling dynasties. At the same time, these women seem to have acquired greater political importance. This was largely due to their ability to act as conduits of dynastic legitimacy, something already evident in the fourth century but which intensified thereafter, meaning that their status could be exploited by men who wished to obtain the throne.[43]

Royal women may therefore have posed a latent risk to late antique rulers, which encouraged them to exile superfluous female relatives as well as female members of previous regimes. The latter phenomenon – banishment due to regime change – was likewise a novel feature of late antiquity, and perhaps especially of the post-Roman world. In the early Empire, imperial women seem to have rarely been exiled after the deaths of emperors. In the later empire, we lack sufficient research on this phenomenon. It is true that we see few imperial women "properly" exiled, but we may have to expand our gaze towards phenomena such as forced celibacy, forced marriage, or simply disappearance of women to fully understand their fates after regime change.[44] We should also remember, as we discuss here, that female relatives of usurpers sometimes faced banishment (or worse) if their husbands failed to obtain the throne. Still, in the post-Roman west it was more common for new kings to exile the female members of the previous regime. The most plausible explanation is that these women posed an even greater threat to those in power than their imperial counterparts, but this requires further verification.

A final remaining question is why women's exile became more restrictive over time. The shift to more arbitrary forms of banishment as well as the increased political standing of royal women had a significant impact upon the conditions of exile. It meant that victims were subjected to tighter constraints as the authorities sought to

42 Kate Cooper, *The Fall of the Roman Household* (Cambridge: Cambridge University Press, 2007): 143–98. On women and landed property in the post-Roman world, see, for example, Marios Costambeys, "Kinship, Gender and Property in Lombard Italy," in *The Langobards before the Frankish Conquest: An Ethnographic Perspective*, ed. G. Ausenda et al. (Woodbridge: Boydell, 2009): 69–94.

43 The importance of women as conduits of dynastic legitimacy is already apparent during the Theodosian dynasty, see Anja Busch, *Die Frauen der theodosianischen Dynastie* (Stuttgart: Franz Steiner, 2015): 214–17.

44 See Julia Hillner, "Imperial Women after Curtains," in *Empresses-In-Waiting. Female Power and Performance at the Late Roman Court*, ed. Christian Rollinger and Nadine Viermann (Liverpool: Liverpool University Press, 2024): 261–72.

control their activities and in particular, to prevent their return to the political sphere. In other words, security concerns seem to have eclipsed the penal agendas that had previously dictated the terms of banishment. This may explain why women were increasingly exiled to fortresses or palaces, where the authorities could closely monitor them and limit their access to the outside world. It was for these reasons that late antique rulers also began to exile women to monasteries, a practice that emerged independently in both the eastern and western Mediterranean at the end of the fifth century. To borrow a term from biology, this seems to represent a clear example of "convergent evolution", with rulers – both Roman and "barbarian" – responding in similar ways to the same basic problem: how to deal with the female relatives of one's defeated or deceased rivals?[45] Banishing them to a monastery was a convenient solution. For one thing, it restricted access to the women to a similar degree as was the case for those exiled to other types of enclosed institutions. But monastic confinement had some additional advantages. If the woman was forced to take vows and join her host community, she was (at least in theory) prohibited from ever returning to secular life, marrying, or producing children. This made monastic confinement a peculiarly effective way of neutralising a woman's political agency, and enforcing her asymmetrical dependency on others.

Beyond these strategic advantages, however, banishing women to monasteries may have also satisfied other, more ideological concerns. Late antique rulers often represented exile as an act of *clementia* par excellence; by sparing the lives of their enemies, they demonstrated their moderation and self-restraint, qualities that were associated with good rulership in both the classical and Christian traditions.[46] Rulers could thus reap considerable propaganda benefits through the enforcement of exile, and this was particularly true in the case of monastic confinement. Not only did this sanction spare its victims from death, but it protected their eternal souls by placing them in centres of spiritual contemplation and subjecting them to a regimented programme of prayers and fasts. In the contemporary mindset, therefore, monastic confinement may have been a uniquely salutary form of exile. As such, it may have allowed rulers to dispose of troublesome people, while claiming – perhaps not entirely cynically – that they were looking after their best interests, if not in this world then at least in the next. In this way, a truly new type of banishment emerged at the end of antiquity, not only for women, but also for men.

45 See George R. McGhee, *Convergent Evolution: Limited Forms Most Beautiful* (Cambridge, MA: MIT Press, 2011).

46 Hillner, *Prison* (n. 4): 115–16, 320.

Appendix 1

Appendix 1: Prosopography of Exiled Women, 260–641 CE.

No.	Name	Date of exile	Status	Territory	Reason for exile	Conditions of exile (location if known)	Source for exile (abbreviations follow PLRE)
1	Valeria	311/2	Royalty	Roman	Regime change	Frontier banishment (Syria)	Lact. *Mort. Pers.* 39
2	Prisca	311/2	Royalty	Roman	Companion of exile	Frontier banishment (Syria)	Lact. *Mort. Pers.* 39
3	Anonymae 1	358	Ascetic	Roman	Crime: support of banished (Athanasius)	Frontier banishment (Great Oasis)	Athan. *Hist. Ar.* 72 Theod. *HE* 2.14
4	Artemisia	366?	Senatorial	Roman	Associated with wrongs of male relative	Expulsion/forced emigration	Joh. Chrys. *ad vid. iun.* 343C-D
5	Marina Severa	367–371	Royalty	Roman	Crime: fraud	Expulsion/forced emigration?	*Chron. Pasch.* s.a. 369 Joh. Mal. 13.31 Joh. Nikiu 82.10–14 Joh. Chrys. *ad vid. iun.* 4
6	Anonyma 1	371/2	Senatorial	Roman	Associated with wrongs of male relative	Forced labour/penal enslavement	John Chrys. *ad vid. iun.* 343B-C
7	Galla	390	Royalty	Roman	Regime change	Expulsion/forced emigration (from palace)	Marcell. com. s.a. 390

(continued)

Appendix 1 (continued)

No.	Name	Date of exile	Status	Territory	Reason for exile	Conditions of exile (location if known)	Source for exile (abbreviations follow PLRE)
8	Pentadia	396	Senatorial	Roman	Associated with wrongs of male relative	Fled, then church asylum	Soz. 8.7.2
9	Anonyma 2	400–600	Unclear	Vandal?	Crime: heresy?	Unclear	Handley, M. 425 = AE 1967, 00651 = AE 2007, +00127
10	Olympias	404	Ascetic, Senatorial	Roman	Crime: support of banished (John Chrysostom)	Monastic confinement (Nicomedia or Cyzikus)	*V.Olymp.* 10 (SC 13bis) Soz. 8.24
11	Nicarete	404	Senatorial, Ecclesiastic	Roman	Crime: support of banished (John Chrysostom)	Fled (from Constantinople)	Soz. 8.23.4–7
12	Galla Placidia	422	Royalty	Roman	Hostility of ruler	Expulsion/forced emigration (from palace in Ravenna)	Olymp. fr. 40 Philost. 12.13 Prosp. Tiro s.a. 423 *Chron. Gall. 452* no. 90
13	Anonyma 3	428–442	Royalty	Vandal	Crime: attempted murder	Expulsion/forced emigration (from Vandal kingdom)	Jord. *Get.* 184

14	Anonyma 4	439	Elite	Vandal	Companion of exile	Expulsion/forced emigration (from Vandal kingdom)	Theod. *Ep.* 29–36
15	Aelia Eudocia	443?	Royalty	Roman	Crime: adultery?	Expulsion/forced emigration (to Palestine)?	Joh. Mal. 14.8 Theoph. AM 5942
16	Honoria	449	Royalty	Roman	Crime: stuprum	Imprisoned (house arrest)	Jord. *Get.* 224 Jord. *Rom.* 328 Marcell. com. s.a. 434 Joh. Ant. fr. 224 (ed. Mariev)
17	Maxima	455–477	Unfree	Vandal	Crime: heresy?	Frontier banishment (kingdom of Capsa)	Vict. Vit. 1.30–35
18	Aelia Zenonis	476	Royalty	Roman	Associated with wrongs of male relative	Church asylum Imprisoned (fortress of Limnai in Cappadocia)	Joh. Mal. 15.5 Marcell. com. s.a. 476
19	Verina	478	Royalty	Roman	Crime: attempted murder	Imprisoned (fortress of Papyrius in Isauria) Monastic confinement (Tarsus)?	Joh. Ant. fr. 237 (ed. Mariev) Joh. Mal. 15.12 Joh. Nikiu 88.67 Theoph. AM 5972
20	Leontia	479	Royalty	Roman	Associated with wrongs of male relative	Fled Monastic confinement (monastery of the Akoimetoi) Imprisoned (fortress of Papyrius in Cappadocia)	Theoph. AM 5971–2 Joh. Ant. fr. 234 (ed. Mariev)
21	Anonyma 5	480/481 – 483	Royalty	Vandal	Companion of exile	Unclear	Vict. Vit. 2.12–14

(continued)

Appendix 1 (continued)

No.	Name	Date of exile	Status	Territory	Reason for exile	Conditions of exile (location if known)	Source for exile (abbreviations follow PLRE)
22	Anonyma 6	480/1 – 484	Royalty	Vandal	Associated with wrongs of male relative	Expulsion/forced emigration?	Vict. Vit. 2.12–14
23	Anonyma 7	480/1 – 484	Royalty	Vandal	Associated with wrongs of male relative	Expulsion/forced emigration?	Vict. Vit. 2.12–14
24	Dagila	484	Unfree?	Vandal	Crime: heresy?	Frontier banishment (North African desert)	Vict. Vit. 3.33
25	Anonyma 8	484	Unclear	Vandal	Crime: heresy?	Unclear	Vict. Vit. 3.50–51
26	Asteria	488	Senatorial?	Roman	Associated with wrongs of male relative	Church asylum (Tarsus)	Joh. Ant. fr. 237 (ed. Mariev)
27	Thecla	488	Senatorial?	Roman	Associated with wrongs of male relative	Church asylum (Tarsus)	Joh. Ant. fr. 237 (ed. Mariev)
28	Lallis	492	Royalty	Roman	Associated with wrongs of male relative	Fled Monastic confinement (Brochthi)	Joh. Ant. fr. 239 (ed. Mariev)

29	Longina	492	Royalty	Roman	Associated with wrongs of male relative	Fled Monastic confinement (Brochthi)	Joh. Ant. fr. 239 (ed. Mariev)
30	Valeria	492	Royalty	Roman	Associated with wrongs of male relative	Fled Monastic confinement (Brochthi)	Joh. Ant. fr. 239 (ed. Mariev)
31	Sunigilda	493	Royalty	Ostrogothic	Regime change	Imprisoned	Joh. Ant. fr. 238 (ed. Mariev)
32	Chroma	493	Royalty	Burgundian	Regime change	Monastic confinement	Greg. Tur. *HF* 2.28 *Lib. Hist. Franc.* 11
33	Clotild	493	Royalty	Burgundian	Regime change	Held at a specific place?	Greg. Tur. *HF* 2.28 *Lib. Hist. Franc.* 11 Fredegar. III.17
34	Susanna	519–534	Ascetic	Roman	Crime: heresy	Frontier banishment (desert beyond Alexandria)	Joh. Eph. *V.SS.Or.* 27
35	Anonymae 2	519–534	Ascetic	Roman	Companions of exile	Frontier banishment (desert beyond Alexandria)	Joh. Eph. *V.SS.Or.* 27
36	Nonna/ Marutha	521	Ecclesiastic	Roman	Companion of exile	Held at a specific place (Petra, then Alexandria)	Joh. Eph. *V.SS.Or.* 13 Zach. *HE* 8.5 Ps.-Dion. (of Tel-Mahrē) *Chron*. 3. p. 32
37	Shmuni	521	Ecclesiastic	Roman	Companion of exile	Held at a specific place (Petra, then Alexandria)	Joh. Eph. *V.SS.Or*. 13 Zach. *HE* 8.5 Ps.-Dion. (of Tel-Mahrē) *Chron*. 3. p. 32

(continued)

Appendix 1 (continued)

No.	Name	Date of exile	Status	Territory	Reason for exile	Conditions of exile (location if known)	Source for exile (abbreviations follow PLRE)
38	Amalafrida	523	Royalty	Vandal	Crime: treason	Imprisoned	Proc. *BV* 1.9.4 Vic. Tonn. a.523.1
39	Anonymae 3	525	Ascetic	Roman	Crime: heresy	Unclear	Ps.-Dion. (of Tel-Mahrē) *Chron.* 3. p. 22
40	Placidina	525–527	Elite	Merovingian	Associated with wrongs of male relative	Unclear	Greg. Tur. *HF* 3.12
41	Alcima	525–527	Senatorial	Merovingian	Associated with wrongs of male relative	Unclear	Greg. Tur. *HF* 3.12
42	Anonyma 9	530	Royalty	Vandal	Regime change	Imprisoned (Carthage)	Joh. Mal. 459
43	Radegund	532	Royalty	Merovingian	War captivity	Held at a specific place (kingdom of Clothar, later monastery in Poitiers)	Greg. Tur. *HF* 3.7 Ven. Fort. *V.S. Radeg*. 2
44	Iuliana	532?	Senatorial	Roman	Associated with wrongs of male relative	Unclear	Joh. Eph. *HE* 3.2.12

45	Amalasuntha	534	Royalty	Ostrogothic	Regime change	Imprisoned (fortress on an island in Lake Bolsena, Etruria)	Proc. *BG* 1.4.13–15 *Marcell. com. Addit.* a.534 Jord. *Get.* 306
46	Matasuentha	540	Royalty	Roman	War captivity	Held at a specific place (Constantinople)	Proc. *BG* 3.1.2 Jord. *Get.* 81
47	Praeiecta	545	Royalty	Roman	War captivity	Imprisoned (Carthage)	Proc. *BV* 2.26.18; 27.20; 27.22 Proc. *BG* 3.31.3
48	Anastasia	548	Senatorial	Roman	Hostility of ruler (Theodora)	Expulsion/forced emigration (from palace)?	*V. Dan. Scet.* 1A-C
49	Anonyma 10	551–582	Elite?	Merovingian	Crime: abduction	Church asylum Monastic confinement (Cossium/Vasatis)	Greg. Tur. *HF* 6.16
50	Caesaria	555	Elite	Merovingian	Companion of exile	Church asylum (Clermont then church of St Julian)	Greg. Tur. *HF* 4.13
51	Ultrogotha	558	Royalty	Merovingian	Regime change	Held at a specific place?	Greg. Tur. *HF* 4.20
52	Chrodoswintha	558	Royalty	Merovingian	Regime change	Held at a specific place?	Greg. Tur. *HF* 4.20
53	Chrodoberga	558	Royalty	Merovingian	Regime change	Held at a specific place?	Greg. Tur. *HF* 4.20
54	Micina	559	Unfree	Roman	Crime: ecclesiastical	Monastic confinement	Pelag. I *Ep.* 47
55	Theudechild	567	Royalty	Merovingian	Regime change	Monastic confinement (Arles)	Greg. Tur. *HF* 4.26
56	Antipatra	after 571	Senatorial	Roman	Crime: heresy	Monastic confinement	Joh. Eph. *HE* 3.2.12

(continued)

Appendix 1 (continued)

No.	Name	Date of exile	Status	Territory	Reason for exile	Conditions of exile (location if known)	Source for exile (abbreviations follow PLRE)
57	Iuliana (same as n. 44)	after 571	Senatorial	Roman	Crime: heresy	Monastic confinement (Chalcedon)	Joh. Eph. *HE* 3.2.12
58	Albsuinda	572	Royalty	Lombard Roman	Regime change	Held at a specific place (Ravenna, then Constantinople)	*Origo Gent. Lang.* 5 *Hist. Lang. cod. Goth.* 5 Paul. Diac. *Hist. Lang.* 2.29–30 Agnellus *Lib. Pont. Eccl. Rav.* 96
59	Brunhild	575	Royalty	Merovingian	Regime change	Held at a specific place (Rotomagus)	Greg. Tur. *HF* 5.1–2 Fredegar. 3.72 *Lib. Hist. Franc.* 33
60	Ingund	575	Royalty	Merovingian	Regime change	Held at a specific place (Latinon/civitas Meldorum)	Greg. Tur. *HF* 5.1
61	Chlodosind	575	Royalty	Merovingian	Regime change	Held at a specific place (Latinon/civitas Meldorum)	Greg. Tur. *HF* 5.1
62	Anonyma 11	580	Elite	Merovingian	Associated with wrongs of male relative	Held at a specific place (pagus near Turnacum)	Greg. Tur. *HF* 5.49

63	Anonyma 12	581	Elite	Merovingian	Companion of exile	Expulsion/forced emigration (to Avennio and Augustoritum/Lemoveca)	Greg. Tur. *HF* 6.1; 6.24; 7.10 Mar. Avent. a.581
64	Ingund (same as n. 60)	583	Royalty	Roman	War captivity	To be held at a specific place (Constantinople), died en route	Greg. Tur. *HF* 5.38; 6.40; 6.43; 8.28 Paul. Diac. *Hist. Lang.* 3.21
65	Rigunth	584	Royalty	Merovingian	Regime change	Held at a specific place (near Tolosa)?	Greg. Tur. *HF* 7.32
66	Anonyma 13	585	Elite	Merovingian	Companion of exile	Expulsion/forced emigration (to Kingdom of Childebert II and then the region beyond the Garonne)	Greg. Tur. *HF* 8.18
67	Anonyma 14	585–588	Freed	Merovingian	Crime: ecclesiastical	Expulsion/forced emigration (to residence of Queen Fredegund)	Greg. Tur. *HF* 7.44
68	Anonyma 15	587	Elite	Merovingian	Associated with wrongs of male relative	Unclear	Greg. Tur. *HF* 9.10
69	Anonyma 16	587	Elite	Visigothic	Companion of exile	Forced labour/penal enslavement (church of St Eulalia, Merida)	*V. Patr. Emer.* 5.10–11
70	Septimima	589	Unfree?	Merovingian	Crime: treason	Forced labour/penal enslavement (villa of Malenheim)	Greg. Tur. *HF* 9.38
71	Honorata	594 or before	Ecclesiastic?	Roman	Crime: ecclesiastical	Monastic confinement	Greg. *Ep.* 4.34

(continued)

Appendix 1 (continued)

No.	Name	Date of exile	Status	Territory	Reason for exile	Conditions of exile (location if known)	Source for exile (abbreviations follow PLRE)
72	Brunhild	599	Royalty	Merovingian	Hostility of ruler	Expulsion/forced emigration (to near Artiaca in kingdom of Theuderic)	Fredegar. 4.19
73	Anonyma 17	601	Royalty	Roman	War captivity	Held at a specific place (Ravenna)	Paul. Diac. *Hist. Lang.* 4.20
74	Constantina	602	Royalty	Roman	Regime change; crime: treason	Imprisoned (house arrest in Constantinople) Monastic confinement (St Mamas)	Theoph. Sim. 8.15.1 *Chron. Pasch.* s.a. 603 Joh. Nikiu 103.8 Theoph. AM 6095; 6098 Nic. Call. *HE* 18.41 Cedr. 1.711 *Patr. Const.* 3.185
75	Anastasia	602	Royalty	Roman	Companion of exile	Imprisoned (house arrest in Constantinople) Monastic confinement (St Mamas)	Theoph. Sim. 8.15.1 *Chron. Pasch.* s.a. 603 Joh. Nikiu 103.8 Theoph. AM 6095; 6098 Nic. Call. *HE* 18.41 Cedr. 1.711 *Patr. Const.* 3.185

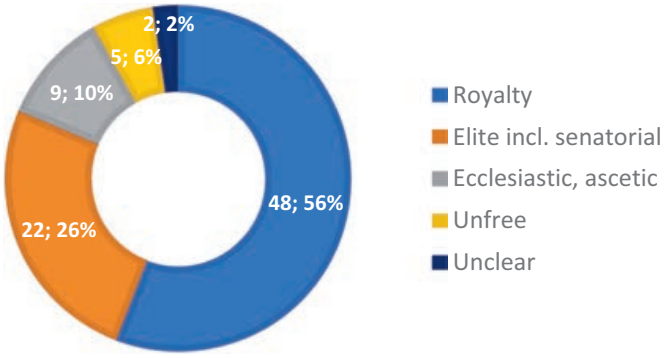
76	Theoctiste	602	Royalty	Roman	Companion of exile	Imprisoned (house arrest in Constantinople) Monastic confinement (St Mamas)	Theoph. Sim. 8.15.1 *Chron. Pasch.* s.a. 603 Joh. Nikiu 103.8 Theoph. AM 6095; 6098 Nic. Call. *HE* 18.41 Cedr. 1.711 *Patr. Const.* 3.185
77	Cleopatra	602	Royalty	Roman	Companion of exile	Imprisoned (house arrest in Constantinople) Monastic confinement (St Mamas)	Theoph. Sim. 8.15.1 *Chron. Pasch.* s.a. 603 Joh. Nikiu 103.8 Theoph. AM 6095; 6098 Nic. Call. *HE* 18.41 Cedr. 1.711 *Patr. Const.* 3.185
78	Ermenberga	607	Royalty	Merovingian	Hostility of ruler	Expulsion/forced emigration (to Visigothic kingdom)	Fredegar. 4.30
79	Berta	626	Elite	Merovingian	Crime: ecclesiastical	Fled (to Austrasia) Church asylum (St Epvre in Tullum)	Fredegar. 4.54
80	Gundeberga	628/629	Royalty	Lombard	Crime: treason, adultery	Imprisoned (fortress of Laumellum)	Fredegar. 4.51 Paul. Diac. *Hist. Lang.* 4.47
81	Anonyma 18	633	Royalty	Visigothic	Crime: treason?	Unclear	*Conc. Tol.* IV, cap. 75 (Vives Concilios: 221)

(continued)

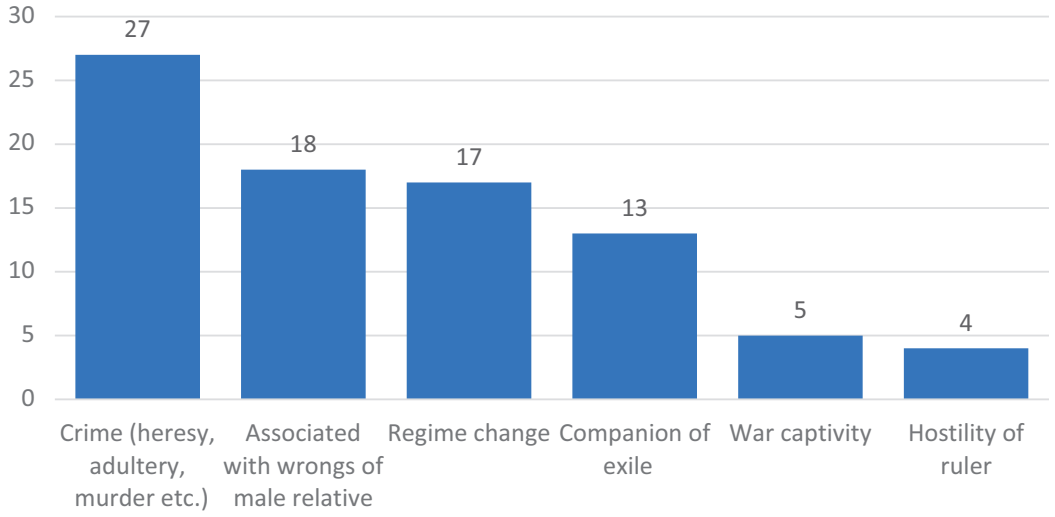
Appendix 1 (continued)

No.	Name	Date of exile	Status	Territory	Reason for exile	Conditions of exile (location if known)	Source for exile (abbreviations follow PLRE)
82	Anonyma 19	633	Royalty	Visigothic	Associated with wrongs of male relative	Unclear	*Conc. Tol.* IV, cap. 75 (Vives Concilios: 221)
83	Gundeberga (same as n. 80)	636	Royalty	Lombard	Regime change	Imprisoned (palace at Ticinum)	Fredegar. 4.70–71
84	Martina	641	Royalty	Roman	Crime: murder	Held at a specific place (island of Rhodes)	Theoph. AM 6133 Cedr. 1 753 Zon. 14.18 Sebeos 32, p. 193 Vardan p. 85 Bar Hebr., *Chron.* p. 86 *Hist. Nest.* 2.107 Joh. Nikiu 120.52

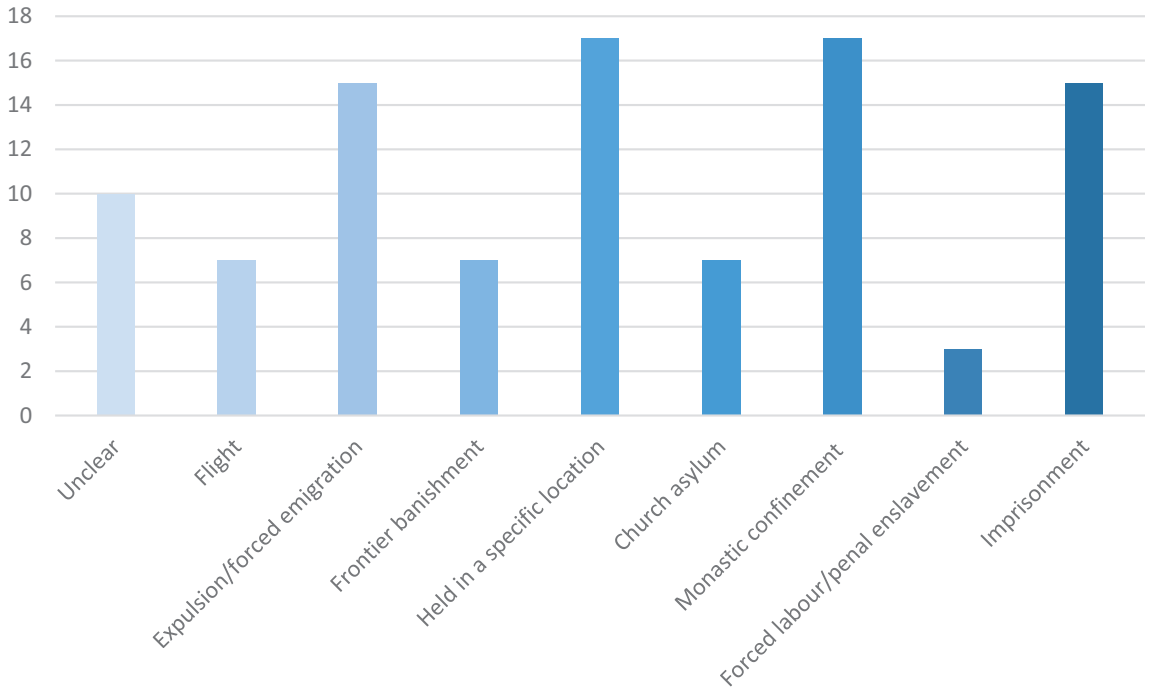
Appendix 2



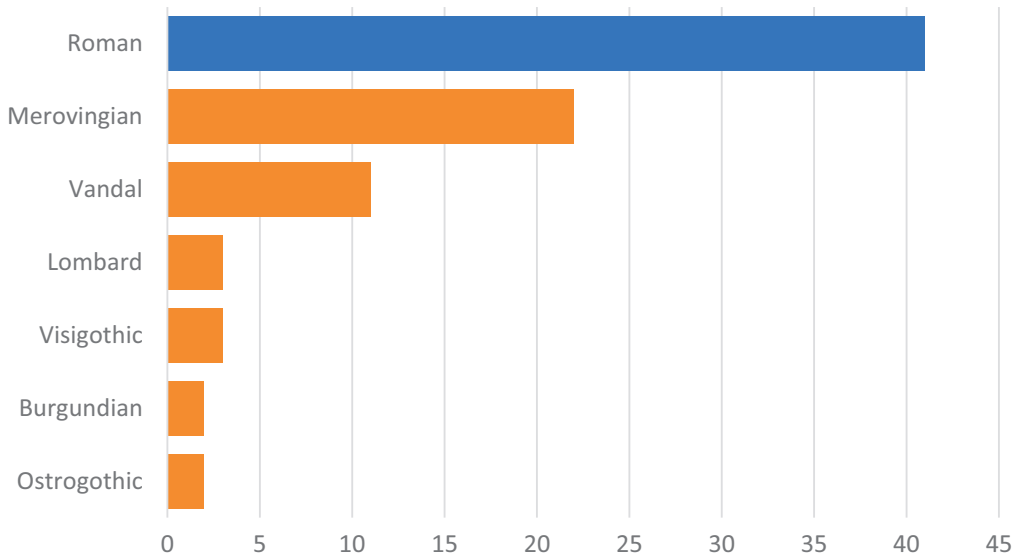
Graph 1: Identities of exiled women in late antiquity (numerical and percentage values).



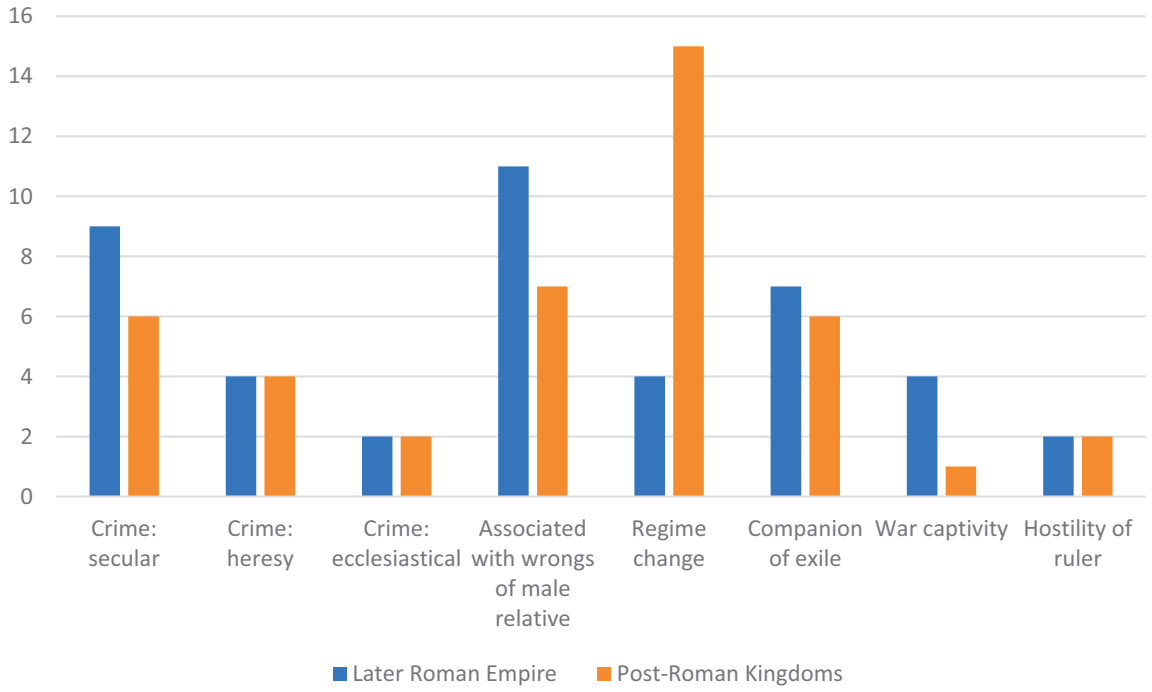
Graph 2: Reasons for women's exile in late antiquity.



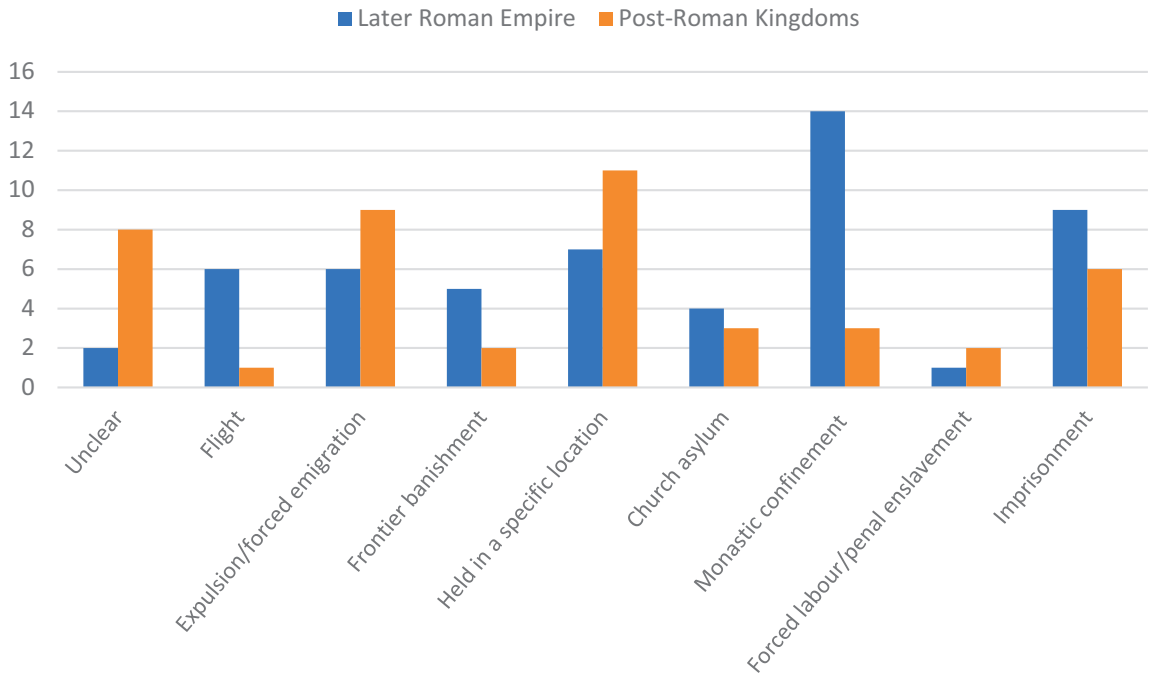
Graph 3: Conditions of women's exile in late antiquity.



Graph 4: Distribution of women's banishments according to territory in late antiquity.



Graph 5: Reasons for women's exile in the later Roman Empire and post-Roman kingdoms.



Graph 6: Conditions of women's exile in the later Roman Empire and post-Roman kingdoms.

3. Research Lenses

3.5. Gender and Intersectionality

Birgit Ulrike Münch. "A Small-Statured Fool or a Perceivedly Foolish Court Dwarf? Depicting Early Modern Disability at Court Between Body and Role," in *The Iconography of 'Otherness' in Pre-Modern Visual Art: A Cross-Cultural Approach*, ed. Martin Bentz and Patrick Zeidler (Berlin: De Gruyter, 2026): 239–256.

https://doi.org/10.1515/9783112251010-010

Birgit Ulrike Münch

A Small-Statured Fool or a Perceivedly Foolish Court Dwarf? Depicting Early Modern Disability at Court between Body and Role

Three percent of all people are born with short stature, and regardless of whether this condition is genetically or hormonally induced, four hundred different forms have been described. The most common cause of short stature is genetically determined achondroplasia, in which the extremities are shortened and the head is enlarged. Out of every ten thousand children, one child is born with this form of short stature. As in many other areas of the broad field of disability studies, the description of short stature, whether by those affected or by the people around them, has varied over the past centuries. Even today, inappropriate terms are still being used to describe people of smaller or different body sizes, including in scientific contexts. Persons characterized by proportionate short stature were referred to as "midgets" in the so-called freak shows of the mid-nineteenth century, a term that still appears in the research literature even though it is now understood to be highly offensive and pejorative. Little persons (LPs), vertically challenged persons, or short-statured persons, on the other hand, are more acceptable descriptions or terms for the phenomenon, which is generally defined as "a medical or genetic condition that usually results in an adult height of 4 ft 10 inches (ca. 145 cm) or shorter, among both men and women."[1] Disproportionate short stature is more common today than the proportionate one, which was rather the opposite in previous centuries. This is because medical advances and insights have led to much better treatment options for when short stature is caused by hormonal growth disorders, chronic diseases, cardiovascular disorders, malnutrition, or metabolic diseases. According to recent research, short stature was as widespread in pre-modern Europe as it is today.[2] In contrast to the situation nowadays, however, people of short stature, and in particular the so-called "court dwarfs," were disproportionately frequently represented in the media at that time. Especially between the early fifteenth and the end of the eighteenth centuries, they can be found depicted and contextualized in a number of different visual and written media. Despite this significant body of representations – which in itself constitutes a valuable resource for an appropriate interpretation of the historical material – a comprehensive analysis that evaluates the numerous existing pictorial and textual sources

1 Taken from https://www.lpaonline.org/faq-#Definition [accessed 03.09.2025].

2 Bengt Källén et al., "Monitoring Dominant Germ Cell Mutations Using Skeletal Dysplasias Registered in Malformation Registries: An International Feasibility Study," *International Journal of Epidemiology* 22, no. 1 (1993): 107–15; Caroline Arcini and Per Frölund, "Two Dwarves from Sweden: A Unique Case," *International Journal of Osteoarchaeology* 6 (1996): 155–66.

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and combines them to provide an overall picture has yet to be carried out. My paper aims to contribute to the research on the phenomenon of the court dwarf, particularly by using a few examples of images and texts, as well as questioning the strict separation between the court dwarf and the court jester that has been proposed in research to date.[3] Bringing together the research on court jesters and court dwarfs from the decades between the fifteenth and seventeenth centuries, during which there are temporal overlaps in their existence, is also of central importance for the research on concepts of otherness – which these conference proceedings aim to contribute to. The distinction and the precise definition of this distinction between the shrewd fool and the natural fool, who were introduced in texts and images in the late Middle Ages, were provided by von Bernuth in 2009.[4] One example is the figure of Claus Narr in Emperor Maximilian's *Triumphal Procession*, who primarily assumes the role of the fool by virtue of his congenital anomalies or psychological behaviors and not solely through clothing and accessories. The investigation of phenomena of *otherness* – that is, processes of attributing and constructing difference – has gained significant momentum in the cultural and historical sciences over the past decades.[5] Within this framework, the field of Disability History, which interrogates historical perspectives on disability, embodiment, and social differentiation, has proven particularly productive in opening up new approaches to pre-modern societies.[6] A striking subject of inquiry in the context of European courts, from the Middle Ages through to the early modern period, is the presence of certain figures: court dwarfs and court fools. Both groups embodied deliberately staged forms of deviation from norm expectations, thereby fulfilling specific functions within the symbolic economies of courtly representation.[7]

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3 Gerhardt Petrat, *Die letzten Narren und Zwerge bei Hofe: Reflexionen zu Herrschaft und Moral in der Frühen Neuzeit* (Bochum: Winkler, 1998). Petrat's book explores how court fools and dwarfs in the early modern period reflected power, morality, and social order at European courts, blending cultural history with moral reflection. While the book offers an original and engaging perspective, some parts of its analysis can feel superficial today due to its reliance on anecdotal sources.

4 Ruth von Bernuth, *Wunder, Spott und Prophetie: Natürliche Narrheit in den "Historien von Claus Narren"*, Frühe Neuzeit 133 (Tübingen: Niemeyer, 2009): 164–72;

5 Edward Said, *Orientalism* (New York: Random House, 1978); Stuart Hall, ed., *Representation: Cultural Representations and Signifying Practices* (London: Sage Publications, 1997).

6 Henri-Jacques Stiker, *A History of Disability* (Ann Arbor: The University of Michigan Press, 1999); Catherine Kudlick, "Disability History: Why We Need Another 'Other'," *American Historical Review* 108, no. 3 (2003): 763–93; Sebastian Barsch et al., eds., *The Imperfect Historian. Disability Histories in Europe* (Frankfurt am Main: Peter Lang, 2013); Anne Waldschmidt, "Disability Studies: Subject, Discipline, Method," *ALTER – European Journal of Disability Research* 3, no. 1 (2009): 8–23.

7 Merry Wiesner-Hanks, *The Marvelous Hairy Girls: The Gonzales Sisters and Their Worlds* (New Haven: Yale University Press, 2010); Erica Fudge, *Brutal Reasoning: Animals, Rationality, and Humanity in Early Modern England* (Ithaca: Cornell University Press, 2010); Enid Welsford, *The Fool: His Social and Literary History* (London: Faber & Faber, 1935).

Between the fifteenth and the end of the eighteenth centuries, the structure of an ideal early modern noble court in Europe provided a place of livelihood for "dwarfs" – a pre-modern term which derives from the Middle High German "getwerc" or the Old English "dweorg."[8] The phenomenon can be traced back to antiquity and occurs in a wide variety of cultures, including ones that have no contact with one another. This special position of "dwarfs" is exemplified by numerous visual representations.[9] In the European context, their body is distinguished – as it was in ancient Egyptian, Greek, and Chinese cultures, as well as in Mesoamerican cultures – by its particular imagery.

It should therefore be noted and emphasized that the depiction of people with short stature is a very powerful phenomenon that has been extremely resilient for centuries as a recurring theme, having reached its peak during the entire early modern period, and from a Eurocentric perspective, spanning from 1550 to 1750.

But how can the situation of people with short stature in pre-modern times be defined? How can body shape and body norms, one's disability or dis/ability, in the past be explored?[10] How are the hierarchies of different bodies at court described in texts and images? And even though there are many different approaches to studying short stature in pre-modern times, particularly in seventeenth-century Spain, researchers have strangely shied away from interdisciplinary thinking and have tended to view image and text sources separately. Another desideratum was identified by Janet Ravenscroft in 2014: that research on portraits of female court dwarfs was lacking.[11] She summarized what she considered to be a paradox as follows: "Despite their privileged positions as close personal servants and companions, these "dwarfs" now find themselves in the shadows. From being centre stage, they have receded from

8 Eva Seemann, *Hofzwerge: Kleinwüchsige Menschen an deutschsprachigen Fürstenhöfen der Frühen Neuzeit*, Frühneuzeit-Forschungen 24 (Göttingen: Wallstein, 2023): 13; see also: Eva Seemann, "Der kleine Unterschied: Zur Stellung von 'Hofzwergen' an Fürstenhöfen der Frühen Neuzeit," in *Verschränkte Ungleichheit: Praktiken der Intersektionalität in der Frühen Neuzeit*, ed. Matthias Bähr and Florian Kühnel, Zeitschrift für Historische Forschung: Beiheft 56 (Berlin: Duncker & Humblot, 2018): 55–86.

9 Elizabeth B. Bearden, *Monstrous Kinds: Body, Space, and Narrative in Renaissance Representations of Disability* (Michigan: University of Michigan Press, 2019).

10 Patrick Schmidt, "Behinderung in der Frühen Neuzeit: Ein Forschungsbericht," *Zeitschrift für Historische Forschung* 37 (2010): 617–51; Cordula Nolte, ed., *Phänomene der "Behinderung" im Alltag: Bausteine zu einer Disability History der Vormoderne* (Affalterbach: Didymos, 2013); Cordula Nolte et al., eds., *Dis/ability History der Vormoderne: Ein Handbuch* (Affalterbach: Didymos, 2017); Seemann, *Hofzwerge*: introduction; Susanne Kubersky-Piredda et al., "Art Agent at the Court of King Philipp," in *Double Agents: Cultural and Political Brokerage in Early Modern Europe*, ed. Marika Keblusek and Badeloch Vera Noldus, Studies in Medieval and Reformation Traditions 154 (Leiden: Brill, 2011): 213–32.

11 Janet Ravenscroft, "Dwarfs – and a *loca* – as Ladies' Maids of the Spanish Habsburg Courts," in *The Politics of Female Households: Ladies-In-Waiting Across Early Modern Europe*, ed. Nadine Akkerman and Birgit Houben, Rulers & Elites: Comparative Studies in Governance 4 (Leiden: Brill, 2014): 147.

view because of their triple status as physically anomalous, female and servants."[12] One particular deficiency seems to be related to the question of intersectionality, namely the need for studies on how people with anomalies were interpreted from a gender-specific perspective in pre-modern times. How did their role differ from that of their male contemporaries? And how was the distinction between court dwarfs and court jesters described in earlier times?[13] Flögel's treatise, published in 1789, is a key work in defining court jester culture.[14] The coarse and refined foolishness that Flögel distinguishes between them corresponds in broad terms to the medieval image of natural versus mischievous fools. Coarse foolishness is located in the realm of unconscious and natural foolishness, while refined foolishness would be "feigned" foolishness.[15]

However, Flögel does not offer a direct comparison between court dwarfs and court jesters, but instead classifies "dwarfs" as a subcategory of jesters:

> Ja, die hässlichsten Zwerge, rachitische Ungeheuer, krumme und schief gewachsene Menschen sind oft als Hofnarren gebraucht worden.
>
> Yes, the ugliest dwarfs, rachitic monsters, crooked and deformed people have often been used as court jesters.[16]

Influential and extremely comprehensive texts such as Flögel's may have contributed to why the evolution of court dwarfs and court jesters was largely studied separately in the following period, in addition to the beginning and end of either phenomenon differing greatly from each other. However, given the decades of concurrent development and a common image archive, it makes sense to consider both phenomena together, especially with respect to female jesters and female court dwarfs. Flögel does not provide any information on the former. Otherwise, would we automatically exclude certain portraits from the other category without having more detailed information about the person portrayed? One example might be the impressive drawing of Catherine, who was known as Cathelot or Catelot, that is held at the Musée Condé in Chantilly (Fig. 1). The drawing comes from a collection that was originally owned by Catherine de Medici and can be attributed to the portraitist Jean Clouet, who served as court painter to Francis I from 1516 onwards. The sheet dates from around

12 Ravenscroft, "Dwarfs": 147–48.

13 Ingrid Bennewitz, *Gender Studies – Queer Studies – Intersektionalität: Eine Zwischenbilanz aus mediävistischer Perspektive*, Berliner Mittelalter- und Frühneuzeitforschung 25 (Göttingen: V&R unipress, 2019).

14 Karl. F. Flögel, *Geschichte der Hofnarren: Mit Kupfern* (Liegnitz: David Siegert, 1789); Ruth von Bernuth, "Über Zwerge, rachitische Ungeheuer und Blödsinn lacht man nicht: Zu Karl Friedrich Flögels 'Geschichte der Hofnarren' von 1789," *Traverse: Zeitschrift für Geschichte* 13 (2006): 61–72.

15 Flögel, *Geschichte der Hofnarren*: 4; von Bernuth, "Über Zwerge": 63.

16 Flögel, *Geschichte der Hofnarren*: 4. Translation by the author.

1500–1540. Cathelot first served Queen Eléonore before entering the service of Marguerite, Duchess of Berry and daughter of Francis I. The The sheet has been cited in the literature under the titles of *Court Dwarf* and *Court Jester*. Cathelot is depicted with a firm determined gaze; the horizontal line dividing her bodice suggests that this is a preliminary sketch for a portrait, and that the artist set the appropriate image section at this point. Could Cathelot not have been both, a court dwarf as well as a court jester?

Fig. 1: Jean Clouet: *Catherine, known as Cathelot, "dwarf" or fool/madwoman to Queen Eléonore (ca. 1529) (until ca. 1540)*, black pencil drawing and blood; inv. no. MN179; B179. Musée Condé, Chantilly.

One particular group portrait, which I will briefly discuss below, makes it clear that this strict separation is called into question when "monstrous kinds"[17] or species such as hairy people, natural fools, or people of color appear together in a painting. This is not the case when it comes to double portraits of rulers. In such group portraits, court dwarfs often appear privileged as compared to the other marginalized individuals. This is further established by the existence of group portraits depicting individuals with various physical anomalies. Rulers, however, are seldom depicted together with such figures. Only two groups of individuals form notable exceptions: People of color, who were often portrayed alongside children as so-called court pages, and, far more frequently, court dwarfs shown together with rulers or mem-

17 Bearden, *Monstrous Kinds*.

bers of the elite. Carracci's famous group portrait of the court dwarf, the hunchback, and the court jester (Fig. 2) initially shows the three characters in different roles: While the hunchback in the middle is engaged in dialogue with the jester, who is located on the right-hand side of the picture and is only visible up to the end of his white collar, the court dwarf occupies the entire height of the picture on the left side. As is often emphasized in courtly sources, he also seems to be connected to the court menagerie here: He is holding the emperor's large dog in his arms, while a large parrot is sitting on his left shoulder, to which the hairy man in the middle is offering fruit. The other two men also have close connections to two animals. Diagonally in front of the jester is a monkey, while the hairy man has a small brown-furred dog on his lap. The court dwarf's large dog as well as the other animals are looking in the same direction as their human counterparts. However, the following is striking: Carracci cleverly breaks up the order in a manner that appears plausible and fixed at first glance, specifically by presenting the court dwarf in striking clothing that shifts between ochre, red, and orange, which is strongly reminiscent of a jester's costume.

Fig. 2: Agostino Carracci: *Arrigo the hairy one, Pietro the mad one, Amon the dwarf*, 1598–1600, oil on canvas, 101 × 133 cm, inv. no. Q 369, Naples, Museo Nazionale di Capodimonte.

1 Intersectionality among the Children of the Palace, "Dwarfs", and Jesters at the Spanish Court

A key source for analyzing the relationship between court dwarfs and court jesters and identifying "hybrid forms" between the two groups is one presented by archivist José Moreno Villa, which is central to all other research conducted on Spanish and European court dwarfs. Under the title "Locos, enanos, negros y ninos palaciegos," he created a list that includes references to little people, jesters, people of color, and "palace children" at the Spanish court, compiled from account books and other sources and covering the period from 1563 to 1801.[18] He sometimes varies and uses the term "buffones" or "bufones" instead of "locos." The following conclusion can be drawn: Of the 127 listed dwarfs and "locos," i.e., jesters or natural fools, 42 are female courtiers. At least 31 of those listed as jesters and dwarfs or simply as people of short stature are female. This means that on this list, the people of short stature who were female account for a quarter of the total group. Eleven individuals, both men and women, are listed in their "dual roles" as court jesters and court dwarfs. These include Baltasar, a French court dwarf/jester,[19] Antonio Macareli, "Enano y loco italiano,"[20] "Catalina la Portuguesa, o simplemente Catalina La Loca,"[21] and Bernarda Blasco, who was the "Enana de la Reina y loca".[22] Understanding the social positions and functions of people of short stature within courtly life remains a challenging task. It is equally relevant to ask whether such figures in early modern Europe became focal points for negotiating ideas of disability, race, gender, geography, and lineage within the broader framework of colonial expansion. The encounters initiated by colonization – which exposed Europeans to previously unknown peoples, whom they occasionally violently brought into courtly environments – may have prompted the emergence of new hierarchies or reshaped existing social orders.

18 José Moreno Villa's list was compiled in the middle of the war in 1939, which then led to minor inaccuracies. Nevertheless, it remains a source that should not be underestimated. A new annotated edition has recently been published; see: José Moreno Villa, *Locos, enanos, negros y niños palaciegos: Gente de placer que tuvieron los Austrias en la Corte española desde 1563 a 1700* (Madrid: Ediciones Cinca, 2023).

19 Moreno Villa, *Locos*: 68.

20 Moreno Villa, *Locos*: 96.

21 Moreno Villa, *Locos*: 93.

22 Moreno Villa, *Locos*: 74.

2 Magdalena Ruiz: Isabella's "Dwarf" – or Isabella's Fool?

However, the most famous person to perform both roles – court jester and court dwarf – is the infanta Isabella Clara Eugenia's court dwarf, Magdalena Ruiz, who is depicted alongside her in the renowned painting by Alonso Sánchez Coello. As Villa's remarks reveal, Isabella Clara Eugenia had Magdalena Ruiz in her service for many years; she lived at court from 1565 to 1605. She is listed as an "Enana y loca," and in numerous letters Isabella apparently inquired about the person of short stature's state of health, who had been reported to have drunk too much alcohol and then started dancing wildly. However, this extensive source is also very informative for another reason: The important portrait mentioned shows Magdalena together with Isabella Clara Eugenia, who was the governor of the Southern Netherlands and daughter of Philip II (Fig. 3), and it could be the first portrait of Isabella that was deliberately created as a mobile art object. This would mean that it was created for a broader international audience and was therefore not intended for a specific place in one of the houses of the Spanish court, which naturally also held certain public audiences with noble guests and diplomats.

The portrait, painted around 1585–1588, shows the specific closeness between the court dwarf and the ruler, which would have developed over many years.[23] The complexity of the pair's relationship is evident in this particular portrait. For only in a few aspects does the painting follow the norms of so-called "portraits with servant," which were particularly popular in the Netherlands, and in which the enslaved was often depicted as an incorporated stranger. Magdalena is standing to Isabella's left and is looking up at her. Her bony hands seem to be out of proportion in comparison to her overall height, which reaches up to the regent's hips. The court painter Alonso Sánchez Coello emphasized the close bond between her and the infanta through certain details, which can be reconstructed from written sources: Magdalena Ruiz was already in court service during the reign of Charles V, and sources show that she was already suffering from dementia at that time. In contrast to many other portraits, her court affiliation is emphasized in the portrait. At first glance, it seems that only Isabella is holding a miniature portrait of her father, Philip II, and is presenting it to the viewer. But Isabella's "dwarf" is also wearing a medallion of Philip on a striking coral necklace, while carrying two monkeys from the Amazon region – i.e., from the Portuguese territory over which Philip ruled after

23 Moreno Villa, *Locos*: 51; Fernando Bouza, *Locos, enanos y hombres de placer en la corte de los Austrias: oficio de burlas*, Bolsitemas Series Historia de la España Sorprendente 73 (Madrid: Temas de Hoy, 1996). Birgit Ulrike Münch, "Idealmutter für 'Hofzwerge' und Volk – Witwe im Habit der Macht: Rollenmodelle und Agitationsräume Isabella Clara Eugenias (1566–1633)," in *Geschlecht macht Herrschaft – Interdisziplinäre Studien zu vormoderner Macht und Herrschaft / Gender Power Sovereignty – Interdisciplinary Studies on Premodern Power*, ed. Andrea Stieldorf et al., Macht und Herrschaft 15 (Göttingen: V&R unipress, 2021): 273–94.

Fig. 3: Alonso Sánchez Coello: *Infanta Isabel Clara Eugenia and Magdalena Ruiz*, around 1585, oil on canvas, 207 x 129 cm, Museo del Prado, Madrid.

the union of Spain and Portugal in 1580. It can be assumed that Magdalena traveled to Portugal after Philip ascended the throne and may have received the necklace, medallions, and animals shown here as a token of gratitude for her loyalty. The portrait is also intended to demonstrate the infanta's suitability for marriage and government. It may be the painting itself, or a copy made shortly afterwards, that was supposed to be sent to Prague in November 1586, as a marriage between Rudolf II and Isabella was being considered. Magdalena Ruiz is also a frequent subject of Philip II's numerous letters to his daughters. But what purpose does she serve in this important portrait of Isabella? Isabella's hand on the old woman's head suggests the virtues of the ruler, namely protection and care, but at the same time also guidance and dominance. However, and this is an equally important aspect, Isabella is also connected to her relatives through the loyal "dwarf". The portrait of Philip in her hand and, above all, the court dwarf's devoted gaze upwards point to Philip II's

cameo in the center of the picture: It was deliberately placed at the center of the composition so that its presence in this state portrait immediately catches the viewer's eye. As is well known, Rudolph II and Isabella did not marry. In 1598, she was appointed regent of the Spanish Netherlands, where female succession was the rule. In return, Philip released the Netherlands from the Spanish Empire in the same year and handed over power to his daughter and her husband, her cousin Archduke Albrecht VII. If they failed to produce an heir, the Netherlands would revert to Spain and the surviving partner would be appointed governor of the Spanish king. The latter was to be the case upon Albrecht's death in 1621. Apart from Magdalena, what does Villa's source tell us about other court dwarfs or jesters? The sources make it clear that fools as well as people of color received less expensive clothing than the court dwarfs. Magdalena Ruiz's special position is also evident from the fact that, according to Villa, she had a black servant, about whom Magdalena was said to be worried because she had run away after having left once before, and people thus had a bad impression of her:

> Madalena anda muy acongojada con su negra, que volvió una vez y agora se le ha vuelto a ir, ha dos días y no sabe de ella: pero sospéchase mal de ella.
>
> Madalena is very worried about her black maid, who returned once and has now left again, two days ago, and she has not heard from her: but there are bad suspicions about her.[24]

3 Velázquez's *Las Meninas*, or: What Foucault Did Not (Want to) See?

Another painting depicting court dwarfs, possibly the most famous of all, must be reconsidered in light of the question of the dual function of court jesters and court dwarfs. If one aims to consider the hierarchy of the individuals in such portraits, the opening chapter of Michel Foucault's *Les mots et les choses*, entitled "Las Meninas," is an important starting point. Foucault vividly describes Diego Velázquez's famous painting *Las Meninas* (The Maids of Honor) from 1656: a painting that has long puzzled art historians.

At first glance, it is a picture depicting the young Princess Margarita of Spain in precious white brocade, surrounded by her court (Fig. 4). But on the left, with his brush raised and standing in front of his easel, the attentive viewer will recognize the painter himself. So, does the painting actually depict the act of painting? But why is the painter looking so intently at the viewers and not at the canvas in front of him? And if taken from his perspective, the image on this canvas would be completely different from what we know him to have painted. Thus, Velázquez is not painting what he sees here, but what the viewers see – the viewers being the king and queen, who

24 Moreno Villa, *Locos*: 40. Translation by the author.

can be seen in the mirror at the very back. In his chapter, Foucault names all the people in the painting and provides his interpretation of them.[25] Surprisingly, the court dwarf Maria Bárbola or Maribárbola (1609–1662) is not analyzed, nor is the court dwarf Nicolas Pertusato included in Foucault's famous interpretation of episteme and the representation of emptiness in the painting. This is all the more surprising when one considers that Foucault explores the phenomenon of the hermaphrodite Herculine Barbin very intensively in another context.[26]

Fig. 4: Diego Velázquez: *Las Meninas*, around 1656, oil on canvas, 318 x 276 cm, Museo del Prado, Madrid.

25 Michel Foucault, *Die Ordnung der Dinge: Eine Archäologie der Humanwissenschaften* (Frankfurt am Main: Suhrkamp, 1971): 31–45.

26 Michel Foucault, *Herculine Barbin. Being the Recently Discovered Memoirs of a Nineteenth Century French Hermaphrodite* (New York: Pantheon, 1980); Hilary Malatino, "Queer Monsters: Foucault, 'Hermaphroditism and Disability Studies," in *The Imperfect Historian: Disability Histories in Europe*, ed. Sebastian Barsch et al. (Frankfurt am Main: Peter Lang, 2013): 113–29.

By examining the phenomenon of the "court dwarf" from the perspective of historical dwarfs and analyzing their living, working, and social conditions through a comparison of image and text, it is possible to study this figure from a comparative perspective based on a broad foundation of art and cultural history. In the case of Maribárbola, Rubini Messerli was able to prove – using sources found in the Upper Austrian State Archives and archives in Graz and Madrid – that high-ranking personalities had sought to obtain the dwarf's inheritance, and that people in various German-speaking cities had been commissioned to transfer her inheritance to her descendants.[27] This process can also be applied in the analysis of portraiture: Individuals with physical anomalies are represented across a wide range of depictions. Rulers, by contrast, are rarely shown in the same image with such figures. There are, however, two notable exceptions – people of color, who were often portrayed alongside children as their so-called court pages, and, more commonly, court dwarfs, who were depicted together with rulers or members of the elite. As for the hybrid body of the court jester and the court dwarf in the person of the male dwarf Nicolas Pertusato, which has not been seen before, its study may enable researchers to better understand a detail that Meninas research has not yet been able to resolve convincingly: I am referring to Pertusato's left foot, which is placed on the back of the royal couple's large Spanish mastiff. Is he trying to wake up the dog, which is depicted with its eyes closed? Is it not an affront to kick the royal animal with his foot? That an action is being performed here, the outcome of which is unpredictable, can be seen from the court dwarf's hand position, which suggests vigilance, and also from the fact that his gaze is fixed on the dog's head. At this point, it should be noted that kicking the royal dog would fall more within the remit of a court jester than a court dwarf. Did Velázquez perhaps want to express this ambivalence here, especially in contrast to Maribárbola?

Regarding the question of what the body of a person of short stature should look like, specifically one considered to be well-proportioned from a pre-modern perspective, Baltasar Castiglione's work *The Book of the Courtier*, published in 1528, provides some insight. The work was also published in Catalan in 1540.[28] Although Castiglione does not explicitly address people of short stature at court, he reflects on the ideal proportions of courtly bodies, emphasizing that they should be neither excessively

27 Luisa Rubini Messerli, "The Death of the Royal Dwarf," in *Erzählkultur: Beiträge zur kulturwissenschaftlichen Erzählforschung*, ed. Rolf Wilhelm Brednich (Berlin: De Gruyter, 2009): 327–51; Luisa Rubini Messerli, "Maribárbara Asquín alias Maria Barbara Haunsin, die Zwergin von Velázquez Las Meninas und ihr Testament: Dokumente und Briefe aus Lambergs Nachlass in Linz," in *Kreuz- und Querzüge: Beiträge zu einer literarischen Anthropologie*, ed. Harm-Peer Zimmermann et al. (Hannover: Wehrhahn, 2019): 349–87.

28 Baldesar Castiglione, *Das Buch vom Hofmann*, trans. Fritz Baumgart (Bremen: dtv, 1960): 61; Janet Ravenscroft, "Invisible Friends: Questioning the Representation of the Court Dwarf in Hapsburg Spain," in *Histories of the Normal and the Abnormal: Social and Cultural Histories of Norms and Normativity*, ed. Waltraud Ernst, Routledge Studies in the Social History of Medicine 26 (London: Routledge, 2006): 30.

tall nor unduly short, and that proper bodily proportion was essential to avoid monstrous or grotesque forms. Ravenscroft compellingly demonstrates that much of the contemporary art literature describes the bodies of female dwarfs in highly problematic and misogynistic terms, which cannot necessarily be equated with pre-modern perceptions. For example, José Deleito y Piñuela characterizes Maribárbola as a "terrifying dwarf with a huge head," while Eduardo Chamorro describes her as a "giant dwarf" with pronounced folds of fat on her face. Viewed against this background, a closer analysis reveals that the construction of the dwarf's image and its social and symbolic functions were far more complex than previously acknowledged. Whereas earlier interpretations emphasized the contrast between the ruler's normalized body and the dwarf's deviant body as primarily a means of legitimizing authority, the representation of the court dwarf can also be read as a space for negotiation, in which subject and object, sign and signified, might converge in the perception of the pre-modern viewer. In addition, the jester's physical appearance must be taken into consideration. Castiglione writes about fools and laughter at court, saying that every courtier should exercise restraint in this regard, as excessive laughter or antics are inappropriate:

> Next I will try to tell you, as far as my judgment shall show me, what the means are that the Courtier ought to use for the purpose of exciting laughter, and within what bounds; because it is not seemly for the Courtier to be always making men laugh, nor yet by those means that are made use of by fools or drunken men, by the silly, the nonsensical, and likewise by buffoons. And although these kinds of men seem to be in demand at courts, yet they deserve not to be called Courtiers, but each by his own name, and to be held for what they are.[29]

4 Conclusion

Elsewhere, I mentioned that the court dwarf body is characterized by an impressive multicorporality. This also includes the possibility of ambivalence between the fool's body and the dwarf's body. Until now, this hybrid form has not been sufficiently considered in research, but an overly sharp distinction is not possible and is also not made plausible by the sources – Villa alone should be mentioned here.[30] This multicorporality ranges from "favorite companions" – in some cases, it is not clear whether the relationship went beyond that with the court's favorite animals – to important advisors, who in some cases influenced the fortunes of the court for decades.

Figuratively speaking: On the chessboard of the court, there is no other piece that can occupy practically every square as much as the court dwarf can!

29 Castiglione, Book 2, p. 124, quoted here from the following edition: Baldesar Castiglione, *Book of the Courtier*, trans. George Bull (London: Penguin, 1967): 13.

30 Münch, "Idealmutter."

Thus, my conclusion is that in pre-modern Europe, people of short stature were the only group of people at court who could take on a wide range of functions – from accessories to financially well-endowed and ennobled holders of court offices. This reasoning not only indicates oscillations between these two poles, i.e., from completely marginalized bodies to small bodies of power, but also systematically locates the different bodies of "dwarfs" and jesters at all conceivable points between these two poles. The role of the female dwarf becomes particularly interesting when combined with that of the female jester, opening up possibilities concerning this role that have not yet been satisfactorily explored in the sources. However, thanks to her many years of service at court and her close family ties, Magdalena Ruiz was able to reach a position that provided her with her own servants and made her a frequent topic of correspondence among the ruling family. Her behavior – her unrestrained alcohol consumption, for example, and the frailty that characterized her as she grew older – was discussed, and her height was mentioned in passing when her dancing on the table was recounted – a recurring topos in the description of court dwarfs. This could be made visible through the concept of historically informed Dependency Studies, which is emerging as a distinct field across the humanities. It is precisely the exposure of power and dependency, the latter of which is not always immediately apparent, that makes the concept of dependency studies so useful in this area, as it facilitates an understanding of how power imbalances have historically shaped, and continue to influence, societies around the world.[31] Research must, of course, reveal these subjects' dependencies, but also their capacity for action. It can thus be shown that it was precisely this hypertrophy of the figure of the court dwarf/jester – male or female – that enabled the historical individual to use the object character imposed on them from outside to constitute themselves as an independent subject.

Whereas court dwarfs were incorporated into the courtly microcosm primarily on the basis of corporeal difference – most commonly Achondroplasia – the otherness of court fools was based on their performative role, enacted through wit, satire, and staged folly.[32] This distinction is analytically significant, for it delineates two distinct modalities of constructing alterity: On the one hand, the inscription of the body as "deviant" and simultaneously exotic; on the other, the social attribution of a liminal status predicated upon the transgression of linguistic and gestural norms.[33] Both fig-

31 The two key concepts of the BCDSS methodology of dependency, "social order" and "agency," are genuinely connected to the research on court dwarfs and jesters. The theoretical framework with extensive literature can be found in: Julia Winnebeck et al., "The Analytical Concept of Asymmetrical Dependency," *Journal of Global Slavery* 8 (2023): 1–60.

32 John Southworth, *Fools and Jesters at the English Court* (Stroud: Sutton, 1998).

33 Rosemarie Garland-Thomson, *Extraordinary Bodies: Figuring Physical Disability in American Culture and Literature* (New York: Columbia University Press, 1997); Anne Waldschmidt, "Eine andere Geschichte schreiben? Überlegungen zur Historiografie von 'Behinderung' im Anschluss an die Disability Studies," in *Kultur – Geschichte – Behinderung. Die kulturwissenschaftliche Historisierung von Behinderung*, ed. Oliver Musenberg (Oberhausen: Athena, 2013): 101–20.

ures functioned as sites of projection for broader discourses of normalcy, order, and authority within the courtly sphere. Situated visibly at the margins of the norm yet securely embedded within courtly structures, they rendered difference both instrumentally valuable and subject to control. Their relevance for Disability History thus becomes apparent: The analysis of court dwarfs and jesters illuminates pre-modern practices of negotiating corporeal and social difference in their constitutive ambivalence between marginalization, instrumentalization, and integration. Consequently, both, fool as well as "dwarf", must not be regarded merely as peripheral figures, but rather as central actors in the cultural and political negotiations of normativity and alterity.[34]

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34 Victor Turner, *From Ritual to Theatre: The Human Seriousness of Play* (New York: PAJ Publications, 1982); David T. Mitchell and Sharon L Snyder, *Narrative Prosthesis: Disability and the Dependencies of Discourse* (Ann Arbor: University of Michigan Press, 2000).

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3. Research Lenses

3.6. Ecological Dependencies

Introduction

An important area of focus for the BCDSS is the intersection between ecological humanities and strong asymmetrical dependency. The field of environmental humanities addresses a wide array of ecological and environment-related issues, such as those concerning climate change, the weather, environmental pressures, sustainability, globalisation, environmental justice and ethics, resource policy, extraction logics, infrastructure and agrarian politics, land ownership, and many more. An engagement with ecological dependencies can offer a valuable critical perspective on phenomena of strong asymmetrical dependency. This involves questions such as the relationship between nature, humans, and non-human entities across the humanities and social sciences; anthropocentric and non-anthropocentric agency and materiality (in animal studies, posthumanism, new materialism, ecofeminism); extractive plantation systems and the histories of colonialism, capitalism, and racism; as well as issues of land ownership, land dispossession and extraction, or non-plantation forms of agricultural slavery.

3. Research Lenses

3.6. Ecological Dependencies

Zeynep Y. Gökçe and Jennifer Leetsch. "Thinking About Ecological Inter/Dependencies: Introductory Remarks," in *Ecological Interdependencies: Strong Asymmetrical Relations and More-than-Human Worlds*, ed. Zeynep Y. Gökçe and Jennifer Leetsch (Berlin: De Gruyter, 2025): 1–20.

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Zeynep Y. Gökçe and Jennifer Leetsch

Thinking About Ecological Inter/ Dependencies: Introductory Remarks

In a world increasingly marked by life-altering, deeply unequal, and all-too-often deadly environmental changes, our edited volume *Ecological Interdependencies: Strong Asymmetrical Relations and More-Than-Human Worlds* interrogates the environmental humanities through the lens of asymmetrical dependencies. That means that we are interested in investigating the relationship between the environment and asymmetrical power dynamics, an approach that allows us to shed light on how historical and contemporary inequalities have shaped and still shape our social, political, and cultural realities as they intersect with their respective ecosystems. In the same breath, it allows us to foreground the manifold processes of exploitation, extraction, and exclusion, which have created uneven ecological landscapes, which, in turn, impact the way we live our lives. In an attempt to bridge disciplines—the only way to reckon with the immense changes wrought upon the planet by anthropogenic climate change—, our volume synthesizes diverse perspectives from the humanities and social sciences, attending to the tangled and often thorny bonds between human and more-than-human existence. By incorporating eco-relational viewpoints and recognizing the agency of non-human actors, the book aims to amplify the often-overlooked voices of the marginalized, including those beyond the human realm. As Dipesh Chakrabarty has noted in *The Climate of History in a Planetary Age*, understanding the intersections of power dynamics and human history requires acknowledging our deeply interconnected existence within a broader planetary context.[1] This edited volume's contributions offer a lens through which to rethink enduring questions of difference and dependency. These considerations are framed not as abstract or theoretical exercises, but as ones that are deeply grounded in material realities informed by histories of asymmetry, inequality, and exploitation, thus challenging us to critically reframe notions of ecological inter/dependencies beyond the universalizing narratives of the Anthropocene.[2]

1 Dipesh Chakrabarty, *The Climate of History in a Planetary Age* (Chicago: University of Chicago Press, 2021).

2 We consciously play with the forward slash between "inter" and "dependency" throughout this introduction, and the edited volume as a whole, to draw attention to the fact that concepts of strong asymmetrical dependency (SAD), as developed by researchers at the Bonn Center for Dependency and Slavery Studies (BCDSS), always already involve interactions and interrelations and the sometimes troubled, sometimes liberatory wiggle rooms in between these interactions.

Note: As part of the publication process, the articles of this volume were language-edited by Kathryn Abaño. We also want to thank Charlie Sloykowski for their help with the index.

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1 Ecology as Relation

Ecology, traditionally defined as "the study of relations between organisms and environment," including "relations between individual organisms and environment" as well as "between groups and environment," takes on a richer and more expansive meaning within the humanities.[3] It extends beyond biological systems to encompass the complex interconnections between culture, society, and more-than-human realms. This more expansive scope accentuates not only the biological but also the sociocultural dynamics that model ecological understanding and practices. With this in mind, we begin our explorations by (re-)conceptualizing ecology as being inherently rooted in interrelation and dependency. In his landmark essay on "Black Ecology," African American sociologist Nathan Hare provided an early and crucial framework for understanding the intersections of ecology and dependency, positing that "the emergence of the concept of ecology in American life is potentially of momentous relevance to the ultimate liberation of black people. Yet blacks and their environmental interests have been so blatantly omitted that blacks and the ecology movement currently stand in contradiction."[4] He critiqued the newly emerging environmental movement of his time as wilfully excluding the realities of Black communities. His incisive discussion centred on racism and its enduring ecological and embodied effects on Black communities' health and access to nature, revealing a stark disparity: "The ecological ordeal of the black race does not have to wait for a nuclear attack; present conditions are deadly enough. The environmental crisis of whites (in both its physical and social aspects) already pales in comparison to that of blacks."[5] Through his work, Hare exposed how environmentalist-activists and policymakers focused primarily on maintaining quality of life for the white middle class, remaining blind to the environmental crises caused by systemic racism, oppression, and inequality. For Hare, this blindness was not incidental but deeply tied to structural violence: Blackness itself "was regarded as pollution and a threat to the health of the (white) social body. As such, Hare showed how Blacks were then pushed further and further from suburban spaces and sequestered in the inner cities, which, blighted by racial oppression and abandonment, were made into ghettos to each other."[6] For our purpose in this edited volume, it is important to foreground the ways in which Hare's prescient analysis revealed how anti-Black racism and ecological devastation could not be regarded as separate phenomena, but had to be thought of as interdependent processes. Moving beyond the biological conceptualisation of ecology reveals how relationships between

3 Julius Gould and William L. Kolb, eds., *A Dictionary of the Social Sciences* (Glencoe: The Free Press, 1964): 215; quoted in Nathan Hare, "Black Ecology," *The Black Scholar* 1, no. 6 (1970): 2.

4 Hare, "Black Ecology": 2.

5 Hare, "Black Ecology": 4.

6 Alex A. Moulton and Inge Salo, "Black Geographies and Black Ecologies as Insurgent Ecocriticism," *Environment and Society* 13, no. 1 (2022): 162.

human and more-than-human agents are irrevocably fashioned by interrelated, co-constitutive, and contingent hierarchies of power and privilege. Hare's articulation of ecology foregrounds these interrelations and dependencies, offering a critical intervention that has laid important groundwork for subsequent scholarship.[7]

In their recent special issue on *Expanding Black and Indigenous Ecologies*, Bonnie Etherington and Delali Kumavie expound on the deeply rooted entanglements between ecology, colonialism, and systemic inequities:

> Ecologies shape and are shaped by macro as well as micro units of the community, the nation-state, and the global. They are also fundamental to the ways we approach and understand historical, social, political, and economic relationships around the world. However, colonial epistemologies continue to marginalize Black and Indigenous peoples in discussions about ecologies; indeed, the neglect of Black and Indigenous peoples' disproportionate environmental dispossession and environmental racism displaces them from ecological conversations while "naturalizing" Black and Indigenous peoples as closer to the natural environment.[8]

By highlighting the ecological dimensions of racial capitalism and the enduring logics of extraction and pollution that inform our global commons, fields like Black and Indigenous ecology have emerged as both a diagnostic framework and a platform for resistance. As Roane, Femi-Cole, Nayak, and Tuck note, such an approach to ecology not only helps put pressure on entrenched histories, archives, or institutions, but also underscores the ability of Black and other marginalized communities to marshal "cultural resources and political insights to create meaningful alternatives."[9] Nathan Hare's 1970 conclusion indeed situated Black ecology as a anticolonial alternative praxis. He asserted that "the real solution to the environmental crisis is the decoloni-

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7 See the emerging fields of Critical Black Geography and Black Ecology. For discussions, go to Moulton and Salo, "Black Geographies and Black Ecologies as Insurgent Ecocriticism," as well as to Cheryl Janifer LaRoche, *Free Black Communities and the Underground Railroad: The Geography of Resistance* (Urbana: University of Illinois Press, 2014); Hilda Lloréns, *Making Livable Worlds: Afro-Puerto Rican Women Building Environmental Justice* (Seattle: University of Washington Press, 2021); Katherine McKittrick, *Demonic Grounds: Black Women and the Cartographies of Struggle* (Minneapolis: University of Minnesota Press, 2006); Katherine McKittrick and Clyde Woods, eds., *Black Geographies and the Politics of Place* (Cambridge: South End Press, 2007); J.T. Roane, "Plotting the Black Commons," *Souls Journal* 20, no. 3 (2018): 239–66; J.T. Roane and Justin Hosbey, "Mapping Black Ecologies," *Current Research in Digital History* 2 (2019); and Celeste Winston, "Maroon Geographies," *Annals of the American Association of Geographers* 111, no. 7 (2021): 2185–99.

8 Bonnie Etherington and Delali Kumavie, "Expanding Black and Indigenous Ecologies," *English Language Notes* 62, no. 1 (2024): 2. For the interplay between Black and Indigenous ecologies, also see Tiffany Lethabo King, *The Black Shoals: Offshore Formations of Black and Native Studies* (Durham, NC: Duke University Press, 2019).

9 J.T. Roane et al., "'The Seeds of a Different World Are Already Alive in the Everyday Practices of Ordinary Black and Indigenous People': An Interview with J.T. Roane," *Curriculum Inquiry* 52, no. 2 (2022): 129.

zation of the black race" and that Black people "must challenge and confront the very foundations of [. . .] society."[10]

This call to decolonization and systemic transformation continues to resonate today, as it offers us a framework for addressing the intersections of environmental and racial justice. Such explorations can serve as a foundation for understanding what we call ecological inter/dependency, demonstrating how the interplay between racialised violence and environmental degradation shapes both human and more-than-human worlds. Through this lens, we might be able to recognize how the dynamics of dependency extend beyond human communities, implicating multispecies assemblages, ecosystems, and landscapes in processes of power, oppression, and, crucially, resilience and refusal. As such, this edited volume introduces the concept of ecological inter/dependency as an interdisciplinary and widely applicable framework that captures the asymmetrical relationships between humans and more-than-human entities across different historical and geographical scapes. As our contributors show, ecological inter/dependencies emerge from deeply entrenched structures forged by power, greed, extraction, and exploitation—from antiquity to today. At the same time, they also reveal possibilities for collaboration, sustainability, and care, be it in the Amazonian rainforests or on Japan's coasts. To highlight the plethora of possibilities for expressing ecological inter/dependencies, we orient our work in this volume toward scholars like Kim D. Hester Williams and LeiLani Nishime, who have posited "nature and environment as relational sites for navigating both embodied racial identities and ecological space and place."[11] By situating ecological inter/dependency within a historically grounded, interdisciplinary, comparative, and planetary framework, this volume examines how human and non-human histories are profoundly entwined, moving beyond anthropocentric paradigms to foreground the interconnected and contested relationships that sustain life on Earth.

2 Decentring the Anthropocene: Histories and Legacies of Colonialism

Our reframing of ecological relations and dependency demands a critical interrogation of the Anthropocene, which, while quite rightly penned as the era in which humanity has become the single most influential geological force, tends to universalize the responsibility for ecological destruction. The narrative of "the Anthropos" has been critiqued for its failure to account for differentiated responsibilities and vulner-

10 Hare, "Black Ecology": 8.

11 LeiLani Nishime and Kim D. Hester Williams, "Introduction: Why Racial Ecologies?" in *Racial Ecologies*, eds. LeiLani Nishime and Kim D. Hester Williams (Seattle: University of Washington Press, 2018): 4.

abilities. As Janae Davis et al. have noted, "the centering of an undifferentiated humanity in much Anthropocene scholarship serves to reproduce white supremacist claims to universal knowledge."[12] Far from being neutral, the Anthropocene reflects the legacies of specific agents of power, then and now: "the forces directing the destruction of nature and the wealth produced from it are owned and controlled overwhelmingly by an unaccountable, mainly white, mainly male, elite."[13] The ecological transformations associated with this era—fossil fuel economies, the weaponization of steam power, and the establishment of extractive systems—are the direct results of decisions made by colonial and capitalist forces over centuries. Sharon R. Krause's observation that "environmental domination in this sense is a function of unchecked power on the part of states and corporations in relation to vulnerable people and their environments, together with the exploitation of such people and environments for profit and power" encapsulates this systemic imbalance.[14] Such domination is not only an outcome of these processes but also a driver of their perpetuation, reinforcing inequalities while degrading ecosystems. Alternative frameworks such as the Plantationocene and the (Racial) Capitalocene may help us understand how ecological harm disproportionately impacts those living under asymmetrical dependencies, while the architects of these systems profit from and perpetuate ecological and social crises.[15]

12 Janae Davis et al., "Anthropocene, Capitalocene, . . . Plantationocene?: A Manifesto for Ecological Justice in an Age of Global Crises," *Geography Compass* 13, no. 5 (2019): 5. For other critiques of the Eurocentric drift of much of Anthropocene scholarship, see also Heather Davis and Zoe Todd, "On the Importance of a Date, or, Decolonizing the Anthropocene," *ACME: An International Journal for Critical Geographies* 16, no. 4 (2017): 761–80, and, more generally, Farhana Sultana, "The Unbearable Heaviness of Climate Coloniality," *Political Geography* 99 (2022): 102638, and Sylvia Wynter, "Unsettling the Coloniality of Being/Power/Truth/Freedom: Towards the Human, After Man, its Overrepresentation—an Argument," *CR: The New Centennial Review* 3, no. 3 (2013): 257–337. For a recent exploration of the Anthropocene from a geoanthropological perspective, see Christoph Antweiler, *Anthropology in the Anthropocene: An Earthed Theory for Our Extended Present* (Cham: Springer, 2024).

13 Val Plumwood, *Feminism and the Mastery of Nature* (London: Routledge, 1993): 12.

14 Sharon R. Krause, "Environmental Domination," *Political Theory* 48, no. 4 (2020): 447.

15 The concept of the Plantationocene emphasizes the plantation system's influence on global environmental and social structures; it investigates the ways the plantation model became crucial for ecological exploitation, forced labour, and monoculture. And it takes plantations as the centres of ecological harm, racialized labour, colonization, and extraction practices, which damage biodiversity. See Donna Haraway et al., "Anthropologists Are Talking—About the Anthropocene," *Ethnos* 81, no. 3 (2016): 535–64; Donna Haraway, *Staying with the Trouble: Making Kin in the Chthulucene* (Durham, NC: Duke University Press, 2016); Davis et al., "Anthropocene, Capitalocene, . . . Plantationocene?"; and Katherine McKittrick, "Plantation Futures," *Small Axe: A Caribbean Journal of Criticism* 17, no. 3 (2013): 1–15. The Capitalocene framework goes beyond the Anthropocene framework, which takes humans as the center of environmental impact, and argues that resource exploitation and continuous growth in capitalism are the main reasons for the ecological crises we face today. See Jason W. Moore, ed., *Anthropocene or Capitalocene? Nature, History, and the Crisis of Capitalism* (Oakland: PM Press, 2016); Andreas Malm and Alf Hornborg, "The Geology of Mankind? A Critique of the Anthropocene Narrative," *The Anthropocene Review* 1, no. 1 (2014): 62–69; Andreas Malm, *Fossil Capital: The Rise of Steam-*

The critiques inherent in these alternative approaches challenge the erasure of difference in the Anthropocene narrative. They highlight the specific historical, emplaced, and embodied actors and structures of domination that have led to today's environmental crises.

Both the plantation and the mine serve as stark examples of sites of ecological violence that intersect with the violence that was inflicted upon enslaved Black and Indigenous populations during the colonial period, violence that reaches into our presents and futures. As Hosbey, Lloréns, and Roane observe, "in the Continental Americas, especially in the early Spanish conquest, enslaved African and Indigenous peoples were forced to transform landscapes into mining extractive complexes."[16] These mines were not just sites of labour exploitation, they were integral to the imperial ambitions of the Spanish empire, with silver and gold serving as the raw materials for colonial expansion and for the consolidation of global capitalist networks. Similarly, the plantation forced enslaved Africans to clear vast tracts of land in order to establish the industrial-scale monocultural production of commodity crops such as sugar, rice, tobacco, indigo, and cotton. This transformation of land, marked by deforestation, monoculture, and terraforming, had disastrous consequences not only for the ecosystems, but also for the Indigenous peoples of the Americas and Africa, as well as the enslaved Africans forced to labour under inhumane conditions. These processes were not isolated but intertwined, as the plantation and mining industries converged into what has been termed "the mining–plantation complex" in the fifteenth century.[17] This complex marked the inception of eco- and genocidal logics that continue to shape our world today. The extraction-driven destruction of entire ecosystems through deforestation, mining, the importation of non-native species, and large-scale land transformations was directly tied to the dispossession, murder, and subjugation of Indigenous and African peoples. Kathryn Yusoff succinctly encapsulates this violence, arguing that "coloniality cuts across both flesh and earth in the economies of valuation it established [. . .]. Indigenous genocide and removal from land and enslavement are prerequisites for power becoming operationalized in premodernity."[18]

Power and the Roots of Global Warming (London: Verso, 2016). The Racial Capitalocene connects racialization and capitalism to analyse their combined impact on ecological and social crises. This concept builds on the Capitalocene framework by emphasizing the historical link between systems of racial oppression and exploitation, and the environmental and economic impacts of capitalism. See Françoise Vergès, "Racial Capitalocene," in *Futures of Black Radicalism*, eds. Gaye Theresa Johnson and Alex Lubin (London: Verso, 2017): 72–82; and Cedric J. Robinson's work, reflected by H.L. T. Quan, ed., in *Cedric J. Robinson: On Racial Capitalism, Black Internationalism, and Cultures of Resistance* (London: Pluto Press, 2019).

16 Justin Hosbey, Hilda Lloréns and J.T. Roane, "Introduction: Global Black Ecologies," *Environment and Society* 13, no. 1 (2022): 3.

17 Hosbey, Lloréns and Roane, "Introduction: Global Black Ecologies": 3.

18 Kathryn Yusoff, *A Billion Black Anthropocenes or None* (Minneapolis: University of Minnesota Press, 2018): 32–33.

Within this framework, colonial power was established through the simultaneous destruction of both human and ecological systems, with the exploitation of bodies and environments working in concert to fuel the extractive capitalist project.

Yet, even within the oppressive structures of the plantation and mining complex, scholars have highlighted the potential for insurgency. Caribbean philosopher Sylvia Wynter's unpublished manuscript, *Black Metamorphosis: New Natives in a New World*, for example, offers a compelling counter-narrative to the genocidal and ecocidal logics of colonialism. She identifies the garden plots cultivated by enslaved Black communities as spaces of escape, where alternative worldviews and practices emerged. These plots, described by Wynter as "the slave's area of escape from the plantation," became sites for reinventing and perpetuating an "alternative world view, alternative consciousness to that of the plantation."[19] Far from being marginal or incidental, these ecological spaces embodied resilience and renewal, offering material and symbolic resistance to the plantation economy. The significance of the plot has been explored extensively in recent scholarship across fields such as critical ecology, ethnobotany, geography, and archaeology, emerging as a site of biodiversity and alternative subsistence models.[20] As one case in point, we can take Judith Carney and Nicholas Rosomoff's work in *In the Shadow of Slavery*, which illustrates how enslaved Africans brought critical agricultural expertise, such as rice cultivation, to the Americas, sustaining colonial economies while also fostering acts of eco-rebellion.[21] These practices highlight the dual nature of dependency as both a tool of domination and a source of survival and defiance.[22] As Katherine McKittrick notes, the plot or dooryard garden "became the focus of resistance to the overriding system of the plantation economy," materializing social and ecological practices that flourished despite the de-

19 Sylvia Wynter, "Black Metamorphosis: New Natives in a New World," Institute of the Black World Records, MG 502, Box 1. Schomburg Center for Research in Black Culture, not dated. See also Sylvia Wynter, "Novel and History, Plot and Plantation," *Savacou* 5 (1971): 95–102.

20 See Judith A. Carney, "Subsistence in the Plantationocene: Dooryard Gardens, Agrobiodiversity, and the Subaltern Economies of Slavery," *The Journal of Peasant Studies* 48, no. 5 (2021): 1075–99; as well as Camilla Hawthorne, "Black Matters Are Spatial Matters: Black Geographies for the Twenty-First Century," *Geography Compass* 13, no. 11 (2019): e12468; and J.T. Roane, "Plotting the Black Commons," *Souls* 20, no. 3 (2018): 239–66.

21 Judith Carney and Nicholas Rosomoff, *In the Shadow of Slavery: Africa's Botanical Legacy in the Atlantic World* (Berkeley: University of California Press, 2009).

22 Along a similar vein, Londa Schiebinger has drawn attention to the monetization of Indigenous and African botanical knowledge, a process which illustrates how colonial authorities reorganized ecological inter/dependencies into exploitative hierarchies: these practices eradicated the relational and reciprocal aspects of local knowledge, converting it into a resource for imperial expansion. This historical commodification continues to influence global ecological interactions, highlighting the enduring imbalances in ecological dependencies. See *Plants and Empire: Colonial Bioprospecting in the Atlantic World* (Cambridge, MA: Harvard University Press, 2009).

humanizing conditions of slavery.[23] These spaces illustrate how enslaved people cultivated forms of autonomy and ecological knowledge, which not only sustained them physically but also created social orders that defied the plantation's extractive and exploitative logics.

In a similar vein, marronage, the practice of enslaved individuals escaping to form autonomous communities in forests, mountains, or swamps, represents both a conceptual and a geographic space of resistance. These maroon communities not only offered refuge from the dehumanizing systems of enslavement, but also facilitated ecological renewal and restoration, designating, as Alex Moulton has shown, "an early Black 'conservation' of resources against the unremitting relations of extractive capitalism and the 'relational, immersive forms of (environmental) care exercised by Maroons' in the reproduction of more-than-human socio-ecologies."[24] By inhabiting marginal lands often overlooked or deemed unsuitable by colonial regimes, maroon communities engaged in sustainable practices that preserved biodiversity and fostered more-than-human relationships. Scholars of marronage have illuminated how these communities disrupted colonial and capitalist landscapes, forging the possibilities for living *otherwise* at the fringes of empire.[25] Both the plantation plot and maroon settlements exemplify the reparative potential of ecological inter/dependencies, countering the extractive logic of the mining-plantation complex. Through the cultivation of provision grounds and subsistence plots, enslaved individuals established alternative ecological orders that facilitated both survival and resistance, while generating new forms of relationality. These practices reveal how dependency and interdependency simultaneously upheld oppressive systems and produced counter-narratives of care, renewal, and resilience.

Krause's concept of "eco-emancipation" provides a useful framework for understanding the broader implications of these practices; as she writes, "eco-emancipation

23 Katherine McKittrick, "Plantation Futures," *Small Axe: A Caribbean Journal of Criticism* 17, no. 3 (2013): 10.

24 John Favini, "Caring for Nature: Anonymity, Conservation, and Jamaican Maroons," *Social and Economic Studies* 67, no. 1 (2018): 9; quoted in Alex A. Moulton, "Towards the Arboreal Side-Effects of Marronage: Black Geographies and Ecologies of the Jamaican Forest," *Environment and Planning E: Nature and Space* 6, no. 1 (2023): 6.

25 In addition to Moulton, see Adam Bledsoe, "Marronage as a Past and Present Geography in the Americas," *Southeastern Geographer* 57, no. 1 (2017): 30–50; Robert Connell, "Maroon Ecology: Land, Sovereignty, and Environmental Justice," *The Journal of Latin American and Caribbean Anthropology* 25, no. 2 (2020): 218–35; Kevin Dawson, "A Sea of Caribbean Islands: Maritime Maroons in the Greater Caribbean," *Slavery & Abolition* 42, no. 3 (2021): 428–48; Justin Dunnavant, "In the Wake of Maritime Marronage," *Slavery & Abolition* 42, no. 3 (2021): 466–83; Malcom Ferdinand, "Behind the Colonial Silence of Wilderness," *Environmental Humanities* 14, no. 1 (2022): 182–201; Sylviane A. Diouf, *Slavery's Exiles: The Story of the American Maroons* (New York: New York University Press, 2014); Celeste Winston, *How to Lose the Hounds: Maroon Geographies and a World beyond Policing* (Durham, NC: Duke University Press, 2023).

is ecological in the familiar sense that it aims to protect the environment but also in the sense that it can only come about by means of a new kind of political ecosystem understood as the constellation of interconnected human and more-than-human networks in which our relationships with other organisms unfold."[26] This resonates with work long done in Indigenous communities across the globe: Kyle Whyte's work on environmental injustice, for instance, insists that restoring Indigenous sovereignty is essential to addressing asymmetrical dependencies and fostering ecological resilience even beyond settler-colonial notions of who constitutes a human.[27] More-than-human agencies, Indigenous ways of relating to nature, insurgent Maroon communities, and alternative Black plantation plots all embody the notion of eco-emancipation, creating new-fangled political ecosystems where relationships between humans and the more-than-human world are reimagined outside the dominant logics of extraction and exploitation. While Sharon Krause suggests that "a politics of eco-emancipation involves practices of care for this ecosystem along with institutions that protect it from insufficiently checked, exploitative human power,"[28] the communities described above anticipated this vision of eco-emancipation exactly because they were forced to operate outside of formal institutions. As scholars of dependency and slavery, it is our responsibility to pay close attention to how colonialism and racial capitalism structured environmental transformations, embedding asymmetrical dependencies that persist even now. Decentring the Anthropocene demands reckoning with these histories, not only as evidence of structural violence but as sources of alternative epistemologies and ecologies that resist the totalizing narratives of environmental destruction.

26 Sharon R. Krause, *Eco-Emancipation: An Earthly Politics of Freedom* (Princeton: Princeton University Press, 2023): 461.

27 On Indigenous perceptions of kinship and more-than-human agencies across different disciplines, see also Sophie Chao, *In the Shadow of the Palms: More-Than-Human Becomings in West Papua* (Durham, NC: Duke University Press, 2022); Robin Wall Kimmerer, *Braiding Sweetgrass: Indigenous Wisdom, Scientific Knowledge, and the Teachings of Plants* (Minneapolis: Milkweed Editions, 2013); Enrique Salmon, "Kincentric Ecology: Indigenous Perceptions of the Human-Nature Relationship," *Ecological Applications* 10, no. 5 (2000): 1327–32; Zoe Todd, "Fish, Kin and Hope: Tending to Water Violations in amiskwaciwâskahikan and Treaty Six Territory," *Afterall: A Journal of Art, Context and Enquiry* 43 (2017): 102–7; and Vanessa Watts, "Indigenous Place-Thought and Agency Amongst Humans and Non-Humans (First Woman and Sky Woman Go On a European World Tour!)," *Decolonization: Indigeneity, Education & Society* 2, no.1 (2013): 20–34.

28 Krause, *Eco-Emancipation*: 461.

3 Contingent Un/Freedoms: Asymmetrical Dependencies in Ecological Relations

By foregrounding these histories, this volume seeks to expand our understanding of ecological inter/dependency by widening the scope of dependency studies to include environmental and ecological dimensions, building on existing frameworks while challenging their anthropocentric biases. Julia Winnebeck et al. conceptualize asymmetrical dependencies as integral to social orders, but their insights also open the door to the expansion of this analysis to ecological orders which are similarly marked by complex and unequal dependencies.[29] As Winnebeck et al. suggest, addressing these dynamics requires us "to consider not only human actors and their intended actions and meanings, but different and heterogeneous entities," inviting a more inclusive approach that integrates the more-than-human world into discussions of power, agency, and dependency.[30] Such an expansion reveals how ecological dependencies are inextricably linked to the structures of power that define social and economic systems. Central to this discussion is the paradoxical relationship between dependency and freedom within ecological contexts. Dependency is often framed in opposition to freedom, yet the freedoms enabled by capitalist and colonial expansion are deeply rooted in asymmetrical ecological dependencies. As Dipesh Chakrabarty has observed, the industrial revolution, driven as it was by the large-scale exploitation of fossil fuels, marked a shift that firmly rooted the freedom of certain groups—the ability to move, produce, and consume—onto the back of ecological exploitation and systemic inequality. Chakrabarty notes that "the mansion of modern freedoms stands on an ever-expanding base of fossil-fuel use."[31] Thus, the liberation of some has always depended on the unfreedom of others, creating a world where human agency is entangled with systems of dispossession and ecological degradation. This entanglement, however, complicates simplistic narratives of human agency. As we have shown above, the Anthropocene, with its suggestion of humanity being a unified actor responsible for environmental catastrophe, tends to obscure the deep inequalities and asymmetries that have historically defined ecological relationships. As Emmet and Lekan point out in their reflection on Chakrabarty's "Four Theses," the Anthropocene's framing risks erasing "relevant differences in human experience that are expressed in, and through, environmental knowledge and power."[32] It is not all of humanity but specific actors—those at the helm of colonial and capitalist expansion—

29 Julia Winnebeck et al., "The Analytical Concept of Asymmetrical Dependency," *Journal of Global Slavery* 8, no. 1 (2023): 1–59.

30 Winnebeck et al., "The Analytical Concept of Asymmetrical Dependency": 14.

31 Chakrabarty, *The Climate of History in a Planetary Age*: 208.

32 Robert Emmett and Thomas Lekan, eds., "Introduction," *RCC Perspectives* 2 (2016) [= special issue: *Whose Anthropocene? Revisiting Dipesh Chakrabarty's "Four Theses"*]: 10. Referring to Dipesh Chakrabarty, "The Climate of History: Four Theses," *Critical Inquiry* 35, no. 2 (2009): 197–222.

who have exerted disproportionate influence on the planet's systems. From the Plantationocene to the Capitalocene, the asymmetrical dependencies created through slavery, extractivism, and the expropriation of Indigenous lands reveal that the narrative of human mastery over nature is not universal but deeply stratified, privileging certain groups while marginalizing and oppressing others.

Ecological inter/dependency in this context manifests as processes of contingent freedom and unfreedom. In his recent monograph on *Plantation Worlds*, geographer Maan Barua has underscored the need to "draw attention to the multiple ways in which worlds are made amid the eviscerations and ruins of what one could call a Plantationocene,"[33] pointing to the histories of dispossession and ecological exploitation that are not merely shared but also diverge across specific contexts and regions. In fact, overlapping histories of colonial exploitation operate in tandem with localized ecological transformations, showing us that planetary change cannot be understood solely through abstract, homogenized, or universalizing narratives. Or, in the words of Joseph Pugliese, ecology always "refers to the matrix of relations that binds living entities with the complex infrastructure of their environment. The key term here is relationality: a rupture of one relational link invariably produces other effects across the broad spectrum of entities that constitute a given ecology."[34] These relations reveal a need for alternate political ecologies that consider the complex, situated interactions between humans and the more-than-human, both in terms of oppression and opposition. This compels us to rethink the Anthropocene, not as a story of unified human agency but as one of deeply unequal power dynamics where dependency and freedom operate in tandem, with the freedom of some necessitating the dependency —or unfreedom—of others. This asks for a comparative and planetary approach that considers human and more-than-human interactions marked by complex asymmetrical dependencies. Such an approach does not merely critique the systems of domination that have produced our current ecological crises but also opens space for imagining alternative forms of inhabitation and coexistence. These alternative possibilities are crucial for addressing the fractures and inequities embedded in dominant ecological narratives. Recognizing this duality—where freedom is inextricable from dependency, and human agency is entangled with ecological systems of power—allows us to move beyond reductionist frameworks. It foregrounds relational and situated knowledges, particularly those of communities who have survived and resisted under systems of asymmetrical dependency: in doing so, it opens space for alternative narratives that connect human and non-human lives in ways that are equitable, sustainable, and attuned to the intertwined histories of oppression and care. These approaches remind us that while ecological dependency has been weaponized as a tool

33 Maan Barua, *Plantation Worlds* (Durham: Duke University Press, 2024): 15.

34 Joseph Pugliese, *Biopolitics of the More-Than-Human: Forensic Ecologies of Violence* (Durham, NC: Duke University Press, 2020): 2.

for domination, it also holds the potential for new modes of coexistence and collective liberation.

By drawing together perspectives from anthropology, archaeology, literary and film studies, history, religious studies, and political science, this volume bridges disciplinary boundaries to offer a deeper understanding of ecological inter/dependencies. Its contributions challenge hierarchical and Eurocentric approaches to the environmental humanities, emphasizing instead the situated, plural, and relational knowledges of those most affected by ecological crises. This interdisciplinary approach not only critiques the structures of domination and exploitation that define ecological dependency but also illuminates pathways for eco-solidarity.[35] Ultimately, *Ecological Interdependencies: Strong Asymmetrical Relations and More-Than-Human Worlds* calls for a profound reimagining of ecological relationships that foregrounds the interconnectedness of all life forms. By situating dependency at the centre of environmental inquiry, this volume charts a path toward more just, ethical, and sustainable futures, offering new theoretical, explorative, and practical contributions to the study of dependency and the environmental humanities. In doing so, it not only critiques enduring systems of exploitation, but also highlights the possibilities for creating alternative and equitable relationships between humans, more-than-humans, and other-than-humans and the environments they share.

4 Mapping Our Roots and Routes: Structure and Organisation

This edited volume is structured around four thematic parts, each designed to interrogate the complexities of ecological inter/dependencies across different temporal, spatial, and cultural contexts. By weaving together diverse scholarly perspectives and disciplines, the volume invites readers to rethink asymmetrical relationships between humans and the more-than-human world. The first part on *Grounded Transformations: Socio-Ecological Dependencies and Matters of Materiality* focuses on the relationships between human activities (such as mining, building, farming, and designing) and matter/materiality; our contributors share the observation that any such material-ecological interaction creates complex dependencies that both sustain and disrupt ecosystems. In Chapter 1, on "Landscape Modification as Domination: Pre-Hispanic Human-Environment Relationships in the Southern Maya Lowlands," archaeologist-anthropologist Paul Graf explores Maya landscape transformations and considers the ways in which the Maya constructed terraces and irrigation systems to facilitate sus-

35 On ecological solidarity, see Leetsch et al., "New Ways of Telling True Stories: Reflections on Ecological Solidarities across Post/Colonial Worlds," *Postcolonial Text* 19, no. 1–2 (2024): 1–11.

tainable agriculture. These transformations fostered a multitude of ecological interdependencies as they integrated human work with natural resource extraction in their production systems. These activities served an adaptive purpose, but at the cost of making people more susceptible to environmental change and reinforcing social hierarchies. Throughout his chapter, Graf demonstrates how ecological dependencies can function as instruments of both resilience and domination.

Chapter 2, co-written by the environmental anthropologists Kristina Großmann and Ajarani Mangkujati Djandam, is titled "Reconfigurations of Asymmetries in Mining in Indonesia," and examines the profound socio-ecological transformations driven by large-scale mining in Southeast Asia, focusing on Kalimantan, the Indonesian part of the island of Borneo. Through case studies on coal and gold extraction, the authors reveal how these industries disrupt traditional human-environment relationships, fostering new ecological dependencies while simultaneously sustaining or reshaping entrenched power dynamics. Central to these processes are patronage networks, which bind local elites, corporations, and communities into exploitative systems that marginalize already-vulnerable populations. Großmann and Djandam investigate the intricate interplay between power, ecology, and dependency, demonstrating how mining exacerbates inequality and curtails possibilities for social mobility and political agency.

In Chapter 3, on "Asymmetrical Dependencies and Factory Farming: Externalizing Violence," sociologist Alexander Rothenberg criticizes the ethical and environmental issues that arise from the treatment of animals as commodities for human consumption, especially in industrial farming. This system externalizes environmental costs, resulting in dependencies that exploit vulnerable communities and destroy ecosystems. This chapter employs the concept of "slow violence" (Rob Nixon) to demonstrate how industrial agriculture perpetuates itself through concealed and long-term ecological devastation. Rothenberg encourages readers to rethink the interdependence of humans and non-humans in food systems while reconsidering their own food systems and eating habits.

Chapter 4, by art historian Julia A.B. Hegewald, is on "Ecological Dependencies and Resource- and Climate-Responsive Jaina Shrines Along the Malabar Coast in South India," and it looks at how Jaina temple architecture reflects considerable ecological inter/dependencies by adapting to the distinct climatic and environmental conditions in places like the Malabar Coast and the Deccan Plateau. Temples built with locally sourced materials like stone, mud, and lumber illustrate ecological practices that are appropriate for their environment. Hegewald emphasizes the contradiction between traditional ecological practices and the growing reliance on contemporary, globalized materials such as concrete, which undermine these established adaptations. This chapter foregrounds the emergence of architectural innovation as the careful balancing of human requirements with environmental restrictions.

The second part of the edited volume, *Fluid Interdependencies: Glacial, Coastal, and Maritime Ecologies*, examines the dynamic relationships between human commu-

nities, aquatic ecosystems, and the socio-political frameworks that shape them. In Chapter 5, "'Locals Don't Care About the Natural World': The Making and Remaking of Ecological Space by Japanese Migrants on the Miyako Islands," environmental anthropologist Sarah J. Clay's fieldwork and interviews investigate the ecological connections of the Miyako Islands, where conservation efforts initiated by migrants from the mainland frequently overlook and undermine local coastal ecological traditions. These initiatives, informed by hierarchical governance frameworks, depend on stories that portray the local community as apathetic towards environmental justice, which exacerbates the existing power disparities between mainland Japan and the islands. Migrant-led projects frequently prioritize external ecological models, creating new forms of dependency that undermine locally adaptive practices and perpetuate historical inequities.

Chapter 6 by cultural anthropologist Joaquín J.A. Molina M., titled "'*Mamapacha* Is Ill': The Paradox of Offerings in the Huaytapallana Mountain," explores the complex and often paradoxical ecological relationships highlighted in the ritual offerings dedicated to sacred beings in the Huaytapallana glacier area of Peru. Pilgrimages and offerings such as Mamapacha and Apu Huaytapallana represent a mutual relationship with the earth and its spirits, showcasing profound cultural connections to the land. Nonetheless, these practices frequently lead to considerable environmental damage, as offerings and waste discarded on the mountain add to local pollution and hasten the glacier's decline. Molina critiques this tension between spiritual devotion and environmental degradation, situating it within the broader context of global anthropogenic climate change. The chapter highlights the intertwined relationships between human practices, ecological systems, and sacred landscapes, underscoring the need to reconcile ritual traditions with sustainable ecological stewardship.

In Chapter 7, "Triumph over Nature? Ecological Dependencies and Landscape Modifications in Mediterranean Port Cities," archaeologist Stefan Feuser examines how ancient Mediterranean port cities like Alexandria and Caesarea Maritima attempted to overcome ecological dependencies through extensive architectural modification. These cities depended on extensive maritime structures, including breakwaters, artificial islands, and harbours, to address the difficulties presented by unpredictable coastal conditions. However, these constructions not only changed local ecosystems but also established new dependencies, as their upkeep demanded considerable resources and technological know-how. Feuser emphasizes how leaders portrayed these initiatives as victories over nature, utilizing them as representations of strength and dominance, even as the enduring environmental and societal consequences frequently compromised their viability.

Archaeologist and anthropologist of the Americas Dita Auziņa, who writes about the "Networks of Human and Other-Than-Human Dependencies During Environmental Catastrophes: Kukra Hill, Nicaragua," in Chapter 8, focuses on ecological interdependencies on the Caribbean coast of Nicaragua where oil palm plantations have drastically changed human-nonhuman relationships. The cultivation of oil palms dis-

turbs traditional land-water relationships, displacing local biodiversity and establishing a new reliance on global agro-industrial systems. Non-human components, such as deforested areas and deteriorating water sources, are crucial to this change, thus influencing local groups' survival tactics. Auziņa uses a relational approach to demonstrate how ecological dependencies are reconfigured under extractive regimes, emphasizing the critical need to address the intertwined repercussions for both human and environmental actors on Nicaragua's coast.

The third part on *Sacred Entanglements: Spirit, Rituals, and Cosmologies* casts light on the spiritual and cosmological dimensions of ecological interdependencies, thus illuminating the relationships between sacred practices, environmental guardianship, and the more-than-human world. Chapter 9 by anthropologist Taynã Tagliati, titled "Embodying Worlds: More-Than-Human Interactions Between the Xingu and the Rhine," is half academic field report, half transcribed oral narrative, and it tells us a story about ecological entanglements by way of a comparative analysis of the human-parrot relationships among the Mebengokré-Kayapó people in the Amazon and the rose-ringed parakeets in Germany. In the Amazon, the Kayapó integrate wild animals into their kinship networks, fostering reciprocal and interdependent relations that challenge anthropocentric views of ecological control. In contrast, as an imported species, the parakeets in the Rhineland adapt to urban ecologies in ways that complicate human efforts to categorize or control their presence. By juxtaposing these two cases, Tagliati is able to highlight the agency of non-human beings in shaping multispecies worlds, revealing how ecological inter/dependencies are intimately negotiated across diverse cultural and environmental contexts.

In Chapter 10, on "Asymmetrical Relations with Other-Than-Human Beings in Some Accounts of Early Travel to Tibet," scholar of Tibetan Studies and religious historian Lewis Doney explores the ecological dependencies embedded in Tibetan cosmologies, focusing on the relationships between human communities and meta-human beings such as mountain deities. Drawing on early Tibetan travel accounts, the chapter highlights how sacred landscapes were understood as active participants in shaping ecological and spiritual systems. These dependencies were mediated through rituals and offerings that sought to harmonize human and non-human interactions while also navigating asymmetrical power dynamics with these spiritual entities. By examining these practices, Doney reveals the enduring interplay between cultural and religious narratives and the dependencies that arise from ecological relationships.

Theologian and Church historian David Brandon Smith, in Chapter 11 on "More-Than-Human Creation and Ecological (Inter)Dependencies in the Early Medieval Irish and Anglo-Saxon Penitentials," looks at Anglo-Saxon and Irish penitentials from the early medieval period as writings that are crucial for foregrounding fundamental ecological relationships between humans and their surroundings. By addressing issues like cleanliness, contamination, and moral obligations, these manuals—intended to direct Christian penance—highlight the connections between people, animals, and the

natural environment. These writings' descriptions of rituals and food regulations show how spiritual beliefs influenced reliance on natural systems. Still, they also draw attention to the power disparities that existed within these connections. By concentrating on how penitentials shaped human interactions with the environment, Smith reveals a framework of ecological interdependency that placed people in a position where they were both the stewards and users of a divinely organized creation.

The final and fourth part of our volume, on *Postcolonial Pasts and Futures: Extractive Dependencies and Ecologies of Resistance*, emphasizes both the enduring impacts of colonial and postcolonial extractive practices, and the possibilities for resistance and reimagined ecological relationships—not only in politics but also in creative endeavours such as fiction and film. Chapter 12, co-written by peace and security scholars Kudakwashe Chirambwi and Maria Enow Ayuk, on "Asymmetrical Dependency and Selective Securitization of Climate Change Between AU and EU: Insights from the Sahel Region," addresses the climate change policies of the African Union (AU) and European Union (EU), arguing that historical legacies of slavery, colonialism, and imperialism still shape these relationships. Their chapter links the climate crisis with the exploitation of African labour as well as with the transatlantic slave trade, and they show how historical patterns of ecological dependency and degradation reach into our future—and thus require our attention and care in the present.

Continuing this engagement with colonial pasts and postcolonial futures, Chapter 13 by anglophone literatures scholar Aylin D. Walder on "Reimagining Human-Nature Relations Through Asymmetrical Ecological (Inter)Dependencies in N.K. Jemisin's *Broken Earth* Series" focuses on the connections between human and non-human activities on a planet affected by environmental disaster. Father Earth, a sentient planetary force in this fictional world, lies at the heart of the plot, compelling humanity to rely on the planet's precarious conditions. Jemisin's trilogy foregrounds extractive colonial histories and calls into question the notion of human exceptionalism by illustrating how human survival is linked to relationships between living matter and non-human species. Walder prompts us to contemplate the moral and environmental ramifications of human activities, as well as to recognize the interdependence that exists between all living beings in shared ecosystems.

In Chapter 14, African literature and film scholars Mariam Salaudeen and Rotimi Fasan's work titled "Antithetical to Modernity: Alternative Environmental Sustainability Practices and Ecological Dependencies in Tunde Kelani's *Ti Oluwa ni Ile* and *Saworoide*" focuses the ecological themes in two Yoruba Nollywood films. In their ecocritical reading, they emphasize how these films call into question the environmental devastation resulting from Western modernism and colonial legacies, which have cultivated exploitative ecological dependencies in Nigeria. As Salaudeen and Fasan argue, the films critique sustainable methods grounded on Indigenous cosmologies by contrasting traditional African land reverence and resource conservation with the ecologically detrimental effects of postcolonial capitalism. Salaudeen and Fasan highlight Kelani's cinematic focus on the agency of non-human elements, including holy

lands and spiritual forces, to contest human supremacy and advocate for ecological equilibrium.

Closing the volume, Chapter 15 by English Studies scholar Alissa Kautz on "'This Minuscule Orb': The Material Agency of Opium Poppies in Amitav Ghosh's *Sea of Poppies*" explores the role of opium poppies as active agents in colonial ecological and economic systems, using Amitav Ghosh's novel *Sea of Poppies* as a lens to examine how the cultivation of poppies in colonial India reshaped landscapes, impoverished farmers, and enforced a dependency on monoculture cash crops. In her close readings, Kautz emphasizes the vegetal agency of the poppy from seed to crop and explores how dependency on poppy farming created interconnections between human and non-human agencies. By framing opium poppies as both agents and symbols of ecological dependency, Kautz vividly captures their impact on the social and environmental realities of colonialism.

This edited volume emerged from the interdisciplinary dialogue fostered by the Bonn Center for Dependency and Slavery Studies (BCDSS) and a dedicated working group on "Ecological Dependencies," co-founded by Zeynep Y. Gökçe and Jennifer Leetsch, that convened over the span of three years in regular meetings and during a workshop in February 2022 to address the intersections of ecology and asymmetrical dependencies. From the beginning, our shared aim was to situate ecological inter/dependencies at the centre of critical inquiry, bringing together scholars from diverse fields—including anthropology, history, art history, cultural studies, archaeology, religious studies, political science, and literary studies—to explore the profoundly entangled relationships between humans, non- and more-than-humans, and their environments. In this sense, we embrace what Brightman and Lewis term "the disciplinary melting pot of the Anthropocene"[36] by integrating diverse methodologies and perspectives that all grapple with the complexities of planetary ecological crises and their uneven social consequences.

As seen in our roadmap above, the contributions in this volume are not organized along conventional disciplinary, chronological, or geographical lines. Instead, they are structured according to the ecological relationships, species interactions, and more-than-human dynamics they illuminate. This approach allows us to trace planetary matters and movements across time and space, to move beyond linear narratives, and to foreground the surprising relationalities and interconnected dependencies that emerge across different social, political, and geographical contexts. Through this relational and cross-ecosystem framework, our volume seeks to challenge traditional academic silos and uncover new insights into how political, cultural, and social logics intersect. By placing relationalities at the forefront of our analysis, we want to highlight

36 Marc Brightman and Jerome Lewis, "Introduction: The Anthropology of Sustainability: Beyond Development and Progress," in *The Anthropology of Sustainability: Beyond Development and Progress*, eds. Marc Brightman and Jerome Lewis (New York: Palgrave, 2017): 23.

not only the oppressive dynamics that have characterized human history but also the possibilities for resilience, resistance, and renewal within ecological inter/dependencies. This approach, we hope, underscores the urgency of interdisciplinary collaboration in addressing the pressing environmental and social challenges of our time, and perhaps offers at least a glimpse of some of the pathways necessary for rethinking the relationships that sustain and shape life on Earth.

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3. Research Lenses

3.6. Ecological Dependencies

Paul Graf. "Landscape Modification as Domination: Pre-Hispanic Human-Environment Relationships in the Southern Maya Lowlands," in *Ecological Interdependencies: Strong Asymmetrical Relations and More-Than-Human Worlds*, ed. Zeynep Y. Gökçe and Jennifer Leetsch (Berlin: De Gruyter, 2025): 21–52.

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Part I: **Grounded Transformations: Socio-Ecological Dependencies and Matters of Materiality**

Paul Graf

Landscape Modification as Domination: Pre-Hispanic Human-Environment Relationships in the Southern Maya Lowlands

Landscapes are mirrors of human–environment relationships: it is the space where people live, move and act, where they interact with the environment and extract resources. It is constantly transformed to improve economic conditions (known as 'landesque capital'), but also for social, political or ideological reasons. As such, a specific focus on landscape helps to understand social relationships in ancient societies, for which material culture is the only data available. This chapter looks at ecological dependencies from the perspectives of environmental and landscape archaeology, which offer a great range of theories and methods to reconstruct the past relationships of humans in and with their environment. To study (asymmetrical) dependency, I propose a landscape approach consisting of two perspectives theorized under the labels *resource-based dependency* and *spatial dependency*. These aspects are strongly related to the environment and the general topic of this edited volume on ecological (inter)dependencies. The first theory I will be discussing, resource-based dependency, is interested in essential resources, which are vitally or morally significant and are extracted either from the natural environment or created by society, and how they are used to gain control over other actors. The second one, spatial dependency, studies the role of space and the spatial distribution of people and things in social relations. Landscape, as the most perceptible expression of space, is considered in this regard as a *body of dependency*, with its own embodied forms of agency, but also as a persuasive tool in creating and legitimizing power over people. This will be examined for the Maya societies in Mesoamerica from the pre-Hispanic times to the present, taking into account the role of materialized space in asymmetrical dependencies, enduring Maya ontologies and landscape features visible in the archaeological record. A comparison of communities with different geographic and temporal contexts[1] dem-

1 The geographical range includes Copan in western Honduras, Q'umarkaj in the highlands of Guatemala and Tzikin Tzakan in the eastern part of the Petén department of Guatemala. The temporal horizons are defined by the Preclassic (ca. 2000 BCE–250 CE), Classic (ca. 250–950 CE) and Postclassic (ca. 950–1697 CE) periods (Fig. 1).

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onstrates that ecological dependencies followed ontological principles, with a particular focus on the landscape.

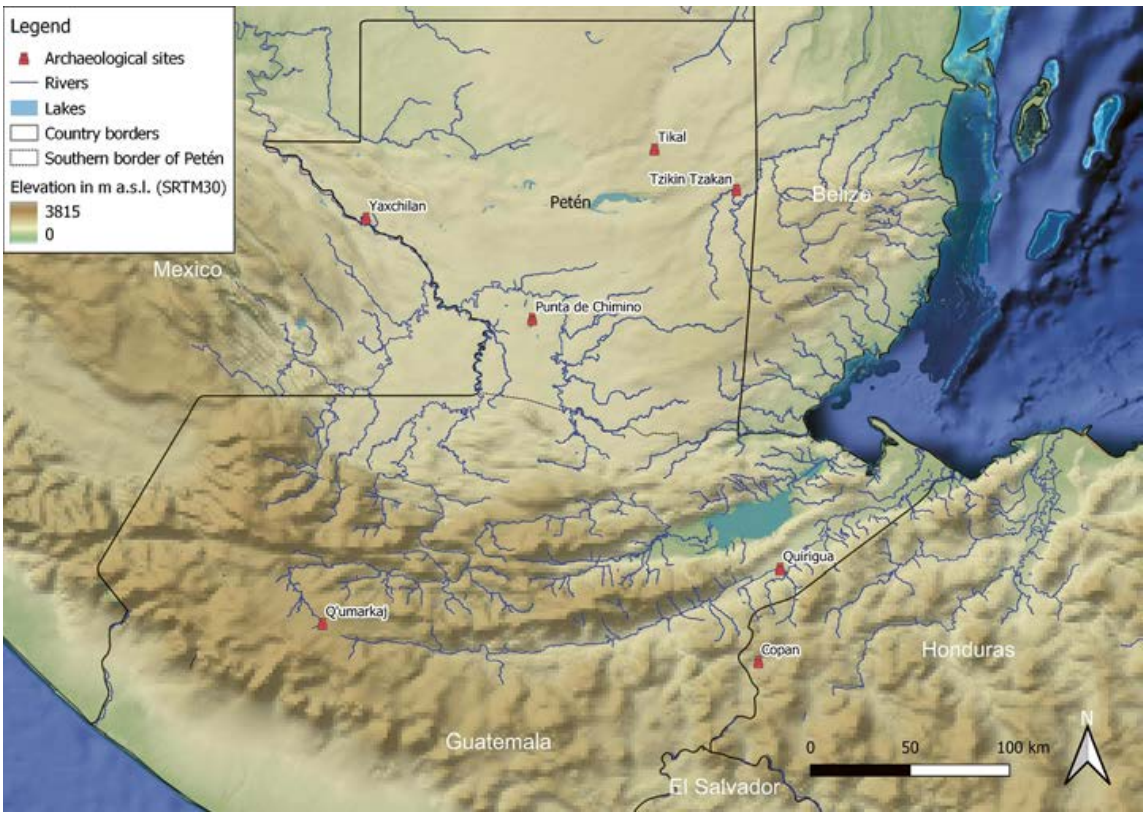

Fig. 1: Location of archaeological sites mentioned in the text (illustration created by the author).

1 Resources and Asymmetrical Dependency

The general definition of asymmetrical dependency explicitly includes the role of *resources*, stating that asymmetrical dependency is based "on the ability of one actor to control the actions of another actor and/or their access to resources."[2] A very broad definition of the term[3] encompasses economic, cultural and social forms of 'capital' following Bourdieu.[4] My research pays particular attention to *essential* resources, which can be characterized as ubiquitous materials and non-materials of everyday life that are considered indispensable by all members of a community. These include

2 Julia Winnebeck et al., "The Analytical Concept of Asymmetrical Dependency," *Journal of Global Slavery* 8, no. 1 (2023): 8.

3 Cf. Winnebeck et al., "The Analytical Concept of Asymmetrical Dependency": n. 57.

4 Pierre Bourdieu, "The Forms of Capital," in *Handbook of Theory and Research for the Sociology of Education*, ed. John G. Richardson, trans. Richard Nice (New York: Greenwood Press, 1986): 241–58.

not only resources that satisfy biological needs, so-called *vital resources*, but also those that are deemed necessary due to moral codes and ideologies, so-called *moral resources*. Therefore, if an actor gains control over some of the essential resources of another actor, these resources can become a powerful means of constraint, materialized as a body of dependency that contains the overt or concealed notion of asymmetrical dependency. This materialization is not limited to 'materiality' in the narrower sense, in the form of tangible objects, but it also includes immaterial things and practices.

The study of the processes and relationships behind this resource-based dependency (RBD) in the particular case of the premodern[5] society of the Classic Maya is connected here to three main hypotheses: 1) Control of essential resources was a central strategy for creating and legitimizing asymmetrical dependency; 2) RBD was obscured by moral rules and religious narratives; 3) RBD was strongly connected with landscape and spatial conditions. The third point is particularly relevant here because it considers the landscape, which is determined by the environment and spatiality, as a key component in these dependency relationships. This spatial dependency can be understood as being intricately intertwined with the notion of ecological dependencies and will be conceptualized in the following sections. It deals in particular with the control of land and resources, the importance of cultural perception with respect to the environment and other-than-human agency. In addition, moral aspects such as community formation and identity, the role of social organization, ideology and religion, and the social consequences of the local and regional environment and climate are included in this theoretical framework.

2 Landscape as a Mirror of Human–Environment Relationships

Past interactions between humans and their environment are often visible in landscapes. Several authors have pointed out that landscapes are the result of collective human activity and are therefore cultural constructs.[6] Veronica Strang described

5 The term 'premodern' is chosen here to refer to the historical development of societies in Mesoamerica, which took place in isolation from other continents before the strong influence from European conquistadors around 1492. In particular, it emphasizes the importance of an emic view of Maya ontology and social structures, which advises caution in drawing analogies with Eurasian, African or Australian contexts.

6 For example, Rex Koontz, Kathryn Reece-Taylor and Annabeth Headrick, eds., *Landscape and Power in Ancient Mesoamerica* (Boulder: Westview Press, 2001): xxiii.

landscape as "a layered and inscribed record of human activity in time and space."[7] It thus acts as a witness to, but also as a participant in, social relationships in the past. In this regard, there are several ways in which landscape can influence humans:

1) It is a source of natural resources, but also of other resources that are embedded in it in the form of landesque capital (see below), production sites and distribution facilities.
2) It is a space in which people move and interact—processes that are highly influenced by the particular landscape form. People usually look for the most efficient route, which also depends on the type of locomotion. On the other hand, moral aspects like group dynamics can also influence the decision to take a certain route; e.g., people often decide to travel together to an important event because it provides security and reinforces a sense of belonging.
3) It can be an actor. Although unfamiliar to Western conceptions of nature, it is typical for many worldviews to personify the landscape, including the environment and its natural forces. This depends on how it is personally experienced and culturally perceived by human individuals, based on specific associations and ontologies. In this context, geographical features are seen as living or animate entities that embody spirits or deities directly influencing the world. For instance, hurricanes are frequently associated with metapersons,[8] which can be dangerous and destructive.[9] Such impacts are associated with a kind of other-than-human agency, be it unintentional or intentional from the emic perspective. Also, just as natural landscapes are altered by humans, human landscapes are equally altered by other-than-human actors, as in the example of ancient buildings reconquered by shrubs and trees, whose roots penetrate their stone surfaces and accelerate their decay.
4) The landscape can also represent the cosmos. This is closely related to the previous point and is often associated with the term *sacred landscapes*. The landscape is turned into a stage for the performance of ritual circuits, processions and pilgrimages to sacred sites. These performative acts are often seen as indispensable to the maintenance of the cosmos, and there are various narratives about threatening events that would occur if the rituals are not carried out.

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7 Veronica Strang, "Uncommon Ground: Landscapes as Social Geography," in *Handbook of Landscape Archaeology*, ed. Bruno David and Julian Thomas (London: Routledge, 2016): 51.

8 Marshall Sahlins, "The Original Political Society," *HAU: Journal of Ethnographic Theory* 7, no. 2 (2017): 91–128.

9 Nicholas P. Dunning and Stephen D. Houston, "Chan Ik': Hurricanes as a Destabilizing Force in the Pre-Hispanic Maya Lowlands," in *Ecology, Power, and Religion in Maya Landscapes*, ed. Christian Isendahl and Bodil Liljefors Persson, Acta Mesoamericana 23 (Markt Schwaben: Anton Saurwein, 2011): 57–67. For more reading on metapersons and ecological inter/dependencies, see this volume, chapter 10, by Lewis Doney, on "Asymmetrical Relations with Other-Than-Human Beings in Some Accounts of Early Travel to Tibet."

5) Finally, landscape can be a mediator or tool. This point is particularly important in relation to the role of the landscape as a *body of dependency*, a means to create and maintain asymmetrical dependency.

In sum, whether in its control of resources and movement, as a supernatural entity or as the 'world': all these aspects indicate the relevance of the landscape in power imbalances. Therefore, what I suggest here is to analyse the role of space in the creation and maintenance of asymmetrical dependency, while considering different forms of spatial dependency as they fold into ecological (inter)dependencies.

Considerations of spatial dependency include the location of actors in the landscape, the use of the landscape to control other actors, the constitution of identity through the landscape, and the moral demarcation of the landscape.[10] Location in space is a decisive factor for quality of life, including the livelihood in a place of residence, the risk of environmental hazards, and access to resources.[11] They can lead to inequality and dependency on more favoured actors, such as in the case of centralized water reservoirs in the water-scarce area of the Classic Maya site of Tikal.[12] The spatial limitation of resources, as well as the management of disasters and their integration into the narratives of a supernatural elite, creates the conditions for strong power asymmetries and control over others. Landscape modification is a common form of control, which not only involves the transformation of topographical characteristics but also has a strong impact on the environment.[13] A particular form of landscape modification is landesque capital—a type of investment that consists in the physical transformation of land, with the aim of permanently increasing its productivity.[14] Widgren and Håkansson address the importance of landesque capital in socio-

10 The first ideas for conceptualizing spatial dependency as a subdiscipline of dependency studies came up in a brainstorming session in preparation for a seminar that Dita Auziņa and I organized for the MA students of the Bonn Center for Dependency and Slavery Studies in December 2022.

11 Tsuyoshi Takano et al., "Evaluating the Quality of Life for Sustainable Urban Development," *Cities* 142 (2023): 104561.

12 Lisa J. Lucero, "Agricultural Intensification, Water, and Political Power in the Southern Maya Lowlands," in *Agricultural Strategies*, ed. Joyce Marcus and Charles Stanish (Los Angeles: University of California Press, 2006): 294–96.

13 The oldest evidence of what is considered as *landscape modification* was recently ascribed by Roebroeks and his colleagues to the Neanderthals of the Last Interglacial northern Europe, some 125,000 BP. Accordingly, this early human species enabled vegetation openness, probably through the use of fire, and influenced the faunal composition, leading to increased food resources. See Wil Roebroeks et al., "Landscape Modification by Last Interglacial Neanderthals," *Science Advances* 7, no. 51 (2021): 9.

14 Amartya K. Sen, "The Choice of Agricultural Techniques in Underdeveloped Countries," *Economic Development and Cultural Change* 7, no. 3 (1959): 280; Piers Blaikie and Harold Brookfield, *Land Degradation and Society* (New York: Routledge, 1987): 9.

economic relations involved in the organization of labour, pointing out that it is a reflection of social processes linked to different human–environment relationships.[15] While landesque capital is mostly associated with agricultural terraces and irrigation canals, built environment in general encompasses a wide range of features that affect people, their actions, movements and perceptions. Restrictive features, such as walls, moats and earthworks impeding physical access to an enclosed space, are a common form of direct control. At the Classic Maya site of Punta de Chimino, located on a peninsula in Lake Petexbatun in southwestern Petén, ramparts and ditches were used to protect the epicentre and control access to agricultural fields.[16] However, there are also more subtle forms of control involved in urban planning[17] and in the inscription of meaning and memory into natural landscape features and the built environment. As pointed out above, landscape is not only defined by geography, but is socially constructed. This 'human space' can be referred to as a *moral landscape*, a spatial expression of the moral community, which emphasizes the importance of moral codes and the emic notion of the 'right' behaviour for the cohesion and identity formation of a group of people.[18] Thus, being inside or outside the boundaries of the moral landscape determines belonging and otherness.[19] Moreover, moral landscapes include specific features that reinforce asymmetrical relations of power and dependency.[20] This is most clearly expressed by large-scale or 'monumental' built environments, which

15 Mats Widgren and N. Thomas Håkansson, "Landesque Capital: What Is the Concept Good For?" in *Landesque Capital: The Historical Ecology of Enduring Landscape Modifications*, ed. N. Thomas Håkansson and Mats Widgren (Walnut Creek, CA: Left Coast Press, Inc., 2014): 10–13.

16 Arthur A. Demarest et al., "Classic Maya Defensive Systems and Warfare in the Petexbatún Region: Archaeological Evidence and Interpretation," *Ancient Mesoamerica* 8, no. 2 (1997): 238–43.

17 Nolan Gray, "Wide Streets as a Tool of Oppression," *Strong Towns* (blog), 08.10.2018, https://www.strongtowns.org/journal/2018/10/8/wide-streets-as-a-tool-of-oppression [accessed 29.11.2024].

18 Stephen D. Houston and Takeshi Inomata, *The Classic Maya* (Cambridge: Cambridge University Press, 2009): 28–42; Andrew K. Scherer, Charles Golden and Stephen D. Houston, "True People, Foreigners, and the Framing of Maya Morality," in *Bioarchaeology of Pre-Columbian Mesoamerica: An Interdisciplinary Approach*, ed. Cathy Willermet and Andrea Cucina (Gainesville: University Press of Florida, 2018): 159–91.

19 Cf. Bryce Davenport and Charles Golden, "Landscapes, Lordships, and Sovereignty in Mesoamerica," in *Political Strategies in Precolumbian Mesoamerica*, ed. Sarah Kurnick and Joanne Baron (Boulder: University Press of Colorado, 2016): 181–216; Charles W. Golden and Andrew K. Scherer, "Revisiting Bird Jaguar and the Sajal of the Yaxchilán Kingdom," in *A Forest of History: The Maya After the Emergence of Divine Kingship*, ed. Travis W. Stanton and M. Kathryn Brown (Louisville: University Press of Colorado, 2020): 117–31.

20 Cf. Sharon Zukin, *Landscapes of Power: From Detroit to Disney World* (Berkeley: University of California Press, 1991): 274.

have been labelled as *architecture of power*[21] or *landscapes of power*,[22] because they represent and legitimate power, actively affecting people through their visual and associative messages. On the other hand, the marking of space does not always have to be conveyed through physical features, but can also be expressed through performative acts. As Davenport and Golden suggest for the Yaxchilan polity on the western edge of the Petén, the power and sphere of influence of supernaturally glorified rulers and their ancestors were demonstrated by conducting ritual circuits along boundary walls and border sites, which contain monuments depicting their deeds, including the humiliation of captives associated with the outside amoral realm.[23] The contrasting symbology of strong, honourable sovereigns and weak, dehumanized 'animalistic' figures, therefore, would have legitimized the authority of the ruling lineage and the oppression of foreign actors, as these were considered to be in harmony with the moral order.[24] It can be stated that the success of this rhetoric is rooted in the binary principles of Maya ontologies.

3 Maya Ontologies of Living and Morally Bounded Space

Although the term Maya was introduced as an etic concept for a heterogeneous cultural complex that has been in existence for more than 3000 years, there are some commonalities that span all contemporary and ancient Maya groups (and some that also link to other Mesoamerican societies). This is particularly the case in ontology, the way in which reality is perceived and explained. In the Maya cosmovision, the world is usually imagined as a tree representing the *axis mundi*, which connects the sky, the earth and the underworld. Moreover, Maya ontology is guided by the spatial principle of the quincunx, which is composed of four cardinal points and a central point, and can be found in all contexts of daily life: the four sides of a house, the milpa (a plot of land that is cleared and burned for the cultivation of maize and other crops), the village, or the ritual place with its four altars plus one in the centre. Both the vertical and the horizontal dimensions of this ontological spatial schema are em-

21 Sonia Alconini, "Dis-Embedded Centers and Architecture of Power in the Fringes of the Inka Empire: New Perspectives on Territorial and Hegemonic Strategies of Domination," *Journal of Anthropological Archaeology* 27, no. 1 (2008): 66–67.

22 Chandra Mukerji, "The Landscape Garden as Material Culture: Lessons from France," in *The Oxford Handbook of Material Culture Studies*, vol. 1, ed. Dan Hicks and Mary C. Beaudry (Oxford: Oxford University Press, 2012): 543–61; Zukin, *Landscapes of Power: From Detroit to Disney World*.

23 Davenport and Golden, "Landscapes, Lordships, and Sovereignty in Mesoamerica": 194–95.

24 Davenport and Golden, "Landscapes, Lordships, and Sovereignty in Mesoamerica": 190–91.

bodied in the structure of vernacular house traditions.[25] The roof represents the sky, and the four wooden corner pillars represent four divine entities that support the sky and connect it to the earth. It is also symbolically supported by the three-stone hearth in the middle, which symbolizes the world tree, standing as a substitute for the central pillar, and at the same time represents the place of creation, where the first humans were made from maize.

The concept of the quadripartite division, serving as the structuring blueprint for the cosmos, appears to have played a significant role in the emic definition of morality and order in Maya societies. There are clear indications that the community, in its understanding as a relatively dynamic and socially constituted entity of co-residents and interacting individuals with a shared identity,[26] was bound both physically and metaphysically according to this principle. Arguments for this include architecture, caches and other archaeological features found at special locations in the north, east, south, west and centre of the communal space that embody certain symbols associated with the different directions.[27] Furthermore, ethnoarchaeological analogies imply that the centre of the community was associated with the heart or navel of the world, as every town today has its own centre of the world,[28] and that its boundaries were defined by the cardinal points in the form of four entrances, roads, gates or quarters.[29] Through the division and delimitation of the community embedded in the physical landscape, spaces with different qualities and values were constructed, which were oriented according to the emic concept of morality.

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25 James S. Davidson, "Casas de Paja: Maya House Architectures" (PhD diss., Brisbane, University of Queensland, 2009): 167–75.

26 Cf. Jason Yaeger and Marcello A. Canuto, "Introducing an Archaeology of Communities," in *The Archaeology of Communities: A New World Perspective*, ed. Marcello A. Canuto and Jason Yaeger (London: Routledge, 2000): 5–9.

27 Wendy Ashmore, "Site Planning and Concepts of Directionality Among the Ancient Maya," *Latin American Antiquity* 2, no. 3 (1991): 199–226, https://www.jstor.org/stable/972169 [accessed 09.04.2025]; Lisa J. Lucero, "Materialized Cosmology Among Ancient Maya Commoners," *Journal of Social Archaeology* 10, no. 1 (2010): 138–67.

28 Allen J. Christenson, "Places of Emergence: Sacred Mountains and Cofradía Ceremonies," in *Pre-Columbian Landscapes of Creation and Origin*, ed. John E. Staller (Chicago: Springer, 2008): 107–8; Christa Schieber de Lavarreda, Geremías Claudio and Miguel Orrego Corzo, "Excavación Del Centro Del Mundo de Tak'alik Ab'aj. 'Ombligo-Mux', Testimonio de Ingeniería Civil Con Filosofía Ancestral," *Mexicon* 15, no. 3 (2018): 70–82; Evon Z. Vogt, *Zinacantan: A Maya Community in the Highlands of Chiapas* (Cambridge, MA: Harvard University Press, 1969): 154.

29 William F. Hanks, *Referential Practice: Language and Lived Space among the Maya* (Chicago: University of Chicago Press, 1990): 299–31; Grant D. Jones, *The Conquest of the Last Maya Kingdom* (Stanford: Stanford University Press, 1998): 60–69, 94; Fray Diego de Landa, "Relación de Las Cosas de Yucatán," ed. David Bolles, 1566: 130, http://alejandrasbooks.org/www/Landa-facsimile.pdf [accessed 09.04.2025]; Prudence M. Rice, "Historical Perspectivers on Tayza/Flores," in *Historical and Archaeological Perspectives on the Itzas of Petén, Guatemala*, ed. Prudence M. Rice and Don S. Rice (Boulder: University Press of Colorado, 2018): 300–303; Charles Wisdom, *The Chorti Indians of Guatemala* (Chicago: University of Chicago Press, 1974): 206.

Maya morality is associated with a notion of correct behaviour, which is socially determined. Linguistically, it takes on the semantic fields of 'right,' 'straight' and 'good,' which in most Mayan languages are denoted by the same root, *toh* or *choh*.[30] However, it is even more clearly expressed by the omnipresence of binaries, which are intrinsically linked to human existence. In this duality, both parts are important and need to be in balance, such as bright and dark, hot and cold, dry and wet, male and female, strong and weak, high and low, right and left, etc. This is of great importance with regard to ecological dependencies as the idea of balance is also reflected in the general understanding of humans in their environment. Thus, the Maya, in contrast to the anthropocentric ontology of Western societies, have a cosmocentric worldview that assumes mutual responsibility between humans, animals, plants, mountains, rivers, clouds and other entities and metapersons (Fig. 2), with each element fulfilling its own role in the cosmos.[31]

The duality of human existence is also associated with space in terms of identity and otherness. Daylight and warmth are connected to being inside: within 'civilization' or socially constructed human space. Interestingly, this includes not only the town but also domesticated vegetation and milpa fields.[32] However, it is not only the human sphere but also the 'natural' landscape that is full of cultural associations. Darkness and cold, as aspects of the other end of the moral binaries, are part of the Otherworld, imagined as a watery world of underground caves, water holes and dark forests, which are places of the sacred, the ancestors, deities and spirits.

3.1 Environmental Otherness of Forests and Caves

The forest is a crucial part of human existence since it is a source of different essential resources, including game, fruit and herbs for food and medicine, wood, fibres and palm leaves for building houses and manufacturing tools, among others. However, it is also widely regarded by Maya groups as a dangerous, uncontrollable place of deadly creatures.[33] Depending on the local oral tradition, the forest wilds and other zones of the Maya environment are associated with ferocious jaguars and pumas, ven-

30 Cf. Terrence Kaufman, "A Preliminary Mayan Etymological Dictionary," 2003: 194, http://www.famsi.org/reports/01051/pmed.pdf [accessed 09.04.2025].

31 Lisa J. Lucero, "A Cosmology of Conservation in the Ancient Maya World," *Journal of Anthropological Research* 74, no. 3 (2018): 332–36.

32 Hanks, *Referential Practice: Language and Lived Space Among the Maya*: 299–300; Karl Taube, "Ancient and Contemporary Maya Conceptions About Field and Forest," in *The Lowland Maya Area: Three Millennia at the Humane Wildland Interface*, ed. Arturo Gómez-Pompa et al. (New York: Food Products Press, 2003): 462–64.

33 Duncan Earle, "Maya Caves Across Time and Space: Reading-Related Landscapes in K'iche' Maya Text, Ritual and History," in *Pre-Columbian Landscapes of Creation and Origin*, ed. John E. Staller (Chicago: Springer, 2008): 73; Hanks, *Referential Practice: Language and Lived Space Among the Maya*: 306.

Fig. 2: *Nuestra Madre Tierra*, painting by Paula Nicho Cúmez from 2010, Helen Moran Collection (photo obtained through the courtesy of the Latin American Studies Association).

omous snakes, spiders and scorpions, rabid bats, and insidious monkeys, crocodiles and birds (e.g., in the K'iche' myths of the Popol Wuj).[34] In a direct form of environmental agency, wild plants and animals are seen as active aggressors, constantly trying to invade and combat the fields and towns of the human sphere.[35] In this sense, the overgrown fields in the regenerative stage of the milpa cycle and abandoned and overgrown archaeological sites are areas considered to have been reclaimed by the vibrant wilderness (Fig. 3). Forests, caves and ruins are also regarded as being inhabited by goblin-like creatures, gods, deified ancestors and the so-called *way* (dream)

34 See Allen J. Christenson, ed., "Popol Vuh: Sacred Book of the Quiché Maya People," online publication, Mesoweb, 2007, https://www.mesoweb.com/publications/Christenson/PopolVuh.pdf [accessed 11.04.2025]: 84–96, 109, 135, 160; cf. Taube, "Ancient and Contemporary Maya Conceptions About Field and Forest": 466–72.

35 Christenson, "Popol Vuh: Sacred Book of the Quiché Maya People": 138; Robert M. Laughlin, "Poetic License," in *The Flowering of Man: A Tzotzil Botany of Zinacantán*, ed. Dennis E. Breedlove and Robert M. Laughlin, Smithsonian Contributions to Anthropology 35 (Washington, D.C.: Smithsonian Institution Press, 1993): 106; Taube, "Ancient and Contemporary Maya Conceptions About Field and Forest": 469; cf. Eleanor Harrison-Buck, "Maya Relations with the Material World," in *The Maya World*, ed. Scott R. Hutson and Traci Ardren (London: Routledge, 2020): 432–33.

spirits—hybrids of humans and animalistic beings associated with the night and darkness, the new owners of these sacred places.[36]

Fig. 3: Tikal Temple 1. Left: Photo by Alfred Percival Maudslay from 1890–1891, first encounter of a Western explorer with the structure when it was still under the control of the forest (photo under public domain, published in Maudslay's book *Biologia centrali-americana* in 1889–1902). Right: Photo taken by the author in 2018, showing the restored state of the structure.

In the Classic period, the forest was a buffer zone between competing polities, a lawless place of raids and battles where captives were taken,[37] one of the strongest dependent characters in the Classic Maya society. Battles were equated with hunting, and the spoils of the hunt, in the form of captives, brought honour to the captor.[38] Captives taken in war came from outside the boundaries of the moral community, which legitimized their humiliation as a victory over the immoral.[39]

Mechanisms that associate foreignness with inferiority or savagery are also known through various ethnographic accounts, some of which date back to the colonial period. For example, the Tzotzil portrayed the Lacandon Ch'ol people as amoral foreigners because they lived in the forest after fleeing the Spanish;[40] the Itza' Maya

36 Jeremy D. Coltman, "The Cave and the Skirt: A Consideration of Classic Maya Ch'een Symbolism," in *Night and Darkness in Ancient Mesoamerica*, ed. Nancy Gonlin and David M. Reed (Louisville: University Press of Colorado, 2021): 219–40; Earle, "Maya Caves Across Time and Space": 83, 91; Taube, "Ancient and Contemporary Maya Conceptions About Field and Forest": 476; Alexandre Tokovinine, *Place and Identity in Classic Maya Narratives* (Washington, D.C.: Dumbarton Oaks Research Library and Collection, 2013): 53–55.

37 Taube, "Ancient and Contemporary Maya Conceptions About Field and Forest": 479–80.

38 Stephen D. Houston, David Stuart and Karl A. Taube, *The Memory of Bones: Body, Being, and Experience Among the Classic Maya* (Austin: University of Texas Press, 2006): 203–4.

39 Cf. Davenport and Golden, "Landscapes, Lordships, and Sovereignty in Mesoamerica": 195.

40 Victoria Reifler Bricker, *Ritual Humor in Highland Chiapas* (Austin: University of Texas Press, 1973); Taube, "Ancient and Contemporary Maya Conceptions About Field and Forest": 468.

referred to the Mopan Maya, whose language is closely related to that of the Itza', as ferocious people who were 'not man';[41] and the Kaqchikel in the Maya highlands considered their neighbours as *chicop*, 'animals.'[42]

Other dependent actors are associated with the outside space or the Otherworld because of their appearance, such as short-statured people or 'dwarves,' who were seen as half-human beings with supernatural powers that lived in caves.[43] Caves are particularly important sacred places and venues for specific rituals as they are generally regarded as portals to the underworld in Maya cosmology. They are also a common setting for mythological tales, especially creation myths, which contain explanations for the dangers of the environment and are perpetually performed in order to ensure the maintenance of the cosmos.

3.2 The Creation Myths of the Popol Wuj and Their Significance for Ecological Dependencies

The best-known creation myth is part of the Popol Wuj,[44] an oral tradition from the precolonial era that explains the origin of the world and the history of the K'iche' Maya in the highlands of Guatemala. It was written down by K'iche' lords in the mid-sixteenth century, probably with the general goal of claiming the primordial rights of their lands, as was done by other highland Maya groups in the form of legal documents called *títulos*, and was later copied by the Dominican friar Francisco Ximénez at the beginning of the eighteenth century.[45] The central protagonists of these myths are Hunahpu[46] and Xbalanque,[47] known in academic discussions as the Hero Twins of the second generation,[48] who represent another dualistic concept that can also be found in the iconography of the Classic Maya in the form of Jun Ajaw and Yax Balam.

41 Jones, *The Conquest of the Last Maya Kingdom*: 20.

42 Daniel G. Brinton, ed., *The Annals of the Cakchiquels: The Original Text, with a Translation, Notes and Introduction*, Brinton's Library of Aboriginal American Literature 6 (Philadelphia: Academy of Natural Sciences, 1885): 39.

43 Cf. Earle, "Maya Caves Across Time and Space": 83, 90; Judith A. Storniolo, "Out of the Past and Into the Night: Ancient Mythical Dwarfs in Modern Yucatan," *Expedition* 51, no. 1 (2009): 22.

44 Literal translation: "Mat/Counsel Book." Only selected names from the Popol Wuj (or Popol Vuh in the original script) are translated here to demonstrate the contrasting characters of the actors from the moral and amoral realm as reflected in their literal meaning.

45 Christenson, "Popol Vuh: Sacred Book of the Quiché Maya People": 29–33.

46 Literal translation: "One Master of the Blowgun."

47 Literal translation: "Young Hidden/Jaguar Sun."

48 Nathan Henne argued for replacing this term, which has become common in Western literature, with the "Boys," which is also used in the original source of the Popol Wuj; see Nathan C. Henne, *Reading Popol Wuj: A Decolonial Guide* (Tucson: University of Arizona Press, 2020): chapter 1, n. 14.

According to Karl Taube, they can be understood from these early sources as representations of rulership in both the human and animal worlds.[49]

To summarize the creation myth of the Popol Wuj (using the translation by Allen Christenson from 2007), there are two generations of Hero Twins who travel to the Otherworld *Xib'alb'a*[50] to compete in a ballgame against the lords of the underworld, reigned by Hun Came[51] and Vucub Came[52]. The first generation of Hero Twins, named Hun Hunahpu[53] and Vucub Hunahpu,[54] are defeated and sacrificed by the lords, with Hun Hunahpu being decapitated and his skull placed in a dead tree. The tree then bears fruit, which attracts the attention of a young woman from Xib'alb'a, named Xquic.[55] Hun Hunahpu's decapitated head spits in her hand, whereupon she becomes pregnant and flees to the earthly world to the house of the 'Grandmother' Xmucane, Hun Hunahpu's mother and one of the creators of humanity. A short time later, she gives birth to the 'Boys,' the second generation of Hero Twins. Hunahpu and Xbalanque are initially not accepted by their grandmother, which is why Xquic has to raise them in the wilderness, where they grow up to become great blowgun hunters and defeat and tame various deities and animal creatures. When they, like their father before them, disturb the lords of the underworld with their ballgame on the surface and are summoned to Xib'alb'a, they are well prepared and pass the treacherous trials, thanks to their ingenuity and the support of various animals. Although Hunahpu loses his head like his father, this time to a 'death bat' in the trial of the Bat House, the Boys manage to restore his head, again with the help of animals and plants. Even when they are sacrificed by the lords of Xib'alb'a, they retain the upper hand and are reborn as dancers who have the ability to sacrifice and revive themselves. The lords hear of their special ability and ask them to demonstrate it on the lords themselves. However, the Boys kill them without reviving them and ultimately dominate the Xib'alb'ans, thereafter becoming the sun and the moon and initiating the first day cycle.

In addition to the numerous mentions of human–environment interdependencies, two important inferences about the entanglement of moral values and ecological aspects in asymmetrical dependencies can be drawn from these narratives. The first consideration is the delineation of moral and amoral space, defining river canyons, underground tunnels, subterranean waterways and caves as dangerous places that must be entered by the Hero Twins in order to defeat the lords of Xib'alb'a and

49 Taube, "Ancient and Contemporary Maya Conceptions About Field and Forest": 472.
50 Literal translation: "Place of Fear."
51 Literal translation: "One Death."
52 Literal translation: "Seven Death."
53 Literal translation: "One *Hunahpu*." Note the moral–amoral dichotomy with Hun Came.
54 Literal translation: "Seven *Hunahpu*." Note the moral–amoral dichotomy with Vucub Came.
55 Literal translation: "Lady Blood."

achieve balance in the cosmos.[56] Moreover, Duncan Earle suggests that the 'houses' of trial at Xib'alb'a, including the House of Darkness, Shivering House, Jaguar House, Bat House and Blade House, could actually represent caves as they are located underground.[57] Earle also observes a parallelism between the decapitation of Hunahpu in the Bat House and the saying that people entering caves are in danger of 'losing their head' when they experience deadly fever and hallucinations, which are actually caused by fungus spores from the excrements of bats that sleep in the caves.[58]

The second consideration is the importance of the Hero Twin epos for the legitimacy of power. The Hero Twins are the epitome of dominance over the wilderness, as excellent hunters who ultimately make the animals obey and help them on their journey to Xib'alb'a. Furthermore, they represent both the first cycle of maize cultivation and the first calendar day.[59] They performed the first day, basically through their own ritualized death, thus becoming the first Maya 'shamans' or ritual specialists, called *ajq'ijab'*.[60] They literally had to die in order to be reborn, just like the maize plant and the sun before dawn. The second generation, in particular, can be regarded as the first *chuch qajaw* or 'mother-father' in the dualistic sense, a term still commonly used for K'iche' ritual specialists today, because they conjoin both worlds—the paternal descent from the surface and the maternal descent from Xib'alb'a—which gives them their special abilities and enables them to defeat the lords of the underworld. Just like the Hero Twins, all *ajq'ijab'* or 'day-keepers' have to enter the caves as part of their initiation. "It is from the cave that the initiate will emerge at dawn, revivified and prepared to heal through the management of holy time and sacred spaces."[61] They are essential actors who must regularly perform rituals to maintain the cosmos.[62] In other words, they are not only the keepers of the days, but also the keepers of the cosmos. On the other hand, if the cave rituals are not carried out or are performed incorrectly, the moral space can be threatened by certain dangers, usually in connection to the angry owner of the cave, be it a spirit dwarf or a large snake wandering through the cave tunnels.[63] This makes them a sustainable form of control. Similarly, Earle describes the *ajq'ij* as "the earliest model for politically legitimate power."[64]

A final important aspect is the link to the story of the origin of the K'iche', which is told in parallel to the adventures of the Hero Twins. Particularly central to this is

56 This can be seen in particular in the toponyms translated by Christenson, such as "Trembling Canyon," "Murmuring Canyon," "Scorpion River," "Blood River" and "Pus River."
57 Earle, "Maya Caves Across Time and Space": 68–69.
58 Earle, "Maya Caves Across Time and Space": 68–69.
59 Earle, "Maya Caves Across Time and Space": 69–70.
60 Literal translation: "Masters of the Days."
61 Earle, "Maya Caves Across Time and Space": 70.
62 Christenson, "Places of Emergence: Sacred Mountains and Cofradía Ceremonies": 119.
63 Earle, "Maya Caves Across Time and Space": 90–91.
64 Earle, "Maya Caves Across Time and Space": 82.

Tulan Suywa, a place 'in the east' where the K'iche' subgroups receive their patron deities or *k'ab'awilab'*, named Tohil (*Tojil*), Auilix (*Awilix*), Hacavitz (*Jakawitz* or *Q'a-q'awitz*) and Nicacah Tacah. At the first dawn, these metapersons turned into small stone or wooden images, which from then on were kept and worshipped in mountain caves and 'forests.'[65] In fact, this likely represents a symbolic continuity as an alternative name for the place of origin is *Wuqub' Pek* or 'Seven Caves.'[66] Christenson assumed that *k'ab'awilab'* were also kept in temples or 'stone mountains,'[67] and that they were later merged with Christian saints and kept as syncretized idols in the Cofradía house.[68]

4 The Moral Appropriation of Landscape

Similar associations with the landscape and underlying processes to legitimize power can also be assumed for the pre-Hispanic past. This is evidenced, on the one hand, by direct mythological parallels and political rhetoric in Maya art, but also by the aforementioned spatial symbolism in architecture and settlement patterns in archaeological sites. Accordingly, the sacred space as a place of communication with the Otherworld was also adopted by Classic Maya authorities as a part of the demonstration of their power. Earle terms this an 'urban appropriation' of the natural (and sacred) landscape,[69] referring to the construction of sacred spaces that are 'ordered' and integrated into the settlement structure. However, I prefer to call it moral appropriation, since these mechanisms were meant to materially reinforce the moral system, while

65 Christenson, "Popol Vuh: Sacred Book of the Quiché Maya People": 215–16; also attested in other early colonial documents, such as the Título de Totonicapán, see Robert M. Carmack and James L. Mondloch, eds., *El Título de Totonicapán* (Guatemala City: Cholsamaj, 2007): 103; Francisco A. Fuentes y Guzman, *Recordación Florida: Discurso Historial y Demostración Natural, Material, Militar y Política Del Reyno de Guatemala, T. 1*, Biblioteca Goathemala de La Sociedad de Geografía e Historia 6 (Guatemala City: Sociedad de Geografía e Historia de Guatemala, 1933): 16.

66 Cf. Frauke Sachse, "Over Distant Waters: Places of Origin and Creation in Colonial K'iche'an Sources," in *Pre-Columbian Landscapes of Creation and Origin*, ed. John E. Staller (Chicago: Springer, 2008): 124.

67 Christenson, "Places of Emergence: Sacred Mountains and Cofradía Ceremonies" 117–18.

68 *Cofradías* are a kind of religious brotherhood that was brought from Spain as a way of evangelizing the Maya, but Maya Cofradías turned into autonomous institutions, taking on an important role in secretly preserving precolonial power structures; see Jennifer L. Burrell, *Maya after War: Conflict, Power, and Politics in Guatemala* (Austin: University of Texas Press, 2013): 66–67; Robert M. Carmack, *Rebels of Highland Guatemala: The Quiché-Mayas of Momostenango* (Norman: University of Oklahoma Press, 1995): 320, 385–402.

69 Earle, "Maya Caves Across Time and Space": 71.

the idea of the 'city' in non-European contexts such as the Maya implies a rigid category with unclear boundaries.[70]

The Maya centre of Copan in western Honduras is a suitable example of how the Maya appropriated the landscape in the Classic period (Fig. 4). As originally observed by Linda Schele, built pyramids represented sacred mountains. This is particularly evident in Copan Structure 10L-22 in the Principal Group, whose corners are decorated with *witz* masks containing *tun* markings that identify the building as a 'stone mountain.'[71] Similarly, stelae 'exhibitions' such as those in the Main Plaza of Copan have the appearance of forests, with each stela embodying a former ruler, which is not just a memorial image but also contains the essence of that person.[72] Other mythologically connoted forms in Copan are the central ballcourt in the Principal Group, the Copan River to the south, and the canyons, creeks and caves surrounding the site, especially in the canyon of the Sesesmil Creek. Of the various caves in the limestone wall of this canyon, Cave 3 is the largest, also known as Gordon's Cave after its first describer.[73] It consists of a main chamber and two side chambers connected by a tunnel. Excavations have revealed that it was used for ritual purposes between the Preclassic and Late Classic periods, including as a crematorium or ossuary.[74] Thus, the third chamber of this cave is covered with an almost 40 cm thick layer of human bones[75] and contains large stone blocks with burnt human remains on them, which can be interpreted as altars.[76] This chamber is also the furthest inside, and it is difficult to access as it can only be reached via a narrow passage.

Wendy Ashmore examined the settlement structure of Copan with regard to the Maya quincunx (Fig. 5) and proposes the ballcourt as the central point, the Las Sepulturas Group (8N-11) and the El Pueblo Group (9J-4 and 9J-5) as the eastern and western points connected by causeways, the Salamar group as the northern point (8L-10 to 8L-12), and the Copan River and the Los Sapos neighborhood as the southern

70 Cf. David L. Webster, *The Population of Tikal: Implications for Maya Demography*, Paris Monographs in American Archaeology 49 (Summertown: Arqueopress, 2018): 24–25, 35.

71 Cf. William L. Fash, *Scribes, Warriors and Kings: The City of Copán and the Ancient Maya* (London: Thames & Hudson, 2001): 123.

72 Harrison-Buck, "Maya Relations with the Material World": 429; David Stuart, "Kings of Stone: A Consideration of Stelae in Ancient Maya Ritual and Representation," *Res* 29–30 (1996): 149–71.

73 George B. Gordon, "Caverns of Copan, Honduras: Report of Explorations by the Museum, 1896–97," *Memoirs of the Peabody Museum of American Archaeology and Ethnology, Harvard University* 1, no. 5 (1898): 139–49.

74 James E. Brady, "A Reassessment of the Chronology and Function of Gordon's Cave #3, Copan, Honduras," *Ancient Mesoamerica* 6 (1995): 29–38.

75 Brady, "A Reassessment of the Chronology and Function of Gordon's Cave #3, Copan, Honduras": 29.

76 Elisandro García, personal communication, 02.03.2024.

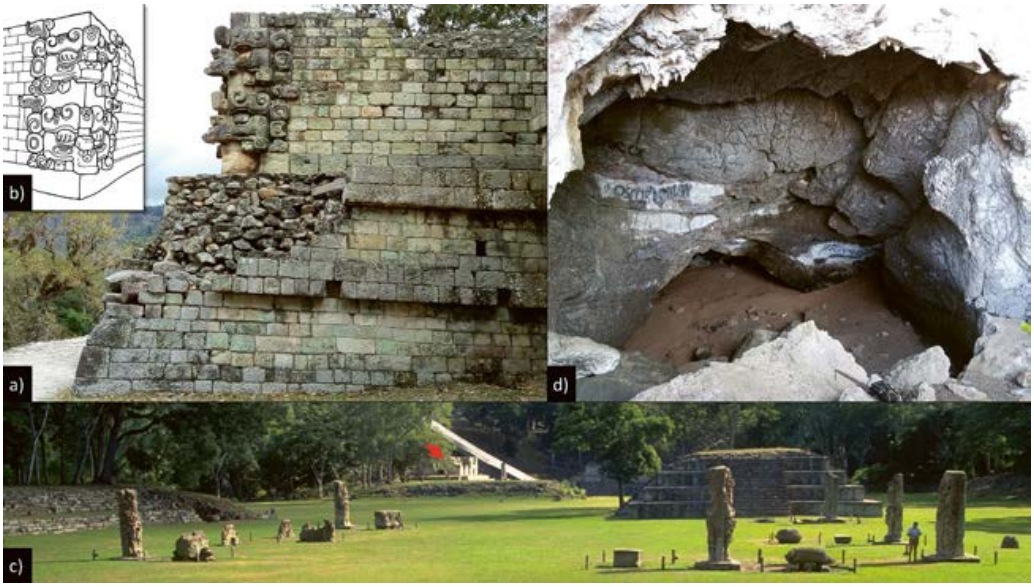

Fig. 4: Morally appropriated features of the sacred landscape at Copan: a) Structure 10L-22 with *tun witz* masks (photo taken by the author in 2018); b) Drawing of the *tun witz* masks by Linda Schele; c) Main Plaza with stela 'exhibition' and the ballcourt in the background, see red arrow (photo taken by Linda Schele, courtesy of David Schele);[77] d) Gordon's Cave (photo taken by the author in 2024).

point.[78] Alternatively, the caves of Sesesmil could have represented the north.[79] This seems particularly striking in view of the fact that east and north are the directions respectively associated with the origin of the sun and the place of the ancestors and are often the focus of rituals.[80]

A similar spatial pattern can be observed in Q'umarkaj (Place of Ancient Reeds),[81] the historical capital of the K'iche' in the Late Postclassic, located west of the modern town of Santa Cruz del Quiché in the highlands of Guatemala.[82] It lies on the plateau of a mountain crisscrossed by a branching system of cave tunnels. The story of Q'umarkaj is told in detail in the Popol Wuj, according to which it was the third *tinamit*, a

77 Retrieved from FAMSI, http://research.famsi.org/uploads/schele_photos/CD61/IMG61085.jpg [accessed 15.04.2024].

78 Ashmore, "Site Planning and Concepts of Directionality among the Ancient Maya": 205; cf. Heather Richards-Rissetto and Judith van der Elst, "Exploring Social Dynamics at the Ancient Site of Copan, Honduras," online paper, ESRI, 2007, https://proceedings.esri.com/library/userconf/proc07/papers/abstracts/a1475.html [accessed 14.04.2024].

79 In fact, a direct relationship between Copan and the caves of Sesesmil is evidenced in a Preclassic ceramic type found in both Gordon's Cave and Group 9N-8 in the east complex Las Sepulturas; cf. Fash, *Scribes, Warriors and Kings: The City of Copán and the Ancient Maya*: 67.

80 Ashmore, "Site Planning and Concepts of Directionality among the Ancient Maya": 201–5, 216; Earle, "Maya Caves Across Time and Space": 84.

81 Sachse, "Over Distant Waters: Places of Origin and Creation in Colonial K'iche'an Sources": 152.

82 Q'umarkaj is often better known by its foreign name Utatlán, which is derived from the designation used by the Nahuatl-speaking allies of the Spanish conquistadors under Pedro de Alvarado.

Fig. 5: Isometric projection of the landscape of Copan, based on Google Earth imagery from April 2024 (illustration elaborated by the author).

'fortified town' or 'citadel,'[83] founded by the K'iche' around 1400 CE[84] after they abandoned their second *tinamit* Chi Ismachi', which probably corresponds to the neighbouring site called Pismachi (Fig. 6).[85] In the centre of the densely built plateau is the main plaza, along with the temples of the patron deities, the ballcourt, as well as other temples and administrative buildings.[86]

The three known caves beneath Q'umarkaj are not purely natura, but were carved into the compacted volcanic ash that forms the mountain, probably adapting older concepts of urban planning.[87] This is particularly evident in the most extensive

83 Like many names in the Popol Wuj, the term was borrowed from Nahuatl; see Lyle Campbell, "Préstamos Lingüísticos En El Popol Vuh," in *Nuevas Perspectivas Sobre El Popol Vuh*, ed. Robert M. Carmack and Francisco Morales Santos (Guatemala City: Editorial Piedra Santa, 1983): 85.

84 John W. Fox, *Quiché Conquest: Centralism and Regionalism in Highland Guatemalan State Development* (Albuquerque: University of New Mexico Press, 1978): 35.

85 Christenson, "Popol Vuh: Sacred Book of the Quiché Maya People": 245–47, n. 714.

86 Cf. Robert M. Carmack, *The Quiché Mayas of Utatlán: The Evolution of a Highland Guatemala Kingdom* (Norman: University of Oklahoma Press, 1981): 220–31.

87 James E. Brady, "Caves and Cosmovision at Utatlan," *California Anthropologist* 18, no. 1 (1991): 2; James E. Brady and George Veni, "Man-Made and Pseudo-Karst Caves: The Implications of Subsurface Features within Maya Centers," *Geoarchaeology* 7, no. 2 (1992): 157; Earle, "Maya Caves Across Time and Space": 89.

Fig. 6: Isometric projection of the landscape of Q'umarkaj, based on Google Earth imagery from December 2021 (illustration prepared by the author).

cave, Cave 1 or Upper Cave.[88] Lying directly under the main plaza complex, it consists of a 68 m long main shaft, which fans out into six smaller side passages and two small niches, with a total length of 127.5 m.[89] Its tunnel walls are covered in black soot because, like the altars and temple ruins of the main plaza above, it is still used for rituals today (Fig. 7). James Brady considered that taken together, the tunnels symbolized either the nine layers of the underworld or, excluding the niches, the seven caves of origin (Wuqub' Pek).[90] The southwestern-most passage ends in a pit more than 7 m deep, the base of which leads into another tunnel containing fire-blackened rockpiles, which Brady interprets as altars.

The particularity of the caves of Q'umarkaj is their association with the temple complex above (Fig. 8), with Cave 1 situated directly under the area of the Tohil temple and fanning out beneath the main plaza. Earle deepened the interpretation of the caves and their cosmological contexts with ethnographic work, through which he observed that after entering the cave, one first had to pass by the side niches and use them to ask the owners of the cave for permission to proceed.[91] He interprets the subsequent splitting of the tunnel into three passages as symbolizing the three main line-

88 This cave was first described by John Fox, *Quiché Conquest: Centralism and Regionalism in Highland Guatemalan State Development*: 24.

89 Brady, "Caves and Cosmovision at Utatlan": 2–5.

90 Brady, "Caves and Cosmovision at Utatlan": 5.

91 Earle, "Maya Caves Across Time and Space": 90.

Fig. 7: The sacred landscape of Q'umarkaj: a) Ballcourt of Q'umarkaj; b) Tohil temple and altar during a ritual; c) Altar in a niche of Cave 1; d) Entrance of Cave 1 (all photos taken by the author).

ages that worship Tohil, although the eastern side passage seems to end under the Auilix temple. While ritual specialists see the Tohil temple as a stairway to the sky, the ballcourt is regarded as being the connection to the underworld, just as in the myth of the Hero Twins who communicate with the lords of Xib'alb'a via the ballgame. On the other hand, Earle's informant, Don Lucas, also described the central shrine in the main plaza as "a kind of stairway down into the world,"[92] which resembles the concept of the umbilicus as the central *axis mundi*.[93] The ballcourt, with its position to the west of the main plaza, could symbolize a place of death and sacrifice as *hom*, the term for ballcourt in the Popol Wuj, also means 'graveyard.'[94] Earle located the aforementioned vertical shaft right under the ballcourt, which would support this explanation. Cave 2, which, according to Earle, is less complex as it consists of a single tunnel and which lies beneath Cave 1, is associated with the sacred stone

92 Earle, "Maya Caves Across Time and Space": 84.

93 Similar architectural expressions of the "navel of the world" are round, cobble-filled features, like the one excavated under the main plaza at Tak'alik Ab'aj on the Pacific piedmont of Guatemala; see Schieber de Lavarreda, Claudio and Orrego Corzo, "Excavación Del Centro Del Mundo de Tak'alik Ab'aj. 'Ombligo-Mux', Testimonio de Ingeniería Civil Con Filosofía Ancestral": 70.

94 Dennis Tedlock, "Walking the World of the Popol Vuh," in *Recovering the Word: Essays on Native American Literature*, ed. Brian Swann and Arnold Krupat (Berkeley: University of California Press, 1987): 491; cf. Fray Francisco Ximénez, *Arte de Las Tres Lenguas Kaqchikel, K'iche' y Tz'utujil*, ed. Rosa H. Chinchilla M., Biblioteca Goathemala de La Sociedad de Geografía e Historia 31 (Guatemala City: Sociedad de Geografía e Historia de Guatemala, 1993): 121.

images embodying the *k'ab'awilab'*.[95] Both Earle and Brady see the complementarity of the main plaza of Q'umarkaj, its temples and the underlying caves as a multi-layered representation of the cosmos, with the *tinamit* as a sacred mountain and the cave system as the Wuqub' Pek or the primordial place of creation.[96]

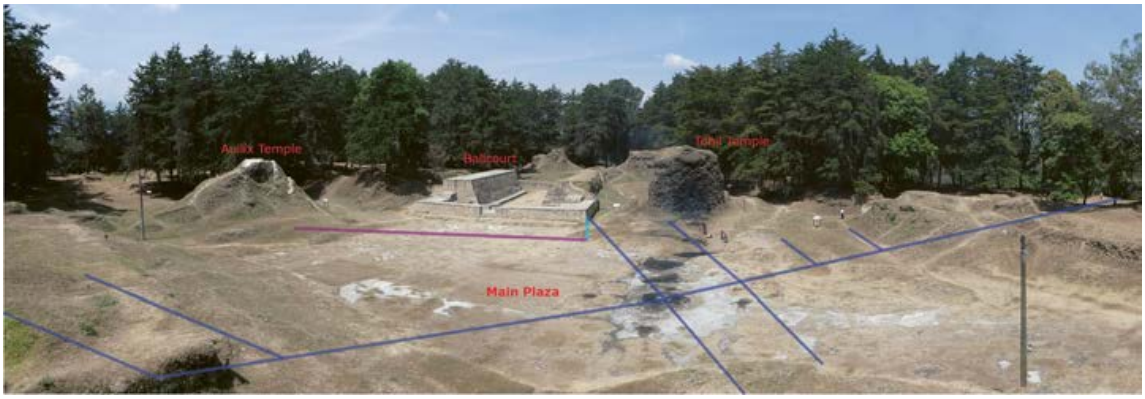

Fig. 8: Panoramic view of the main plaza of Q'umarkaj with the underground course of Cave 1, as presumed by Duncan Earle. The purple line marks the lower southwestern passage (photo taken by the author).

The last example of landscape-based dependencies is the ancient community of Tzikin Tzakan located in northeast Guatemala near the border with Belize, which I have researched intensively since 2021.[97] It was founded in the Preclassic period, on a mountain on the northern edge of the Mopan River basin. It grew into an extensive settlement that reached its peak in the Late Classic period, when it occupied a large part of the escarpment (Fig. 9). Similar to Copan, it is bordered to the south by a river, the Mopan River, which was a source of different freshwater resources and an important means of transportation and communication to other places in the Southern Maya Lowlands and beyond. My previous analyses have shown that significant differences in wealth, as measured by the quality of the artifacts and the size of the buildings, existed not only between the monumental core and the western periphery but also between the upland and bottomland. From an economic perspective, however, most groups appear to have had a similar degree of autonomy due to natural conditions and the creation of landesque capital, which improved access to subsistence resources. While the wealthier groups in the water-scarce upland built water reservoirs, extensive terrace systems and irrigation channels, the foothill neighbourhoods benefited

95 Earle, "Maya Caves Across Time and Space": 84, 91.

96 Earle, "Maya Caves Across Time and Space": 88–89; Brady, "Caves and Cosmovision at Utatlan": 7.

97 Cf. Paul Graf, "Opio Del Pueblo: El Acceso a Recursos Morales En La Comunidad Clásica Tardía de Tzikin Tzakan, Petén, Guatemala," in *XXXV Simposio de Investigaciones Arqueológicas En Guatemala*, ed. Bárbara Arroyo, Luis Méndez Salinas and Gloria Ajú Álvarez (Guatemala: Museo Nacional de Arqueología y Etnología, 2023): 809–24.

from their proximity to a rich bottomland environment, including the river, whose banks they improved by building raised fields, as well as smaller hinterland creeks. It can therefore be assumed that the wealth inequalities were due to other forms of asymmetrical dependency, which are likely to be found in mechanisms similar to those in the other case studies.

Fig. 9: Isometric projection of the landscape of Tzikin Tzakan, based on Google Earth imagery from February 2019. It shows the center of Tzikin Tzakan in the background, the Mopan River in the foreground and the western periphery in between (illustration elaborated by the author).

Landscapes of power in Tzikin Tzakan are particularly present in the form of modified mountains that can be recognized from great distances. By taking the assumption that mountains were considered sacred and associated with metapersons, and combining it with the fact that ancient rulers were able to shape mountains, it can be imagined how powerful this would have been as a means of legitimizing power. Other landscape modifications had more strategic reasons, such as fortress-like platforms cut into the limestone bedrock, which served as control posts for surveilling important routes to resource zones. Some routes were physically interrupted by ramparts of heaped limestone and chert cobbles. The most striking modified mountain in the western periphery is the Cerro Maax Complex, the northern part of which was transformed into a pyramidal platform of four levels with a temple on top, called Pirámide Francisco (Fig. 10). An interpretation of this complex as a sacred mountain is additionally supported by a petroglyph, Petroglyph 1, on the eastern shoulder of the

mountain, which contains the symbolism of the three-stone hearth as the place of creation, surrounded by forest animals and possible water references.[98] Last but not least, a cave was discovered down the slope, not far from this petroglyph, which, with its location in the east, occupies the possible position of a 'dawning place,' as described in creation myths. It contains a cut stone platform that may have been used for ritual activities.

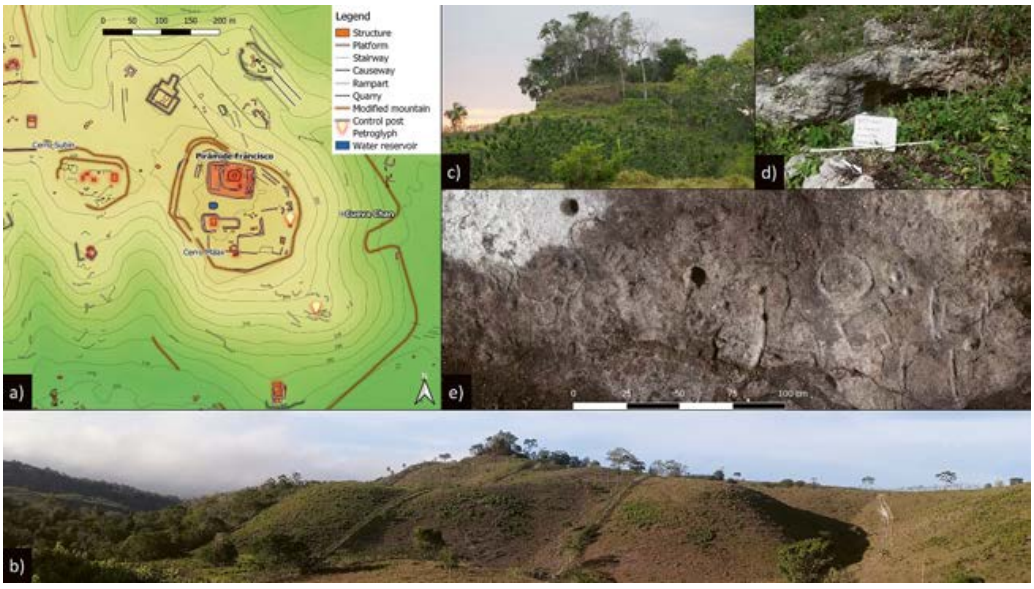

Fig. 10: Cerro Maax complex: a) Map of the spatial context; b) North side with a clearly visible contour of the modified mountain; c) Pirámide Francisco seen from the west; d) Chan Cave; e) Detail of Petroglyph 1, showing a cave or house with the representation of the three-stone hearth, surrounded by several deer, a spider monkey and plants or water drops (illustrations and photos by the author).

Despite their temporal and regional differences, Tzikin Tzakan, Copan and Q'umarkaj show similar expressions of the sacred landscape, some of which can be found in the Popol Wuj and other mythological narratives and shed light on ontological relationships and their possible impact on social relationships.[99] All three sites have ball-

98 Paul Graf and Marie Botzet, "Meeting on the Mountain: A Petroglyph in Tzikin Tzakan, Petén, Guatemala," *Mexicon*, forthcoming.

99 Tedlock considers that Copan could actually be Tulan Suywa, based on parallels of the bat motif, which forms the central part of Copan's emblem glyph, and the location in the east of the present-day territory of the K'iche'; see Dennis Tedlock, ed., *Popol Vuh: The Definitive Edition of the Mayan Book of the Dawn of Life and the Glories of Gods and Kings* (New York: Touchstone, 1996): 45–47. His hypothesis is further supported by architectural and symbolic similarities, such as those between the Tohil temple of the K'iche' capital Q'umarkaj and Copan Structure 4, or the symbol of the mat in Structure 10L-22A, which was interpreted as a counsellor house or an ancestor shrine and resembles the physical and administrative idea of the *nimja* (Big House) among the principle lineages in K'iche' communities. See Christenson, "Popol Vuh: Sacred Book of the Quiché Maya People": n. 821; Elisabeth Wagner, "An Alternative View on the Meaning and Function of Structure 10L-22a, Copán, Honduras," in *The Sacred*

courts, sacred mountains and caves with possible altars, be it the rectangular stone blocks in the caves of Copan and Tzikin Tzakan or the rockpiles at Q'umarkaj. These cave altars are generally located in the deepest chambers, as in the case of the lower tunnel of Q'umarkaj Cave 1 and the inner chamber of Gordon's Cave at Copan. Landscape modifications and cosmological narratives inscribed into landscape features consolidated the authority of the ruling elite, who thus demonstrated their supernatural skills and ability to create their own version of the sacred landscape. While entering caves was reserved for special individuals, the open spaces and plazas embedded in the sacred landscape were gathering places for the broader public, who in this way experienced the importance of the cosmos-renewing rituals and acknowledged the power of the authorities or ritual practitioners as essential actors. Access to these moral resources, and possibly to the more complex landesque capital administered by the elite, were controlled by physical and moral constraints and restricted under certain conditions and obligations.

5 Concluding Remarks

The landscape is not only a physical surface but also the material embodiment of social life and moral associations. The shape of the landscape has a direct impact on movement and perception. For the Maya, the landscape is also a manifestation of the religious-ideological system and represents the cosmos itself, with mountains as sacred beings, forests as uncontrollable realms of dangerous creatures and caves as portals to the underworld guarded by spirits and deities. Classic Maya authorities adopted the people's awe of environmental forces and presented themselves as powerful actors, able to control these dangers and communicate with the universe, the underworld, their ancestors and the rain and lightning deities. They displayed their

and the Profane: Architecture and Identity in the Maya Lowlands, ed. Pierre R. Colas et al., Acta Mesoamericana 10 (Markt Schwaben: Anton Saurwein, 2000): 25–50; Geoffrey E. Braswell, "Highland Maya Polities," in *The Postclassic Mesoamerican World*, ed. Michael E. Smith and Frances F. Berdan (Salt Lake City: University of Utah Press, 2003): 46. Another indication is the veneration of divine wooden effigies in Copan, which is known from the display of their capture and destruction by their long-time enemy Quirigua and probably has parallels to the cult of the K'iche' patron deities. See Geneviève Le Fort, "Gods at War: Of War Protectors, Effigy Idols, and Battle Banners among the Classic Maya," *Mayab* 11 (1998): 17, https://dialnet.unirioja.es/servlet/articulo?codigo=2774772 [accessed 09.04.2025]; Alejandro G. Garay Herrera, "Una Síntesis Epigráfica de La Época Del Gobernante Waxaklajuun Ub'aah K'awiil En Copán (695–738 DC)," in *XXXII Simposio de Investigaciones Arqueológicas En Guatemala 2018: Tomo 2*, ed. Bárbara Arroyo, Luis Méndez Salinas and Gloria Ajú Álvarez (Guatemala City: Museo Nacional de Arqueología y Etnología, 2019): 844–47. However, there are no linguistic traces that indicate a historical connection between the K'iche' people and Copan, which is located in the area of the Ch'orti', thus belonging to a different language group.

supernatural power by creating their own sacred microcosmos and by bounding the moral space through ceremonial circuits and the enactment of mythological narratives that symbolized the renewal of the cosmos. Just like ritual specialists today, they were the only ones with the spiritual capacities to carry out pilgrimages to places that were considered dangerous to 'common' people. At the same time, they used the performances to mark off property rights and define the otherness of certain dependent actors, such as captives and short-statured persons.

Finally, it is important to mention that landscapes are still a central aspect of ecological dependency relationships today. In the Southern Maya Lowlands, the landscape is heavily impacted by the new powerful players, including cattle ranchers, palm oil companies and large-scale agriculturists, which have caused a considerable amount of forest to be lost and the soil to degenerate and dry out more quickly. In Copan and Tzikin Tzakan in particular, access to water is very difficult despite their proximity to rivers as the groundwater level is often very low and is affected by droughts. In addition, the impact of climate change has increased the severity of hurricanes, which led to considerable flooding in the Copan and Mopan rivers in the fall of 2020, devastatingly affecting the surrounding villages and the environment.[100] The situation is no better in the highlands of Guatemala, including the area where Q'umarkaj is located, where forest fires raged in 2024, endangering people and the environment. Exposing these power relations and their negative consequences is the first step in raising awareness and bringing about change, whereby the cosmocentric view of the Maya is a suitable starting point.

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100 See The Center for Disaster Philanthropy, https://disasterphilanthropy.org/disasters/ [accessed 14.04.2024].

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3. Research Lenses

3.6. Ecological Dependencies

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Kristina Großmann and Ajarani Mangkujati Djandam

Reconfigurations of Asymmetries in Mining in Indonesia

1 Introduction

Many Southeast Asian societies are highly hierarchically organized, with patron–client relationships dominating the social structure. During the New Order regime in Indonesia, between 1967 and 1998, patronage systems were strengthened based on lucrative bureaucratic positions and economic advantages. As Edward Aspinall and Ward Berenschot argue, through collusive relationships between private businesses and state functionaries, the capitalist elite has been closely tied to the state.[1] Patronage systems are especially prevalent in the natural resource sector.[2] Many mining companies have close links to members of the political and military elite, and concessions are a means of ensuring their loyalty to a regime constructed around patronage networks. During the New Order, the Indonesian government enforced an authoritarian development regime based on the extraction of natural resources on peripheral islands—one such case involves the mega-mining projects in Kalimantan. The region is a textbook example of what Joseph Nevins and Nancy Peluso describe as the changing socio-natures of Southeast Asia, in which relations between people, nature and places are transformed by the exploitation and commodification of natural resources.[3]

Large-scale open-pit mining shatters the social structure of affected communities who have lived in these areas long before the extraction started.[4] People are confronted not only with the cementation of existing patronage relations, but also with a shift of power and a change in their social and political positions: farmers become mining employees and village heads become company associates. These transformations entail struggles over access to and control of land, employment opportunities and political power. These new opportunities offer groups in the community the possibility to enlarge their power, while others lose power or build new alliances. Existing patronage systems are reconfigured, strengthened, weakened, and new asymmet-

1 Edward Aspinall and Ward Berenschot, *Democracy for Sale: Elections, Clientelism and the State in Indonesia* (Ithaca: Cornell University Press, 2019).

2 Helena Varkkey, *The Haze Problem in Southeast Asia: Palm Oil and Patronage* (London: Routledge, 2016).

3 Joseph Nevins and Nancy Lee Peluso, "Introduction. Commoditization in Southeast Asia," in *Taking Southeast Asia to Market: Commodities, Nature, and People in the Neoliberal Age*, ed. Joseph Nevins and Nancy Lee Peluso (Ithaca: Cornell University Press, 2008): 1–24.

4 Nicholas A. Bainton, "Mining and Indigenous Peoples," in *Oxford Research Encyclopedia of Anthropology* (Oxford: Oxford University Press, 2020): 1–35; Chris Ballard and Glenn Banks, "Resource Wars: The Anthropology of Mining," *Annual Review of Anthropology* 32 (2003): 287–313.

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ric relations evolve. In this transformation process, many social frictions occur not only between the company and the affected community, but also amongst the communities themselves.

In our contribution, we analyse the reconfiguration of power and asymmetric relations in the frame of mining activities. We draw on two case studies in Kalimantan, Indonesia, where mining has had a huge impact on socio-ecological and political formations for decades. One case study is situated in the Murung Raya Regency, in the province of Central Kalimantan, and it is focused on the operation area of open-pit coal mining by the Adaro Met Coal project. Large-scale coal extraction in the region started as early as the 1990s, but since 2010, the northern part of the province of Central Kalimantan has become the new frontier for coal exploitation, spearheaded by the Adaro Met Coal mega-mining project, which covers 350,000 hectares and is projected to deliver a total of more than 700 million tons of coal by 2045. Our focus will be on the village of Tumbang Batubara, which is located in the Murung Raya Regency, in the region where the Adaro Met Coal mega-mining project is operating. The second case study is located in the Kutai Barat Regency in the province of East Kalimantan, where we will focus on the operation and the closure of a gold mine by the company PT Kelian Equatorial Mining (PT KEM). Here, too, large-scale gold mining started in the 1990s. In 2003, PT KEM stopped production, and in 2005, they officially closed their operation.

Our analyses of these two case studies are based on the ethnographic research we have conducted in the two regencies. Kristina Großmann has been visiting mining families in the north of Central Kalimantan for her research on human–environment relationships and resource extraction since 2016. In 2018, she was able to gain specific insights into the topic of mining and ecological asymmetries during a two-month ethnographic fieldwork phase in Murung Raya, where she conducted participatory observation and interviews. Ajarani Mangkujati Djandam conducted fieldwork in the Kutai Barat Regency over the course of five months in 2022 and 2023. Next to semi-structured and biographical interviews, she also conducted participant observation and actor–network analyses of relevant persons during and after the gold mining activities. In order to protect our collaboration partners, we use pseudonyms for all persons in this text. The village names and the villages themselves are fictional. Our descriptions of the villages and their inhabitants are based on our observations at several settlements in the mining areas we visited.

Drawing on ethnographic findings, this chapter outlines how different Dayak groups establish, uphold and lose power both inside and outside their groups. “The Dayak” are, generally speaking, the Indigenous inhabitants of Borneo. The Dayak form a heterogeneous group comprising many sub-Dayak groups and with different social stratifications, rituals and practices. Dayak groups include semi-nomadic forest dwellers, shifting cultivators and miners, as well as urban-based activists in the capitals. In analysing the reconfiguration of asymmetries in connection to mining, we will focus on different intersectional categories, such as lineage, nobility or education,

which both enable access to power and hinder the members of specific groups from gaining power. We will describe how these categories play out in interpersonal relations, in interactions with the company and in the political arena. We will also describe the process of gaining social and political legitimacy to hold power and how this changed during and after mining. To further contextualise this, our focus will be on the power struggles amongst the elites in the framework of patron–client relationships in the specific mining contexts of both areas. We will show that mining activities, as an extreme transformation and commodification of the environment, coincide with strong asymmetrical relationships, which are reinforced in one case and reconfigured in another.[5]

2 Asymmetries and Mining

Patronage is very common and historically deeply rooted in many countries in Southeast Asia. In Indonesia, patron–client relationships played an important role in the interactions between peasants and the local elite in precolonial times, as described by anthropologist James Scott.[6] Today, the social and political order in Indonesia continues to be marked by high inequality, rigid hierarchy and differentiation along class, ethnicity and gender lines. Edward Aspinall argues that patronage networks are a key feature of Indonesia's economic, political and social structure despite the fact that the foundational principles of the modern state are based on equality.[7] Patron–client relationships are generally personalized, multifunctional and an embodiment of highly unequal power relations. Mutual expectations that patron–client obligations will be fulfilled are extremely high. If the patron or client is not able to fulfil these expectations, they in turn ask another one of their patrons or clients to do so. Thus, many people fulfil both roles, as patron and client, and are interlinked in a pyramid-shaped network of patronage. Within these patronage networks, the power relations are highly asymmetrical. Therefore, we embed our analysis in the research on strong

5 For other chapters in this volume that discuss the tangled relationships of local communities or kinship networks with postcolonial resource extraction politics and ecological inter/dependencies, see chapter 8 by Dita Auziņa on "Networks of Human and Other-Than-Human Dependencies During Environmental Catastrophe: Kukra Hill, Nicaragua" and chapter 14 by Mariam Salaudeen and Rotimi Fasan on "Antithetical to Modernity: Alternative Environmental Sustainability Practices and Ecological Dependencies in Tunde Kelani's *Ti Oluwa ni Ile* and *Saworoide*."

6 James Scott, "Patron-Client Politics and Political Change in Southeast Asia," *The American Political Science Review* 66, no. 1 (1972): 91–113.

7 Edward Aspinall, "The Triumph of Capital? Class Politics and Indonesian Democratisation," *Journal of Contemporary Asia* 43, no. 2 (2013): 226–42.

asymmetrical dependency.[8] Winnebeck et al. conceptualise asymmetrical dependency as social relations wherein people have no prospect of changing or exiting a relationship of dependency due to the political, social or economic context.[9] The main characteristic of asymmetrical dependency is that one actor controls the actions and the access to resources of others, which is usually supported by an institutional framework. Thus, the concept of asymmetrical dependencies "allows for the study of a wide range of societal, group-related, and individual varieties of hierarchisation and oppression".[10] With our contribution, we expand and further conceptualise the scholarship on asymmetrical dependencies by focusing on the contemporary dynamics of social inequality and patron–client relations in the context of ecological dependency, namely resource extraction in Indonesia.

When working on the questions of access and power in the course of mining, the term "resources" is important. Resources, in our understanding, may include economic, cultural and social capital. This approach to access to different forms of resources or capital is similar to the Theory of Access developed by Jesse C. Ribot and Nancy Peluso (2003).[11] They define access as "the ability to benefit from things be it material objects, persons, institutions or symbols."[12] Their work on power and access in natural resource extraction is part of the approach of political ecology (PE). PE serves as a conceptual framework for elaborating on power relations in political economies and processes of commodification, especially in terms of access and control.[13] While our work links to political ecology, in our analysis of power relations and social order, we also apply an anthropological approach and focus on the actor's views on inequality and related dynamics in the access to resources.

Access to and control of different resources are connected to different categories which both enable these as well as hinder members of specific groups from gaining power in the context of resource extraction. In intersectional thinking, class, race and gender are the main categories of differentiation. However, when looking at societies and patronage systems in Southeast Asia, other forms of social demarcation also gain significance. We therefore broaden the range and variety of intersecting categories in our analysis of asymmetrical dependencies: our goal is to show that by contextualising and specifying how both known and new categories of difference structure social life, scholars will be able to better understand the ways in which hierarchies and

8 BCDSS, https://www.dependency.uni-bonn.de/en [accessed 15.04.2025].

9 Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler and Stephan Conermann, "The Analytical Concept of Asymmetrical Dependency," *Journal of Global Slavery* 8, no. 1 (2023): 1–59.

10 Winnebeck et al., "The Analytical Concept of Asymmetrical Dependency": 7.

11 Jesse Ribot and Nancy Lee Peluso, "A Theory of Access," *Rural Sociology* 68, no. 2 (2003): 153–81.

12 Ribot and Peluso, "A Theory of Access": 153.

13 Michael Watts, "Political Ecology," in *The Companion of Economic Geography*, ed. Trevor E. Barnes and T.Eric Sheppard (Oxford: Blackwell, 2000): 257–74.

asymmetries are (re)produced and enacted.[14] In order to better grasp the dynamic processes of asymmetrical dependencies, we will demonstrate that categories of lineage, nobility, education and skills enable as well as constrain power in the context of mining in our case study regions.

3 Lineage and Patronage: Upholding Asymmetries in Tumbang Batubara

The village of Tumbang Batubara, located on the River Laung, was founded by Damang Wulang in the early twentieth century. He and his family once lived in a village located inland from the River Laung, approximately five kilometres away from the banks of the river where Tumbang Batubara is situated today.[15] About one-third of the people currently living in Tumbang Batubara are descendants of the village founder, whose grandson Damang Winfried is still remembered by older people living in the village. His descendants identify as Dayak-Murung and, like Damang Wulang, all of them are Protestant Christians. Other Dayak-Murung families are descendants of individuals who moved to the village after marriage to a member of the Damang Wulang family clan. Most of these immigrants converted to Protestantism, and their families retained a strong affiliation with the descendants of the village founder. In the 1990s, companies started to extract coal in the proximity of Tumbang Batubara. Villagers say that before the companies arrived, they had not even mined for coal on a small-scale basis, not for their own use nor for sale. To sustain their livelihood, the villagers instead practiced shifting cultivation of rice and other food crops, cultivated rubber trees, hunted and fished. After the mining companies established their business in this area, more and more villagers started to work for the company. People from nearby settlements and from the regency capital, mostly members of the Dayak-Siang group, also began to move to Tumbang Batubara to take up employment in the

14 See also Kristina Großmann, Marion Gymnich, James M. Harland, Julia Hillner, Claudia Jarzebowski, Caroline Laske, Eva Lehner, Royce Mahawatte, Danitza Márquez Ramírez, Lisa Phongsavath and Laurie Venters, "Asymmetrical Dependencies and Intersectionality: Debates, Perspectives and Case Studies," *Discussion Paper* 3, Bonn Center for Dependency and Slavery Studies, 2024, https://www.dependency.uni-bonn.de/images/pdf-files/discussion-papers/dp3.pdf [accessed 11.04.2025].

15 Villagers give different reasons for their decision to move. Some assert that colonial officials forced Damang Wulang and his family to move to the river to make it easier to control them and force them to pay taxes. Others suggest that the new site was safer and less exposed to raids by neighboring groups. Soon after he and his family moved to the new site on the banks of the river, he built a longhouse (*rumah betang*) there. Villagers showed Kristina Großmann a pillar (*patung*) of this first house, which is still standing and marks the foundation of the village.

mines.[16] At the time of writing, the village was inhabited by about 700 people, and approximately two-thirds of the adult villagers worked, directly or indirectly, for the mining companies. As a result, mining came to dominate the social, political and economic lives of most families. As the mining companies took possession of more and more land close to the village, agricultural activity decreased. Thus, mining is now the principal source of income for most families.

The groups of miners do not only consist of newcomer Dayak-Siang people. About half of the miners are Dayak-Murung people who are descendants of the families who founded the village. The category of lineage plays a major role in shaping access to and control of resources. Most members of the village elite in Tumbang Batubara are affiliated with the family clan of Damang Wulang. The village elite consists of the village head (*kepala desa*), the customary leader (*kepala adat*) and members of the representative council (Badan Perwakilan Desa, BPD). Thus, this group not only makes political decisions but also enforces customary law. As only members of the Damang Wulan family clan can get positions in the village elite, lineage is the principal category of difference for villagers and ultimately determines who gains access to political power and control.

Since the beginning of the large-scale mining activities, the company has established strong patronage networks with the village elite. Relationships between miners, members of the village elite and company representatives take the form of patron–client relationships, which are highly asymmetrical in terms of power, status and wealth. The company, as a patron, provides employment opportunities or the opportunity to make extra money in the form of bribes. The company also enhances village infrastructure under the terms of Corporate Social Responsibility (CSR) programmes. In return, the villagers, as clients, provide labour and support company policies, but they also have to endure the increasing pollution and destruction of their environment caused by the coal mines. Importantly, the patron–client relationship is not limited to business associations; it also extends into the private sphere. Representatives of the company give support for life milestones, as well as attending wedding ceremonies and funeral rites in the village. In so doing, they not only provide gifts and financial support to the family concerned, but are also seen to be fulfilling the social responsibilities of a person with a higher status.

The dominant position and access to power of the Dayak-Murung village elite is demonstrated in the case of land compensation.[17] If the coal mining area is extended in the proximity of the village, the mining company has to lease the land in this area

16 Kristina Großmann, *Human–Environment Relations and Politics in Indonesia: Conflicting Ecologies* (London: Routledge, 2021).

17 The licences for the Adaro Met Coal project were first issued in the 1990s, when the Australian mining company BHP Billiton discovered huge deposits of metallurgical coal in this region. However, it was only in 2013 that the joint venture between BHP Billiton and the Indonesian mining company PT Adaro Energy started to extract coal. In 2016, BHP Billiton sold its entire share of 75 percent of the enterprise to PT Adaro Energy, which immediately began a push to extend the area of the mine and

from the villagers and negotiate the compensation. Usually, people living in the village have had access to this land for decades, utilising it for agriculture, agroforestry, hunting and gathering. Thus, it is divided into uneven-sized plots which are used by villagers for swidden cultivation of rice, fruits and vegetables, as well as for growing rubber trees in agroforestry plots. Mining Law No. 4/2009 in Indonesia obliges mining companies to carry out an environmental impact assessment (EIA) before commencing extraction activities. One aim of the EIA is to ensure the fair distribution of benefits and the participation of surrounding communities. Within the EIA process, companies are required to inform villagers, publish business plans, conduct studies of impacts on affected communities and propose compensation. In theory, the company should provide information to stakeholders about the planned activities and conduct a study of the environmental, social and economic impacts in the affected areas, including holding consultations with villagers about the expected effects and compensation. The information meetings, the study and the consultation should be inclusive and conducted at a place where all villagers are able to participate. For this, company representatives usually start the negotiation process with involved villagers and initiate meetings with them and members of the village elite to present and discuss their planned mining activities. The main focus of these negotiations is the amount of monetary compensation that is going to be paid by the company to the villagers. Officially, when the mining company submits a request to lease land and starts the negotiations to agree on a compensation package, all villagers who have access to the requested land are invited. After one or two meetings with all villagers, however, only members of the village elite participate and "represent" other villagers in the negotiations with the company. During these meetings, the company representatives, the village head and the customary leader usually discuss the monetary value of their land and agree on leasing the land. The rest of the villagers are not included in the negotiations and are often not informed about the amount of compensation that the village elite negotiates. Both the company and members of the village elite commonly make use of bribes and threats to push their agenda and interests. Villagers who are critical of the mining activities or are too demanding in their negotiations are threatened and sidelined. In the same vein, members of the village elite who adopt an oppositional stance towards the companies or the agenda of the other members of the ruling village elite are usually excluded by being removed from their positions. This underlines the fact that only compliant members of the village elite have access to land compensation. The conduct in these meetings exemplifies the nature of the patron–client relations between the company and the villagers, while highlighting the powerful position of

increase coal production. Some activists who Kristina Großmann spoke to argued that BHP may have been deterred from expanding its operations in the region by its experience in land conflicts at mining sites already in operation. The change in the management could be part of a strategy not only to avoid further conflicts but also to enable BHP to renege on its existing responsibilities under Corporate Social Responsibility (CSR) programmes.

the village elite and the exclusion of critical voices from the discussions.[18] Thus, the production and legitimation of coal mining is achieved through a range of measures, and moral authority and violence are relied on to ensure they are accepted and complied with. The mining companies assert their will over the villagers by co-opting and reinforcing existing patronage networks in the villages that control and exclude access to land and natural resources.

Patron–client relationships in the village of Tumbang Batubara constrain the involvement of villagers who are not amongst the village elite in the negotiations for land compensation. Patronage is also used to legitimise these asymmetrical dependencies. For example, the regency head (*bupati*) justifies his support for the extension of coal extraction by pointing out that it will enable them to fulfil their responsibility to develop the district. Similarly, some members of the village elite legitimise their supportive stance towards companies by arguing that, as patrons, they have to provide the villagers, their clients, with labour opportunities and facilitate infrastructure improvements in the village. At the same time, members of the village elite express, as clients of the district head (*bupati*), how their patron exerts pressure on them to support the companies. However, we would argue that members of the village elite understate their decision-making capacity in negotiations with representatives of the companies. Blaming the regency head, their patron, is a strategy to distract from their corrupt behaviour. In practice, however, there seems to be little way for the village elite in Tumbang Batubara to break out of these patronage networks, at least for now. The company retains the allegiance of villagers through the provision of employment opportunities, infrastructure, education and social security, while those who question the dependency that these patron–client relationships entail are threatened and excluded. Large-scale coal mining, in this case, provides the framework for cementing and enlarging asymmetrical dependencies.

4 Nobility: Upholding Asymmetries in Long Maas

In the village of Long Maas, the contexts of mining and social stratification are different. Years before the gold mining company started its large-scale operations in the 1990s, people, individually or in small groups, had already panned for gold. In particular, the forested area upstream of the Kelian River has been famously known as an alluvial mining site since gold could easily be found on the surface. Thus, gold panning and the opportunity to make fast money did not only attract local Dayak-Tunjung people, but also thousands of Dayak from other regions in East Kalimantan

18 Kristina Großmann, "Patronage Networks and the Hope for a Better Future: Coal Mining in Indonesia," in *The Political Economy of Extractivism. Global Perspectives on the Seduction of Rent*, ed. Hannes Warnecke-Berger and Jan Ickler (London: Routledge, 2024): 123–36.

and other parts of Indonesia, who subsequently moved to the area. The biggest groups from East Kalimantan who moved to this area are members of the Dayak-Benuaq, the Dayak-Bahau and the Dayak-Kenyah.

In the gold mining area of West Kutai in East Kalimantan, the social stratification and power dynamics are different than those in Tumbang Batubara. The Dayak groups in this area are highly stratified according to two classes: the noble families, or "orang keturunan", and ordinary or common people, the "orang biasa" or "orang kebanyakan". Nobility in these Dayak groups is linked to the line of descent.[19] Marriage amongst members of the nobility of different Dayak groups is possible, but it is unlikely between members of the noble and ordinary groups. In contrast to Tumbang Batubara, where the privileged people are members of the Dayak-Murung family clan of the village founder, in Long Maas, those with power belong to a noble group constituted by diverse Dayak groups. The members of the noble families have enormous privileges with regard to the ownership of land and political power. Usually, members of the nobility occupy the roles of the village head (*kepala desa*), the customary leader (*kepala adat*) and are members of the representative council (Badan Perwakilan Desa, BPD). They do not only make political decisions but also enforce customary law in the villages. Privileges entail not only decision making power but also specific knowledge of customary law and rituals (*adat*). A former customary leader in the Long Maas village, who belongs to the nobility, explained that his family holds the exclusive knowledge of how to conduct life-cycle rituals—knowledge passed down from generation to generation through oral tradition. Since this customary knowledge is controlled by noble families, they are the only group who could legitimise and enforce customary law and determine the content of customary sanctions in the community. Power is thus codified and perpetuated *internally* within the family and *externally* within the community.

Privileged employment opportunities at the mining company demonstrate the dominant position and access to power of members of the noble groups. Employment in the mines is financially beneficial for miners and their families. In the case of Long Maas, the mining company prioritized the employment of members of the nobility, and only after that were ordinary villagers offered jobs at the mining site. One example is Ingan, who is a descendant of a noble family and who was offered a lucrative position in the Logistic Department of the company without having to submit an application. Recruitment is supposed to be an open process and all villagers should be able to apply. However, this position was not advertised but was occupied directly by Ingan due to the recommendation of his family relatives, who were the most dominant nobility group in Long Maas. Ingan had no specific education nor professional

19 Bernard Sellato, *Innermost Borneo: Studies in Dayak Cultures* (Paris: SevenOrients; Singapore: Singapore University Press, 2002); Yekti Maunati, *Identitas Dayak. Komodifikasi dan Politik Kebudayaan* (Yogyakarta: LKiS, 2004).

background for the position. During his employment, he earned and saved a lot of money, which he invested in the development of the village infrastructure, and it was in this way that he furthered his political career. He did not only serve as the village head of Long Maas, but also as the representative of the Kutai Barat Regency in the provincial parliament (DPRD) of East Kalimantan. Another example is Adip, a descendant of a noble family of the Dayak-Benuaq group who married a woman from the nobility of the Dayak-Tunjung group. He explained that because of his noble descent, he was prioritized for employment at the mining company and then worked there for more than ten years as heavy equipment maintenance staff. During his employment, he saved a lot of money and furthered the development of the regency capital by investing in infrastructure and the education system, which brought him large support amongst the inhabitants. For some years now, he has been the customary leader (*kepala adat besar*) in the regency government of Kutai Barat, a position with great political power. The employment of Ingan and Adip at the gold mining company was surely not the only factor that enlarged their political power. However, without their prioritization in the employment process, they might never have secured a job at the company, which certainly would have had more negative consequences on their political careers. This example shows that mining in this region strengthened the powerful position and accelerated the rise of some members of the nobility.

5 Education, Skills, and Job Performance for Contesting Asymmetries

For some villagers of the ordinary group in Long Maas, education and skills were categories for increasing their political power. Ampong has been a member of the provincial legislative in East Kalimantan for some years now, and he is one of the examples of how education and skills transformed his and his family's lives. He came from an ordinary family in Long Maas, and his father realized that employment at the mining company would be very beneficial for Ampong. He thus offered his son the opportunity to take part in a vocational training programme, with a specialization in mechanics, at a high school in the provincial capital of Samarinda. After Ampong's graduation, he joined an internship programme at the mining company that was targeted at students coming from the nearby villages. Ampong explained that at the beginning, he found the training difficult as he only had basic education. But he realized that if he studied hard, he would be able to make a career at the company. The employment thus gave him the opportunity to earn good money and climb the ladder to become a politician.

In Long Maas, members of the nobility were prioritized for employment in the gold mining company. However, all employees, whether they came from the nobility or the ordinary group, were more or less treated equally. All employees entered the

new "corporate culture" as working class. Their skills, competence and job performance were valued and reviewed based on a standardized evaluation. The employees all entered a new system in which people were reviewed by the company based on their professional performance and not on their social status. All had the same opportunity to upgrade their skills through various professional training programmes and compete with each other professionally regardless of which family or class they came from. Ampong, having come from an ordinary family and working for the gold mining company, took every opportunity to learn and participate in trainings provided by the company to enhance his skills. He explained that his career developed quickly mostly because he followed the company's rules, obeyed his supervisors and participated in every possible training. The company also provided trainings for personal finance management, and he learned how to manage his earnings, save money and invest it in land. Mana, who comes from a noble family and is also working at the gold mining company, admitted that once he joined the company as an employee, he was treated as an equal to all the other workers. He was not any more advantaged due to his noble status, and he had to rethink his noble position and distance himself from an attitude of being superior. He realized that his colleagues who came from ordinary families learned more quickly and performed better than he did and were therefore promoted more rapidly.

6 The "New Educated Rich"

In Tumbang Batubara, the recruitment process was more competitive than that in Long Maas village. From the 1990s onwards, the coal mining company opened up positions and published job advertisements to fill these, and so more and more villagers were employed at the company. Even people from other villages or educated Dayak-Siang people from the nearby regency capital moved to Tumbang Batubara as employment opportunities increased. It was convenient for them to live in Tumbang Batubara as they were able to commute from their home to work. In the morning they could leave for the companies' premises and return home to their families in the evening, avoiding the need to reside in the companies' camps. In former times, most young men in Tumbang Batubara left school early, and formal education was seen as unimportant. This changed with the arrival of mining companies because they needed educated people for more highly qualified jobs. Today, young men are well aware that formal school education is a precondition for obtaining a job with a mining company. This requirement motivates people to work hard at school and obtain at least a high school diploma. As a result, education has become a new category for gaining power. People who earned money through their employment in the company also contributed to the development of the village in regard to infrastructure and educa-

tion. Well-educated young men, with well-paid jobs in the mines, are a newly emerging power group in Tumbang Batubara.

In Long Maas, the social structure has changed and a group composed of the "new rich" has emerged. Some members of this group gained positions amongst the village elite and could enhance their political power. One of the elders of a noble family described a village meeting where the new rich were quite influential. The rising impact made by the new members of the village elite and the reforms implemented in the course of the national decentralization process towards more regional participation decreased the influence of the noble families. From 2020 onwards, you no longer had to be part of the nobility to become a candidate for the position of the village head. Thus, members of the new rich could compete and win if they were popular and gained the community's recognition. One important aspect in the competition was how much you contributed to the village's development up until that point. The villagers of Long Maas stated that the village heads who were not attached to the nobility but gained their recognition due to their engagement in the village performed their tasks differently. Villagers described how these village heads managed the village more professionally and engaged more seriously in its development. In contrast to the village head, the position of the customary leader (*kepala adat*) still has to be occupied by a person from the nobility. This position is equally powerful and on a similar level of decision-making competences. However, at least one of the positions in the village elite is no longer automatically filled with a member of the noble families. Members of the new rich could now obtain the position of village head and strengthen their interests. Thus, larger financial capacities combined with political reform in the village structure have transformed the political position of people in the village. This shows that resource extraction did not only enhance the prosperity of individuals and their families, but was also a means of gaining more political power and social prestige in the community.

7 Conclusion

Mining has had and still has an immense impact on the affected communities. It does not only cement old power structures, but it can also destabilize power relations and asymmetries. In the course of this chapter, we described how different groups establish, uphold and lose power in resource extraction according to diverse categories of differentiation, such as lineage, nobility, education and job performance. In Tumbang Batubara, members of the village elite are affiliated with the family clan of the village founder. Thus, lineage is the principal category through which power and control over resources are maintained. The village elite is strongly entangled with the coal mining company in patronage networks. We stress the omnipresence of patronage and asymmetrical relationships and argue that patron–client relations are the main

constituent in maintaining power in resource extraction in this area. Here, the concept of asymmetrical dependency applies because villagers who do not belong to the village elite have no prospect of changing this dependency. The company and the village elite are the ones who control most villagers' access to resources, as the example of land compensation shows, and the patronage network is legitimised and supported by the political institutions on the regency and provincial levels. Also, in Long Maas, the dominant class, the nobility, is advantaged by the mining company in terms of employment opportunities. However, the patronage system between the company and the noble group seems to be weaker than that in Tumbang Batubara. One reason for this could be that in Tumbang Batubara, asymmetries in mining only evolved when the company started large-scale mining operations because villagers had not mined for coal before the company arrived. Thus, from the beginning of its operation, the company could establish and maintain a strong system of patronage amongst the village elite, which was reproduced over the years. In Long Maas, small-scale gold mining had already been practiced by Dayak nobilities and other groups before the company arrived. The power of access to the resource gold was thus already being enforced by the dominant groups of Dayak nobilities when the company arrived. Secondly, the power of extraction in East Kutai was enforced by different Dayak nobility groups, and power constellations were therefore more complex and dynamic. As a consequence, the company had to negotiate with different powerful Dayak groups, which hindered the company from establishing a strong patronage network like that in Tumbang Batubara. These two case studies show that asymmetries in mining communities are strengthened and weakened according to the historical background of resource extraction in these regions and the socio-political context of the villages.

In Long Maas, due to the arrival of mining companies and the subsequent resource extraction, education, skills and job performance have emerged as the new categories that enable villagers who do not belong to the dominant noble group to enlarge their social and political power. Over years of employment in the company, ordinary villagers could save and invest money in enhancing the infrastructure of the village or the regency capital in order to further their political careers. In both villages, the social structure changed and a group composed of the "new rich" emerged. In Tumbang Batubara, they could not yet become part of the village elite and are still excluded from exerting political power. In Long Maas, however, they have managed to occupy political positions on the village and regency levels, and they could enhance their political power and social prestige. In our contribution, we show that mining is intrinsically intertwined with strong asymmetrical relationships. Although new actors could gain money and power through their career in mining companies, thereby reconfiguring power relations in a certain context, generally, the large-scale extraction of natural resources has to be backed up by the existing local elites, which is what cements and enhances their power and asymmetric position.

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3. Research Lenses

3.6. Ecological Dependencies

Julia A.B. Hegewald. "Ecological Dependencies and Resource- and Climate-Responsive Jaina Shrines Along the Malabar Coast in South India," in *Ecological Interdependencies: Strong Asymmetrical Relations and More-Than-Human Worlds*, ed. Zeynep Y. Gökçe and Jennifer Leetsch (Berlin: De Gruyter, 2025): 87–112.

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Julia A.B. Hegewald

Ecological Dependencies and Resource- and Climate-Responsive Jaina Shrines Along the Malabar Coast in South India

1 Introduction

The modern science of ecology is the study of the relationship between living organisms and their material surroundings.[1] In this biocentric and holistic understanding of nature, humans do not form the focal element.[2] Coming from the ancient Greek terms *οἶκος* (*oikos*), which means "house," and *-λογίᾱ* (*-logíā*), meaning "utterance" or "explanation" and in extension "the study of," the term ecology then means the "the study of the house."[3] Taking this term quite literally, I will examine the relationship between climate and nature, establishing the natural environment of a region on the one hand, and its built environment on the other. In relation to the latter, I will not discuss ordinary domestic houses but those built for the fully enlightened teachers of Jainism, the twenty-four Jinas or Tīrthaṅkaras, as their traditionally constructed temples are more durable and complex than human dwellings.

I will focus on Jaina religious buildings along the narrow coastline in the western part of South India, known as the Malabar coast. The emphasis will be on the section that lies within the modern State of Karnataka.[4] In order to illustrate the special disposition of the climate, the geography and the architectural adaptations along the narrow coastal belt, this will initially be contrasted with the situation in central Karnataka. The latter region represents a raised and extremely dry high plateau, which differs strongly from the steep, mountainous shoreline drenched by regular rains. I will show that architecture is generally strongly dependent on and, at least traditionally, has been closely adapted to the prevalent regional climatic situation. By introduc-

1 For this definition, see "Ecology," Oxford English Dictionary, Oxford University Press, https://www.oed.com/dictionary/ecology_n?tab=meaning_and_use#5964959 [accessed 09.05.2024].

2 Cf. Amita Sinha, "Conclusion: Sustainable Approaches to Heritage Conservation," in *Cultural Landscapes of India: Imagined, Enacted, and Reclaimed* (Pittsburgh: University of Pittsburgh Press, 2020): 208.

3 For these translations, refer to WordReference.com: *οἶκος*, https://www.wordreference.com/gren/%CE%BF%E1%BC%B6%CE%BA%CE%BF%CF%82 [accessed 09.05.2024], and *-λογίᾱ*, https://www.wordreference.com/gren/%CE%BB%CE%BF%CE%B3%E1%BF%90%CC%81%E1%BE%B1 [accessed 09.05.2024].

4 Whilst the traditional buildings in Kerala, just to the south of Karnataka, in the past followed the same style of construction, at least the Jaina temples in the region, constructed during the twentieth and twenty-first centuries, break more strongly with building conventions than those found along the coastal line to the north. Therefore, the emphasis will be on Jaina constructions along the littorals of Karnataka.

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ing and comparing these two different regions, I wish to demonstrate different responses to distinct environmental settings. The geography of the region in combination with the local weather conditions determines the accessibility of naturally available building resources. In the latter part of the chapter, I will discuss more recent developments in the coastal region which involve the introduction of new building resources.

Despite these changes, I will show that in a bottom-up process, architects, master builders and artisans still regularly employ the ancient building wisdom which their ancestors had accumulated over centuries and passed down to them over generations. This illustrates that the building specialists working for the Jaina community in Karnataka have often held on closely to their local, traditional, ecological knowledge instead of adopting more global, contemporary reactions to nature and the built environment. Furthermore, I will contend that by actively holding on to traditional local knowledge systems, at least certain eco-friendly continuities in resource and climate-responsive building work have also been achieved in modern and contemporary Jaina sacred structures.[5]

2 Perceptions of Nature as Sacred in South Asia

Let us first focus on the particular view and understanding of nature in South Asia. In ancient Indian literature and mythology, the environment plays a crucial role. According to ancient myths, divinities descended to the human world to interact with natural settings, thus turning selected spots into sites of divine manifestation. This has closely interconnected specific locations, such as forests, rock boulders, mountains and caves, with mythical events and converted these locales into sacred landscapes. The *Rāmāyaṇa* epos, for instance, is replete with references to mythical groves and named natural sites that have been sanctified by divine interaction and which embody collective memory.[6] Many of these places continue to be visited by devotees as part of pilgrimage networks. This illustrates contemporary interaction with mythical history and the re-enactment of past events by contemporary humans in the natu-

5 In recent years, a number of scholars have drawn our attention to various ecofriendly aspects of Jainism, be it their strict vegetarianism, their care for animals or their mindfulness towards nature more generally. This is exemplified by their concept of nonviolence towards all living beings, known as *ahiṃsā*. See, for instance, the contributions in the edited volume by Christopher Key Chapple, ed., *Jainism and Ecology: Nonviolence in the Web of Life* (Cambridge, MA: Harvard University Press, 2002).

6 Rangarajan also stresses the importance of Hindu myths for feelings of connectedness with nature among Indians. She wrote: "[. . .] the *Ramayana* and the *Mahabharata*, offer rich insights into the ethnoecology of the terrestrial ecosystem of India." Swarnalatha Rangarajan, "Engaging with *Prakriti*: A Survey of Ecocritical Praxis in India," in *The Oxford Handbook of Ecocriticism*, ed. Greg Garrard (Oxford: Oxford University Press, 2014): 529.

ral environment. For this reason, but also following a pantheistic belief system, the sacred is considered to be omnipresent in nature in South Asia. Consequently, its inhabitants have a specific spiritual relation with the natural surroundings. In fact, nature, known in Sanskrit as *prakṛti*, is considered to be the source of all life and abundance.[7]

This does not mean that there is no natural pollution and that people in South Asia are entirely eco-conscious. As elsewhere in the world, nature is exploited for short-term economic purposes and personal gains, creating far-reaching ecological instabilities.[8] In fact, a recent survey lists India as the seventh among the world's ten most polluting countries.[9] However, their legends relating to the aforementioned sanctified natural sites express an approach to the environment where nature is not necessarily meant to be subordinated and suppressed by humans. At least their religious architecture does not aim to represent a "triumph" or indicate "supremacy over nature," as can be encountered in other cultures.[10] Instead, it aims more strongly at an integration into and an interaction with the natural world.[11] This will be shown in more detail in the following discussion.

3 The Ecological Situation: Geographic and Climatic Dependencies

As has been outlined in the introduction, Karnataka is divided into two clearly separate geographic and climatic areas. Due to very distinct and contrasting weather conditions, which have led to the use of different naturally available building materials,

7 Refer to Rangarajan, "Engaging with *Prakriti*": 529.

8 See P.P. Karan, "Environmental Movements in India," *Geographical Review* 84, no.1 (1994): 32–34.

9 The list was compiled by the University of Adelaide's Environmental Institute (Rangarajan, "Engaging with *Prakriti*": 527).

10 I am referring here to concepts expressed by Stefan Feuser in his contribution to this volume, which focuses on Roman harbour cities (chapter 7, "Triumph over Nature? Ecological Dependencies and Landscape Modifications in Mediterranean Port Cities"). The aim of these grand architectural projects was to overcome and control nature, and in his example, the sea in particular. However, his chapter shows that this was not sustainable, that the ports deteriorated and that wave action eventually destroyed the docks. On the human desire to control nature through building projects, refer also to Richard L. Crowther, "Climate and Architecture," *Bulletin of the American Meteorological Society* 58, no. 7 (1977): 595. In India, Sinha describes the opposite approach as one where the ideal of sustainable conservation involves aiming to work with nature through the employment of traditional knowledge and skills (Sinha, "Conclusion": 203, 207). Rangarajan portrays the Roman approach as one that was typical of colonising Western nations, and the latter as a traditional Indian approach in which man sees himself more as being dependent on and inseparable from nature (Rangarajan, "Engaging with *Prakriti*": 529).

11 Sinha has also written on these issues (Sinha, "Conclusion": 201).

the architecture in these two zones varies strikingly. The building traditions in both areas evidence strong dependencies on and adaptations to the regional climatic situations and illustrate the use of building resources available in their vicinity.

3.1 Climate, Resources and Buildings on the Arid Deccan Plateau

The high Deccan upland is characterised by a hot and dry climate, with very little rainfall even during the monsoon period. In areas of the state where intense artificial irrigation is practiced, one finds the cultivation of *ragi*, a local type of millet, coconut trees and areca palms. However, without human-made installations for the collection and redistribution of water, the region is a high desert. On the Deccan Plateau, vernacular houses are largely made of mud and fibres, such as those from bamboo and palm leaf. Building with clay and natural fibres is possible due to the prevalent extreme aridity. Temple structures have mainly been made of relatively large blocks of firm, cut stone. Their architects and builders employed a yellowish and reasonably soft sandstone, a greenish grey hard granite and various forms of steatite. The latter in particular, which is also referred to as soapstone or potstone—a form of chloritic or talc schist, is widely available in the central region of Karnataka.

Building resources such as mud, natural plant fibres and stone, which are all sustainable materials and readily on hand in the area itself, are used. They are low-cost resources and climate-responsive constituents. To a certain extent, these natural materials are also recyclable. Their employment in the traditional vernacular and sacred building traditions of the region is representative of climate-responsive architectural design, which creates a comfortable indoor thermal microclimate in the midst of the heat of the desert-like exterior, which prevails for much of the year.[12] The employment of such natural, locally accessible resources promotes sustainability and supports a long-term ecological balance between the built and the natural environments. Through this, the integrity of the local building tradition, its connection with local materials and the site itself are all preserved, creating what we might term authentic heritage.

With regard to design, the Jaina temples of the dry Deccan high plateau possess the typical features of the South Indian style of architecture (*drāviḍa*). As part of this idiom, they have relatively plain exterior walls, which are crowned by a prominent roof moulding (*kapota*). This is topped by a number of ornate elements, creating an elaborate parapet. The same pattern is repeated for the roof tower in diminishing levels, forming a layered pyramidal roof shape. Whilst a pyramidal *drāviḍa* roof tower is

12 Sarkar and Bose also describe these features in the context of architecture in Himachal Pradesh. Amitav Sarkar and Shivashish Bose, "Thermal Performance Design Criteria for Bio-Climatic Architecture in Himachal Pradesh," *Current Science* 109, no. 9 (2015): 1590–600. On page 1590, they refer to edifices adapted to local microclimatic conditions as "bio-climatic architecture."

the most common, there are also examples where flat roofs have been chosen for the shrine sections and halls of the temples. Due to the general dryness of the area, flat roofs pose no problem.[13]

3.2 Weather, Materials and Building Conventions in the Rainy Coastal Region

To reach the Karnataka coastal belt, known as Kanara (Canara) or Tulunadu, one has to turn west from the dry plateau and descend the steep mountain ridge of the Western Ghats, also known as the Sahyadri hills. Below, bordering the Arabian Sea, is a long and narrow lowland, which stretches for about 500 kilometres from north to south. The Sahyadri hills are included in the list of UNESCO World Heritage Sites, described as an area harbouring unusually high endemic biodiversity. The hills range from about 600 to more than 2500 metres in height and present a barrier for the heavy monsoon clouds. During the rainy period, largely from June to September, but also outside of the monsoon season, this chain of hills causes generous and regular rains to fall on the relatively levelled land. In addition, the region is watered by a number of streams and is consequently very fertile. This has favoured the growth of deep evergreen rainforests, consisting primarily of teak and sandal trees.[14] Certain parts of these wooded areas are known as *kan*s. These have been protected by local communities since ancient times and are considered sacred.[15] These natural forests are complemented by bamboo groves and the cultivation of coffee, cashew nuts, areca nuts, tea, cardamom, coconuts and banana plants, often farmed in large plantations. In the flat expanses bordering the ocean, paddy is grown.

If we examine Jaina shrines along the Malabar coast, we will notice that the impact of ecological issues, such as the weather, on material resources and building traditions is especially pronounced. In this region, Jaina temples are referred to as *basadi* or *basti*.[16]

13 For further details on the Deccan plateau, see Julia A.B. Hegewald, "Temple Architecture in Coastal Karnataka: An Interplay of Climatic Dependencies and Artistic Freedoms," in *Embodied Dependencies and Freedoms: Artistic Communities and Patronage in Asia*, ed. Julia A.B. Hegewald (Berlin: De Gruyter, 2023): 75–78.

14 Stanley-Millson has written on these dense, sparsely populated forest areas, which are home to semi-nomadic tribal communities. Caroline Stanley-Millson, "Bamboo Dwellings in a Concrete Age: Architecture of the Hill Tribes of South India," *Journal of the Royal Asiatic Society of Arts* 132, no. 5338 (1984): 677, 685.

15 On the importance of the *kan*s for contemporary conservation work, see Yogesh Gokhale, "Reviving Traditional Forest Management in Western Ghats: Study in Karnataka," *Economic and Political Weekly* 39, no. 31 (2004): 3556–59.

16 These are derivatives of the Sanskrit term *vasati*, meaning "residence of god" (S.P. Chavan, *Jainism in Southern Karnataka (up to AD 1565)* [New Delhi: D.K. Printworld, 2005]: 191).

The especially large local centres of Jainism are Mudabidri, Karkal[17] (along with Hiriyangadi), Venur and Guruvayanakere. However, almost every village and small town in the littorals has at least one Jaina *basadi*.

3.2.1 Multiple Slanting Roofs

Although the Jaina *basadi*s along the coastal region are located in South India, they do not usually follow the general *drāviḍa* temple style by having a pyramidal stone roof. Owing to the ready availability of timber throughout the littorals and the need to protect buildings against heavy monsoon precipitations, the local shrines are rather characterised by widely projecting, sloping roofs. Often, multiple roof structures have been superimposed (Fig. 1), reminiscent of the pagoda temples in neighbouring Kerala and the Himalayan foothills.[18] All of these traditions represent similar responses to a shared local climate of strong rains along ranges of hills.[19] Contrasting with this format are the "true pagoda" temples of China, Korea and Japan, which follow a different logic as they derive from the Buddhist *stūpa*. In the *stūpa*-derived structures, the form is not predetermined by climatic conditions but is the result of a shared ritual concept, that of circling around a central axis.[20] In the *basadi*s under discussion in this chapter, however, a particularly close relationship between climate and the built environment is expressed. The steeply inclined roof constructions keep off the downpours. As they project far beyond the walls, they also cut off the hot summer sun, with the multiple roofs providing effective thermal insulation. As such, the traditional Jaina temples of the coastal region are representative of excellent climate-responsive building solutions in terms of the employed materials and their architectural design.[21]

17 Alternatively, Karkal is also spelled Karkala.

18 Desai, Shokoohy and Shokoohy have suggested a connection between boat and roof constructions in Kerala, with a wooden roof resembling the shape of an up-turned hull. Miki Desai, *Wooden Architecture of Kerala* (Ahmedabad: Mapin Publishing, 2018): 232; Mehrdad Shokoohy and Natalie H. Shokoohy, "The Malabar Mosque: A Visual Manifestation of an Egalitarian Faith," in *Malabar in the Indian Ocean: Cosmopolitanism in a Maritime Historical Region*, ed. Mahmood Kooria and Michael Naylor Pearson (Oxford: Oxford University Press, 2018): 330–32.

19 Similar architectural responses can be found on the slopes of the Indian Himalayas in Himachal Pradesh, Uttarakand, and in the neighbouring States of Sikkim and Bhutan. On the architecture of these regions, see Desai, *Wooden Architecture*: 21–31, and Julia A.B. Hegewald, "Dependency on Building Resources and Expertise in the Himalayas," *Dependent. The Magazine of the Bonn Center for Dependency and Slavery Studies*, 2021–1 (2021): 12–13.

20 For further details, refer to Dietrich Seckel, "*Stūpa Elements Surviving in East Asian Pagodas*," in *The Stūpa: Its Religious, Historical and Architectural Significance*, ed. Anna Libera Dallalpiccola (Wiesbaden: Franz Steiner Verlag, 1980): 249–59, and Johannes W. Glauche, *Der Stupa: Kultbau des Buddhismus* (Cologne: DuMont Buchverlag, 1995): 97–99.

21 For a table comparing the thermal properties of different materials, see Sarkar and Bose, "Thermal Performance": 1596.

Fig. 1: The Keṟe Basadi in Karkal and the Pārśvanātha Basadi in Venur are typical of coastal Karnataka, with their multiple superimposed, projecting and slanting roofs. Photos taken by the author.

The roofs of vernacular and sacred edifices in coastal Karnataka were traditionally covered with natural fibres, such as thatch, split bamboo and palm leaf.[22] For temples and official buildings, such as palaces, a semi-circular (or V-shaped) country tile was used, which had been fashioned in the region for centuries.[23] These early tiles were produced by hand, by potters working close to the construction sites.[24] In 1834, with the arrival in South India of

22 On the use of thatch as a traditional roof covering, see P.R. Srinivasan, "Monuments and Sculpture A.D. 1300 To 1800: The Deccan and South India," in *Jaina Art and Architecture*, vol. 2, ed. A. Ghosh (New Delhi: Bharatiya Jnanpith, 1975): 367. Stanley-Millson refers to the employment of wood, split bamboo and woven palm leaves in the domestic dwellings of the hill tribes of the Western Ghats (Stanley-Millson, "Bamboo Dwellings": 678–79).

23 See Julia A.B. Hegewald, "Pagodas, Pillars and Popular Cults: The Jaina *Bastis* of Coastal Karnataka," *Veranda: Journal of Sushant School of Art and Architecture* 1, no. 1 (2019): 18.

24 See the article by Chatterjee and Sumra, who also comment on the link between social status and the use of roof coverings: Arijit Chatterjee and Asha Sumra, "Basel Mission: Building Cultures. Construc-

the protestant missionaries of the Basel Evangelical Missionary Society, tile production was industrialised and relocated from the building sites to a factory context.[25] The establishment of tile factories was primarily in the interest of the Swiss-German missionaries themselves, who wanted to provide employment for the newly converted Indians[26] and also generate income for their own activities in India. In addition, the production of tiles for the church reflected the Calvinist ideology of work as a form of religious service or as a ritual act.[27] The first factory in which new technological innovations were tested was opened in Jeppu (Jeppo) close to Mangalore, the region's largest city and its capital, in 1865.[28] As the quality of the clay retrieved from around Mangalore was especially high and was thus preferred for the production of tiles, they became generally known as "Mangalore tiles."[29] However, good-quality clay was also gathered from the extensive banks of the Netravathi and Gurupura rivers and their many neighbouring streams and tributaries. Over time and through new innovations, such as changes in the shape and fitting of the tiles, which then overlapped to a lesser extent, the roofs became lighter. Owing to their mass production, fired tiles also became affordable to ordinary people. However, due to the enormous success of the Mangalore tile, which was traded throughout the British colonies, an overharvesting of clay and a severe decrease in supplies started to occur.[30]

3.2.2 Open Arcades, Floor Finish and Temple Walls

The widely overhanging roofs are supported from below by projecting wooden struts or brackets. In a temple context, these are often figuratively carved. The eaves of the

tion, déconstruction et reconstruction à travers la société, le moi et l'architecture/Basel Mission: Ein Meilenstein der Baukultur. Konstruktion, Dekonstruktion und Rekonstruktion mithilfe von Gesellschaft, von Selbst und von Architektur," *AS – Schweizer Architektur – Architecture Suisse – Architettura Svizzera* 226, no. 3 (2022/2023): 23. On V-shaped tiles, refer to Ian M. Cook, "Mud Marine: The Rise and Fall of Mangalore Tiles," in *Sharpening the Haze: Visual Essays on Imperial History and Memory*, ed. Giulia Carabelli, Miloš Jovanović, Annika Kirbis and Jeremy F. Walton (London: Ubiquity Press, 2020): 112.

25 See Cook, "Mud Marine": 112, and Chatterjee and Sumra, "Basel Mission": 21.

26 Along with their caste association, the converts from Hinduism to Christianity also lost their professions. See Chatterjee and Sumra, "Basel Mission": 22.

27 On this, refer to Jaiprakash Ranghaviah, *Basel Mission Industries in Malabar and South Canara: 1834–1914: A Study of its Social and Economic Impact* (New Delhi: Gian Publishing House, 1990: 2, 6–9, and Chatterjee and Sumra, "Basel Mission": 22.

28 See Ranghaviah, *Basel Mission*: 39, and Cook, "Mud Marine": 112. On the same page, the authors describe how in 1920, during World War I, the company was transferred to a Commonwealth Trust Limited and after the nation's independence became an Indian company. It was closed down between 2006 and 2013; it is running again today, albeit on a much smaller scale. The inscription "Basel Mission Tile Works – Mangalore 1865" adorns the traditional tiles (see the same publication, Fig. 10).

29 The Mangalore Tiles vaguely resemble a French prototype (Marseille Tile) (Chatterjee and Sumra, "Basel Mission": 22).

30 See Cook, "Mud Marine": 113; and Chatterjee and Sumra, "Basel Mission": 24.

roofs are further held up by pillars. These create laterally open but roofed ambulatory paths (*pradakṣiṇā pathas*), which run along the periphery of the *basadi*s and surround many of these sacred buildings completely or at least in part (Fig. 2).[31] The pillared open arcades provide protection against sun and rain. In order to extend the shaded areas to the front or the surrounding temples, woven palm leaf and tent or tarpaulin roofs were fitted. Shielded verandas were integrated into the front or back of the gateway houses, providing access to walled sacred complexes (Fig. 3), as well as to the front of temple buildings, often in the form of wide but shallow open porches.[32]

The floor covering of relatively simple traditional temples is made of rammed earth. Stone temples often have stone floors made of granite, and today, also marble.

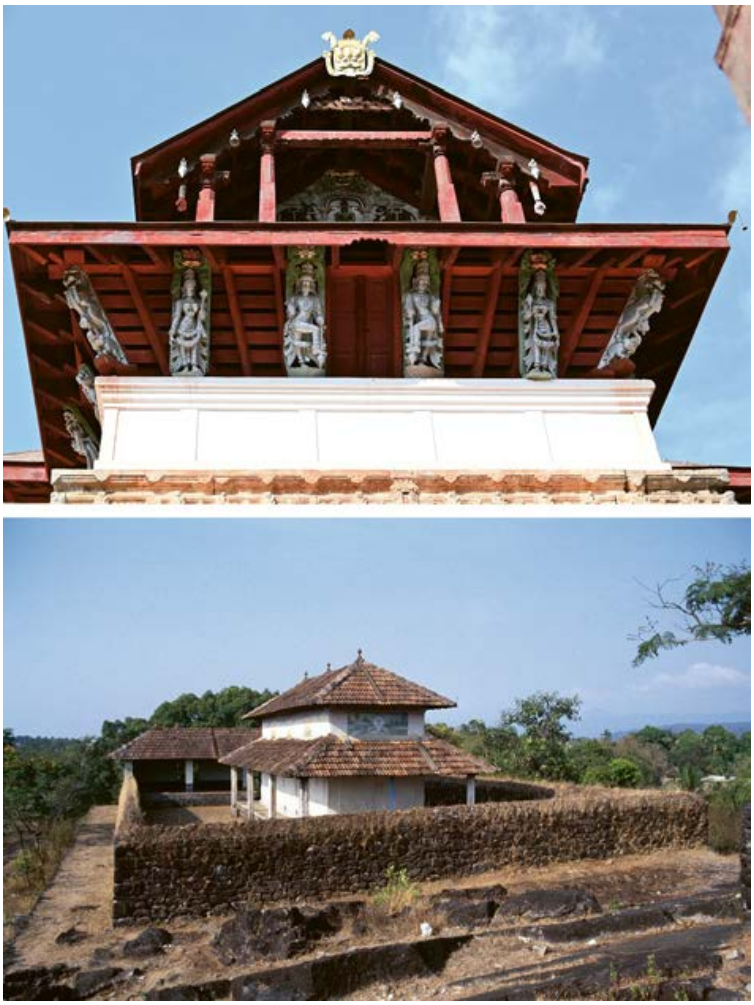

Fig. 2: Brackets and pillars support the widely overhanging roofs from below and create open ambulatories, as can be seen in Mudabidri and Karkal. Photos taken by the author.

31 See Hegewald, "Pagodas, Pillars": 19.

32 Sarkar and Bose also describe verandas as important elements of traditional vernacular buildings in the Himalayan foothills (Sarkar and Bose, "Thermal Performance": 1594).

Fig. 3: A spacious, open, pillared veranda at the entrance to one of the walled temple complexes in Hiriyangadi provides shelter against the sun and the rain. Photo taken by the author.

For the flooring of outside areas, laterite blocks were also used as an alternative. With the introduction of cement, oxide flooring, officially referred to as Indian Patent Stone (IPS) flooring, began to be used inside temples. To produce this type of flooring, oxide-based colour pigments, usually red oxide, are mixed into the wet cement before it is poured onto the ground; the cured surface is later polished.[33] This is a cheap and durable, damp-resistant and energy-efficient option. A number of larger temples also have glazed tiled floors, reflecting possibly Portuguese and Islamic inspirations (Fig. 4). All these floor types create cool interiors.

33 I am grateful to Pratyush Shankar, an architect from Vadodara (Baroda), for the information on oxide flooring.

Fig. 4: Red oxide flooring and glazed tiles are commonly used floor coverings, found in temples throughout coastal Karnataka, as shown here in Mudabidri. Photos taken by the author.

The outer walls of the Jaina temples in the coastal region are usually reasonably plain, can be quite thick, and are traditionally made of a combination of timber and mud. In their construction, a wooden frame was usually filled with rammed earth.[34] These mud walls were often painted (Fig. 5). Both mud and wood are sustainable, regionally available and low-cost natural products.[35] The quality of the mud varies ac-

34 This illustrates another connection with the building tradition in Kerala, where mud has also regularly been employed. See Deepa G. Nair, "An Investigation on the Potential of Mud as Sustainable Building Material in the Context of Kerala," *International Journal of Energy Economics and Policy* 13, no. 1–2 (2017): 107–22, and Shailaja Nair and P.B. Sajan, "Contemporary Explorations in Mud Construction: Kerala," *Context: Built, Living and Natural, Journal of the Development and Research Organization for Nature, Arts and Heritage* 11 (2015) [= special issue: *Traditional Materials and Construction Technology*]: 111–16.

35 On the mud walls of Karnataka, see Paduru Gururaja Bhatt, *Studies in Tuḷuva History and Culture (From the Pre-Historic Times upon the Modern)* (Manipal: Manipal Power Press, 1975): 442.

cording to its components. It is made of silt, clay and local soil, mixed with water. Due to their exceptional thermal regulating properties, mud walls create a comfortable microclimate inside edifices. They are thus kept cool in the summer and warm during the winter months, creating eco-sensitive buildings.[36] In more recent constructions, burnt bricks have also been used for the walls. However, as the walls are typically coated with a thick layer of mud or plaster in order to give them the traditional mud-wall appearance, the bricks are usually not visible.

Fig. 5: The Mahādeva Seṭṭi Basadi in Mudabidri has a protective stone footing, painted mud walls, wooden pillars and superimposed red tiled roofs. Photo taken by the author.

36 See Nair and Sajan, "Contemporary Explorations": 111, Sarkar and Bose, "Thermal Performance": 1594, and Nair, "An Investigation": 109, 119.

4 Increased Choices in Building Resources in Later Temple Edifices

So far, we have noticed a dependence on stone as the main building material for Jaina temples in the arid Deccan region, where very little wood is available, and a traditional reliance on timber, mud and fired clay as principal resources for constructing the *basadi*s in the littorals. However, with time, the improvements in road connectivity to facilitate the transport of construction resources and the introduction of newly developed substances have offered people more choices in terms of building materials.

4.1 Stone-Building in Coastal Karnataka

Due to better road works, which allowed for the transport of stone over longer distances, builders in the Kanara Region also started to construct edifices with the use of stone. This was not a readily available local resource, at least in large quantities, and the only stone which could be quarried in the region in plentiful supply was laterite.[37] This stone is characterised by a prominent red colour, indicating its high iron content. It is a rock type which only forms in tropical regions, in conditions with extremely high temperatures and heavy rainfall and in which wet and dry seasons alternate. Laterite is first cut into brick-like shapes before it is used in building construction. However, due to its porous and soft constitution, it is considered to be a fairly unsuitable stone for longstanding structures as it does not preserve its clearly carved features well and is sensitive to weathering (Fig. 6, top).[38] Therefore, stone imported from other regions was preferred for temple-building in the area. Despite this difficulty in accessing hard, cut stone, at least from the fifteenth century, and more so during the sixteenth and later centuries, chloritic schist and granite were used more widely as resources for building structural edifices in coastal Karnataka as well (Fig. 6, bottom).[39] This illustrates what is likely to be a mimicking response to the impressive monumental stone-building temple traditions of the Deccan plateau and those found in central and northern India. As wooden temples require regular re-

37 See Kuthur Ramakrishnan Srinivasan, "Monuments and Sculpture A.D. 600 To 1000: The Deccan," in *Jaina Art and Architecture*, vol. 1, ed. A. Ghosh (New Delhi: Bharatiya Jnanpith, 1974): 367, and H. Cousens, *The Chālukyan Architecture of the Kanarese Districts*, Archaeological Survey of India 42, New Imperial Series (New Delhi: Archaeological Survey of India, 1996 [1926]): 134–35.

38 Refer to Anjay Dhanawade, "Jainism in South Konkan: Recently Noticed Sculptural and Architectural Remains," *Bulletin of the Deccan Collage Post-Graduate and Research Institute* 78 (2018): 69.

39 For instance, the Candranātha Basadi in Mudabidri, large sections of which were constructed in 1429, has a significant number of sections made of stone. Contrasting with this, the Caturmukha Basadi in Karkal, dating from 1586, is entirely stone-made.

Fig. 6: The terrace of the late-twelfth-century Pañca Basadi in Humcha is made of laterite and shows some weathering, whilst the Caturmukha Basadi (1586) in Karkal is made of granite. Photos taken by the author.

pairs, and temples were often altered or completely replaced in later centuries, it is difficult to date this change from timber to stone more precisely. In addition, stone never completely replaced mud, wood and terracotta tiles, and even today, new sanctuaries are still built entirely with these traditional materials. The choice is determined by the accessibility of resources, but also by the available funding. Through the integration of cut stone screens (*jālī*s), filtered light and air are admitted into the temple interiors (Fig. 7).

At first, stone was employed for the basement storeys in order to prevent dampness from rising and seeping into the mud walls. This is based on local traditional knowledge, and even ordinary houses have, if it is obtainable, a firm stone footing, thus adding a certain damp-proofing to the structures. In addition, pillars supporting the projecting roofs were carved out of stone in order to achieve more stability and longer durability. These stone pillars were integrated into largely wood and earth constructions (Fig. 8, top). Nevertheless, stone remained a rarer, more expensive and therefore highly treasured building material, essentially used for sacred structures only.

Fig. 7: The Candranāteśvara Basadi in Bhatkal has been fitted with pierced stone screens (*jālī*s), admitting filtered light and air and thus providing a cool interior. Photos taken by the author.

As time passed, the widely projecting roofs, indispensable due to the humid climate, were also translated into stone.[40] Instead of light terracotta tiles, stone slabs, usually made of laterite or granite, were used. This shows that although the material changed, the wisdom of the planners about vernacular building techniques continued to be embodied in stone-built but similarly steep and projecting roof constructions.[41] Looking

40 This was not the first time in the history of architecture in India that earlier wooden construction forms were later rendered in stone. We know this from the early Buddhist rock-cut monasteries in Maharashtra. Similar developments in Kerala and other regions have been discussed by Desai, *Wooden Architecture*: 34–37.

41 The study and acknowledgement of local, traditional, ecological knowledge as an important part of design processes, conservation and resource management of local buildings has been recognised by scholars working in a number of areas. See, for instance, Thomas F. Thornton and Adela Maciejewski Scheer, "Collaborative Engagement of Local and Traditional Knowledge and Science in Marine Environments: A Review," *Ecology and Society* 17, no. 3 (2012): 1–25.

Fig. 8: Initially, only supporting stone pillars were introduced in Karkal (top). Later, entire roof constructions were made of stone, as in Mudabidri (bottom). Photos taken by the author.

at the roof structures from the interior, the translation of wooden construction techniques into stone become very apparent (Fig. 8, bottom).[42] In rarer cases, the steeply inclined roofs are also made of corrugated iron sheeting, which represent a cheaper and aesthetically less attractive version. What is important here is that the roofs continue to slant to be able to channel off the rain. This shows a relatively healthy spread of local ecological knowledge and an awareness of environmentally responsible ways of building and living within the local Jaina community.[43] I would, however, not asso-

42 See also Miki Desai, "The Stone-Built Jaina Temples of Mudabidri: A Comparative View with the Jaina Temples of Gujarat and the Wooden Temple Architecture of Kerala," in *The Jaina Heritage: Distinction, Decline and Resilience*, ed. Julia A.B. Hegewald (New Delhi: Saṁskṛiti, 2011): 202–8.

43 In the Indian foothills of Himachal Pradesh and in Nepal, where we can find a similar practise of building tiered-roof temples, the *nagara* temple-building technique involving curved towers (*śikhara*s) was adopted together with the use of stone. As these superstructures were not suited to the local cli-

ciate this notion of supposed "good" architectural design with a general notion of Indian-ness, as has been done by some authors.[44] Devoid of national and political concerns, this simply has to do with a deep, distinctly regional collective wisdom acquired over the centuries. Furthermore, it has to do with knowledge about the interaction between the built environment and nature, which is more focussed on microclimates and neighbourhood resource management than on national concerns, such as those about Indian versus Western approaches. This speaks to the fact that, as is so often the case in India, authentic local awareness about sustainability is still intact and alive.

By replacing the timber and fired clay tiles with ones made of stone, the roofs substantially gained in weight. As a result, the stone roofs have had to be supported by an exceedingly large number of pillars from below. Examples illustrating the use of numerous supporting pillars can be found at the Caturmukha Basadi in Karkal (1586), which supposedly has 108 pillars,[45] and at the Candranātha or Hosa Basadi (1429) in Mudabidri, which is also known as the "Thousand-pillared Temple."[46] To provide enhanced stability, two parallel rows of pillars were employed in the rear portion of the latter *basadi* to hold up the heavy three-storeyed sanctum towering above (Fig. 9).

Many of these *basadi*s in coastal Karnataka are large and impressive structures. However, they are not necessarily edifices that have had a superregional impact. They are not among the fenced-off monuments and heritage sites, developed into archaeological parks during colonial rule, and looked after by the Archaeological Survey of India today. Instead, they are more local, living religious sites, which reflect an indigenous understanding of the sacred and generally integrate well into their natural or small settlement environment.[47]

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mate of pronounced rains, projecting roofs of sheet metal were often later fixed to the stone towers to channel off the excess water.

44 Radermacher, for instance, writes: "[. . .] the construction of Indian-ness associated with good design also provided a counterpoint to 'Western' values, concepts, and practices of sustainability." Anne Radermacher, "Consciousness and Indian-ness: Making Design 'Good'," in *Building Green: Environmental Architects and the Struggle for Sustainability in Mumbai* (Oakland: University of California Press, 2018): 109. See also p. 112 of the same publication, where she wrote: "This precolonial historical 'basis' [. . .] underpinned consequent claims that linked good-design in environmental architecture to a specific construction of 'Indian' identity."

45 The figure 108 is generally a sacred numeral, used by all Indic religions when a particularly large number should be indicated.

46 For further information on these temples, see Julia A.B. Hegewald, *Jaina Tradition of the Deccan: Shravanabelagola, Mudabidri, Karkala*, Jaico Guidebook (Mumbai: Jaico Publishing House, 2021): 84–90, 114, 117. For the number of pillars at Karkal, refer to Sheker Naik, "Heritage and Tourism: A Case of Jain Temples and Monuments in Undivided Dakshina Kannada District, Karnataka, India," *JOHAR: Journal of Hospitality Application and Research* 5, no. 2 (2010): 152.

47 Sinha has written in detail on the different views of seeing the past and the heritage by Western colonial powers and local religious practitioners (Sinha, "Conclusion": 201).

Fig. 9: The Candranātha Basadi (1429) in Mudabidri has two parallel rows of pillars at the back supporting the three superimposed sanctuaries. Photo taken by the author.

4.2 The Introduction of Reinforced Concrete

In addition to the outlined change in edifice construction, going from the use of clay and wood to stone, there was a further revolution in building materials, this time with the introduction of concrete. The technique of combining concrete with iron, and later with steel, to provide buildings with more stability was developed in England in the second half of the nineteenth century. This method was further refined in Germany and France. At first, it was mainly employed for the foundations of edifices, such as those of the High Court in Calcutta in the late nineteenth century.[48] During the twentieth century, rein-

48 On the development of reinforced concrete in Europe and its early application in India, refer to Stuart Tappin, "The Early Use of Reinforced Concrete in India," in *Proceedings of the First International Congress on Construction History, Madrid, 20th–24th January 2003*, ed. S. Huerta (Madrid: I. Juan de Herrera, SEdHC, ETSAM, A.E. Bevenuto, COAM, F. Dragos, 2003): 1932.

forced concrete was introduced to the wider region, and it is now used everywhere in the Indian subcontinent. Concrete is a globally available and reasonably cheap construction material. It is easy to transport as it can be purchased in powdered form and mixed on site with sand and water, making it an exceedingly popular substance to use.[49] Whilst initially some of the ingredients were imported, largely from England, from the 1920s onwards, both the concrete and the required steel were manufactured in India.[50] Initially, British standards were applied when building with reinforced concrete in India, disregarding the changes required to account for the very different local weather conditions. These conditions, for instance, influenced the setting time of the concrete. Due to the lack of adjustments when using concrete in the local climate, the staining, spalling and corrosion of the reinforcements were, and often still are, commonplace.[51]

As is also typical in other regions of the subcontinent, Jaina temples in the Kanara region have regularly been renovated, transformed, extended or even entirely replaced in recent times.[52] It is in these substantially modernised or newly constructed edifices that builders often preferred the use of concrete as a global, artificial building material instead of employing local natural resources. With the development of reinforced cement concrete and steel beams, the distance between pillars, which in stone constructions had to be reasonably close, could be widened again. This offered certain flexibilities and freedoms to the builders. However, as solid blocks of stone, which represented the most expensive building resource, were—and still are—the most esteemed material for sacred structures, *basadi*s that were largely made of concrete would often be provided with external stone cladding in the form of thin tiles. This was done to give them a more expensive stone appearance. Flags of stone are cheaper than creating solid stone structures, and they also create lighter constructions. It should be noted, however, that in contrast to mud, fired earth and wood, which are renewable materials, the production of cement, concrete and steel is highly energy intensive.[53] In addition, concrete does not share the thermal properties of mud and stone, as explained above.[54]

It is interesting to note that despite this further enlargement of the bouquet of available materials, extending the scope beyond strictly regionally available products,

49 According to Tappin, on the first building sites where concrete was employed, such as Simla in 1886, concrete was "made manually on site from lime burnt in local kilns and crushed brick" (Tappin, "The Early Use": 1932).

50 See Tappin, "The Early Use": 1932–33, 1939.

51 Cf. Tappin, "The Early Use": 1934, 1939.

52 Refer to Julia A.B. Hegewald, *Jaina Temple Architecture in India: The Development of a Distinct Language in Space and Ritual* (Berlin: G+H-Verlag, 2009): 166–67.

53 On this, see G.S. Sruthi, "Mud Architecture," *International Journal of Innovative Research in Science, Engineering and Technology* 2 (2013) [special issue 1]: 47; Nair and Sajan, "Contemporary Explorations": 112.

54 According to Stanley-Millson, the temperature in Bangalore during the summer months has risen by an average of four degrees centigrade, which she attributes to large-scale building in concrete (Stanley-Millson, "Bamboo Dwellings": 689). On page 688, she also stresses that solid concrete walls reduce air circulation.

in most instances, the overall design of the temples has remained reasonably unaltered over the centuries. A fascinating case is the Candranātha Basadi in Dharmasthala. Originally a largely wooden structure, it was completely demolished, reconstructed in concrete and then clad with marble between about 2001 and 2006.[55] The same was done at the site of Guruvayanakere, where the local Jaina community tore down three of its mud-built and red-tiled *basadi*s and replaced them with new concrete constructions. In 2001, the Śāntinātha and Candranātha Svāmī Basadis had already been replaced with largely concrete structures, but the Anantanātha Basadi was still standing as a plastered brick temple with a tiled roof. This would also be replaced with a single-storied concrete *basadi* in or shortly before 2006 (Fig. 10).

Fig. 10: At Guruvayanakere in 2001, the Śāntinātha Basadi (top) was replaced with a concrete structure; in 2006, the same was done to the Anantanātha Basdi (bottom). Photos taken by the author.

55 Titze published a photograph of the earlier wooden structure; Kurt Titze, *Jainism: A Pictorial Guide to the Religion of Non-Violence* (Delhi: Motilal Banarsidass, 1998): 223, plate 318.

This illustrates several shifts in the choice of materials and an extension of the freedoms that are available to temple builders today—from mud and timber to brick and stone and finally, to concrete. This demonstrates a move away from a purely local resource dependency towards a reliance on materials that have been traded, some of which are energy intensive and lack the thermal properties of natural products. However, the combination of modern construction methods and materials, such as steel and concrete, with the traditional approach of fashioning *basadi*s with projecting roofs, verandas and open-pillared cloisters, which provide shelter against the rain and the sun, represents a certain compromise or synergy that still draws, to a certain extent, on time-honoured design wisdom.[56] In Kerala, which has a comparable climate, modern Jaina temple constructions in concrete more frequently have flat roofs and no arcading, which indicates a clearer break with local traditional ecological knowledge and building practices.

5 Conclusion

In this edited volume on ecological inter/dependencies, I demonstrated the strong asymmetrical relations that exist in the highly complex building tradition used in the construction of edifices for sacred beings in South India. I discussed the effect that ecological issues had and still have on Jaina temple architecture by contrasting two closely related but greatly differing areas in the South Indian state of Karnataka. In my examination of the interrelation of climate and the built environment, often portrayed as an interconnection of nature and culture, I contrasted the ecosystems of the dry Deccan high plateau with the ecological situation in the humid, low-lying western Indian coastal belt. This showed the strong influence that the geographical situation has on the local weather, which in turn has a pronounced effect on the environment in terms of geology and flora.

The flat high desert plateau of the Deccan is typified by an extremely dry climate with hardly any rain and the availability of hard stone for building projects. Contrasting with this, the west coast of India is inundated by regular and persistent rains, resulting in plenty of wood for building. The long-established architecture in both regions has been proven to respond to and interact with the regional climatic situation and the accessibility of naturally available construction materials. Both the long-established stone buildings on the Deccan Plateau and the clay, timber and tiled edifices of the coastal lowlands use sustainable and good-quality materials to create built environments that are less energy-intensive and are adapted to the local climate. As

56 In the context of contemporary constructions in Himachal Pradesh, Sarkar and Bose describe such combinations as a desired “symbiosis” (Sarkar and Bose, “Thermal Performance”: 1590).

such, both traditions provide sensible answers to geo-climatic issues and have brought forth climate-responsive architectural designs.

In terms of building materials, we have seen that from the fifteenth century onwards, and more so during the recent centuries, the dependency on the availability of locally sourced building materials was relaxed due to more intensive regional laterite quarrying, the building of better transport networks, and the creation of modern and easily transportable construction materials such as concrete. In terms of the climate, however, the dependency on the local weather conditions is less negotiable. We can find glass and concrete high-rise buildings in the south of present-day India, too. However, these require expensive and wasteful mechanical air-conditioning systems, which use fossil fuel or electric power. These clearly break with ancient regional vernacular traditional approaches, which employed passive design features, thus indicating a certain loss of cultural memory.[57] Amitav Ghosh suggests the need for humans to question the patterns of their desires when he writes: "[. . .] if contemporary trends in architecture, even in this period of accelerating carbon emission, favour shiny, glass-and-metal-plated towers, do we not have to ask, What are the patterns of desire that are fed by these gestures?"[58]

To guarantee a better use of resources for the future, architectural design should continue to be climate responsive and so specific as to represent direct responses to the particular local microclimate.[59] Young, contemporary Indian architects largely accept the present challenges posed by climatic instability and resource depletion, and they support the practice of landscape and environmental architecture. However, I would like to argue that a mediation between modern building materials and traditional knowledge systems, and the practice of building with nature continues also to be practiced on a more vernacular level.

Contemporary Jaina temple structures in the coastal region of Karnataka, which are frequently created by local craftsmen with little or no formal academic training, and which fuse time-honoured as well as modern building materials, usually still rep-

57 Passive design features make the most of natural materials and simple design features in the heating, cooling or ventilation of edifices without mechanical or technical means in order to create comfortable climatic conditions inside edifices. The changes I have outlined above are bemoaned by many authors. See, for instance, Cook, "Mud Marine": 111, 113. Recent concrete constructions break with the traditional mud-built red-tiled houses in the region and do not differ from buildings in other Indian States. On page 112 of the same publication, Cook describes these as "global representations of sameness." See also Sinha (Sinha, "Conclusion": 202, 207).

58 Refer to Amitav Ghosh, *The Great Derangement: Climate Change and the Unthinkable* (Chicago: Chicago University Press, 2016): 11, and the discussion by Daniel A. Barber, "Climate-Sensitive Architecture as a Blueprint: Habitats, Shades, and the Irresistible Staircase," *RCC Perspectives* 2 (2019) [= special issue: *Energizing the Spaces of Everyday Life: Learning from the Past for a Sustainable Future*]: 78.

59 This need was already expressed by practicing architects in the 1970s. See, for instance, Crowther, "Climate and Architecture": 595. Refer also to a more recent study by Barber, "Climate-Sensitive Architecture": 77–86.

resent authentic design solutions that are typical of the region. Although the continued use of local natural materials—which persists on a low level—would be even more desirable, a combination of modern construction materials with traditional design features, which would in turn determine the shape of the *basadi*s, would still be better than a complete reliance on contemporary global designs without any local connection. Even with the acceptance of concrete, which has a considerably lower thermal performance than natural products, Jaina temples, with their multiple tiered roofs and shaded arcades, continue to employ design criteria which are appropriate, have been validated over time, and still give due consideration to the local geo-climatic conditions of the area. These constructions usually also show respect to sacred natural settings and their established cultural practices. As such, these modernised (in terms of material) traditional (in terms of shape) edifices exemplify an enduring interaction between ancient local ecological knowledge, which evolved over generations, and modern architectural practice. Through this connection, many of these edifices still succeed in presenting sustainable design solutions for contemporary temple building in South India, which epitomise a link to climate-responsive, ancient building wisdom.

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Outlook

We see this collection of texts as a living reader. This means that it will be regularly updated with relevant new publications by members of the BCDSS. In addition, it must be successively expanded to include the results of our new research topics. In the next phase, we will use the broad scope of our case studies to establish the field of Dependency Studies as an interdisciplinary and comparative approach in the humanities and social sciences. This will require, among other things, bringing Dependency Studies into conversation with research developed in other fields to tackle core epistemological questions regarding why and how SADs are a persistent and foundational element of human communities. Why did SAD persist (and transform)? In this context, we will redirect our focus towards historical trajectories, disruptions, continuities, and legacies, in short, the persisting impact of past SADs on the present. We focus particularly on the effects of past SADs on contemporary and future societies in social, political, economic, religious and cultural terms. We will ask what present societies can learn from a historical anthropology and social history of SAD, and how we can use our knowledge of the past to better understand present forms and practices of SAD – either because the modern world still lives with the legacies of past SADs, or as the past opens a window onto how and why SADs are created, tolerated, adapted, or overcome.

For further titles see: https://www.dependency.uni-bonn.de/en/publications

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