
SLAVERY AND ITS CHARACTERISTICS

Nadir A. Nasidi

Department of History
University of Ghana, Legon
annasidi@st.ug.edu.gh
ORCID NO: 0000-0003-2911-8996

Abstract

Though slavery as a social institution had been part and parcel of almost all human societies for a time immemorial, the concept lacks a proper foregrounding and all-encompassing definition. Similarly, most literature tend to have overlooked the major characteristics of slavery as the concept was in most cases impliedly treated. Using written documents and qualitative research methodology, this paper brings out the major features of slavery and its varying perspectives from one African society to another. It also examines some conceptual issues revolving around the meaning, forms, roles and challenges associated with the concept of slavery. This paper finds out that though slaves were highly persecuted by slave owners aside the deprivation of all their rights, Islam and other African societies provided some basic ‘rights’ to people that are enslaved. These include rights to marry, or even own properties as the case may be.

Introduction

Slavery is an old social institution in human history. From its inception in the distant past; there was no conscious historical theorization of the term, which was then more, or less reduced to a state of mind that was often learned from incidental remarks, especially based on the treatment given to slaves (Schlaifer, 1936: 1). Slavery as an institution began to receive scholarly attention during the Greco-Roman period, particularly in the Homeric poems that clearly explained the ‘master and slave’ relationship within societies. Schlaifer observes that ‘the heroic period’ in relations to the general attitude towards servile members of society finally transformed into laws recognized by political and religious institutions. On the political realm for instance, the Greeks believed that the actual slavery of the ‘Babarians’ in their political state was naturally considered befitting to them, which the Greeks regarded as their duty to

enslave the people (Schlaifer, 1936: 1). Besides, the Greeks also believed that they were destined by divine providence to enjoy an unrestricted freedom.

According to Morgan (2005: 1), almost every society in the history of the world had at one time or the other experienced slavery. He equally opines that a slave society is one in which slaves play a servile role and formed a significant proportion of about 20% of the total population. Realistically, it would be argued that Morgan's submission cannot be watertight due to the changing nature of the slave institutions along population growth apart from the difference in the concept of slavery from one culture to another. Morgan also avers that the Greco-Roman civilization provided all the legal justifications of slavery, which later influenced the American slave holders who were in search of reconciling slavery with reason and universal laws. From that period however, slave institutions within different political entities began to draw the distinction (in both theory and practice) between a slave and a free man. In so doing, branding of all sorts of derogatory names, dehumanization, restriction of possessions, clothing and metallic ornaments were devised to further define the people of servile status.

This paper therefore, attempts to bring out the major characteristics of slavery in human history. Through this means, the paper also classifies the concept of slavery into four broad categories; (1) royal slaves (2) war slaves (3) industrial slaves and (4) mental slaves. The paper equally makes an incursion into the major conceptual discourses revolving around the meaning, functions and characteristics of slaves. Though social historians have written extensively on slavery and its challenges, the papers observes that little or no attention is paid to the characteristics of slavery whose discussion in most literature is either fluid, or impliedly addressed.

Slavery: Some Conceptual Issues

Though slavery had been in existence for a time immemorial, there had never been a clear cut definition of the term. Scholars however, made a number of efforts to define and conceptualize the term in different, but related ways. According to Allain and Hickey, there is no clear understanding of the meaning of 'slavery' even in modern international law Allain and Hickey (2012:1). Citing the famous Article 1 of the 1926 Slavery Convention, as well as the 1956 Supplementary Convention, the

authors argue that the definition of slavery was not only inadequate in terms of its multiple perspectives, but was also dubious and misleading. For example, the Tang case of a Melbourne brothel owner who was charged of five counts of possessing a slave and five counts of ‘intentionally exercising over a slave a power attaching to the right of ownership, namely the power to use’, the High Court, based on its consideration of slavery, first, dismantled the 1926 definition drawing a distinction between ‘status’ on one hand and ‘condition’ on the other (Allain and Hickey, 2012:1). The Court apart from arguing that slavery means an ‘exploitative relationship where one person is controlled by another, it further explained the application of the 1926 definition to *de facto* situations based on the fact that:

In its application to the *de facto* condition, as distinct from the *de jure* status, of slavery, the definition was addressing the exercise over a person of powers of the kind that attached to the right of ownership when the legal status was possible; not necessarily all of those powers, but any or all of them (High Court of Australia, 2008).

Based on its approach in the case of Tang, especially in determining as to whether slavery exists, the Court deploys the analysis of facts in relation to the exercise of ‘powers attaching to the right of ownership’. In this regard therefore, the Court adapted a plain reading of the 1926 definition, but it at the same time adds to that definition, the substance necessary to give it a workable contemporary relevance.

Alexander (2001: 44-60), opines that slavery is a term used loosely in both European languages and Christian societies, which can only be taken into consideration after its careful cross-examination, especially as used in human relationships throughout the globe. He further states that this problem is more compounding in the African context where both Christian and Islamic concepts of slavery are defined in different if not complex legal systems though applied on the entire African continent. Alexander (2001:5) concludes that:

A slave is a human being who is the property of, and entirely subject to, another human being under the religious, social and legal conventions of the society in which he or she lives. Being the property of, means that an owner, restricted only by the conventions of his society, is able to buy, sell, adopt, ill-treat, or kill his slave whose children belong to their owner and can be treated in the same way. A slave has no freedom of personal rights and can become one voluntarily, by a legal decision, or by force.

Bales and Soodalter (2009: 13) state that:

Slavery has been defined in various ways, but there are three essential criteria from knowing if someone is a slave. The first is the complete control of one person by another, through the use of violence - both physical and psychological. The second-hard labour for little or no pay-clearly applies as well. [...] The third criterion is economic exploitation - making a profit for the slaveholder.

Though slavery as a concept seems to be the same in its universal application, the Islamic point of view for instance, has some specific legal injunctions about the treatment of slaves (Lovejoy, 1983; Lovejoy, 1986; Willis, 1985: 182-198; Kelly, 1996 and Sperling, 2000: 274-303). These legal injunctions include (1) the illegality for a slave owner to subject his slaves to harsh conditions and punishments let alone killing them (2) that the children of slaves are considered free people and (3) the food one eats, or the dresses he wears must not be too different from that of his slaves. Islam equally encourages the freeing of slaves as an act of righteousness or as an act of expiation when one defaults from an Islamic duty. For instance, if a person accidentally kills an individual, his punishment as enshrined in the *Shari'ah* (Islamic legal system) apart

from paying *diyyah* (reparation), he is to either free a slave, or fast consecutively for two months (Gordon, 1989; Al-Madini, 2005: 166; Al-Tusi, 2008; Isma'il and Hosen, 2015; Suyuri, 2017).

Not only in Islam, other African cultures also provided a room whereby slaves would be treated nicely, or even redeemed. In this vein therefore, Perbi (2004: 125) and Smith (2016: 110) argue that the slave class in Fante and other Ghanaian societies had given certain privileges and rights to slaves where she notes that:

Among the Fantes, all natives were considered to be free people and persons enslaved could always be redeemed by their families whenever they were traced. This was not the usual case with respect to non- Fante slaves who were supposed to be slaves for life. Fante slaves who acquired ample means were able to purchase not only their freedom but that of other slaves as well.

Even after slavery as Perbi and Smith (2016: 110-111), succinctly submit, the Fante tradition for instance, tends to deliberately muffle discussions on slaves and their origin through its strategies of silence, as well as its reminiscent *Ntam Kese* oath, which provides secrecy and lineal privacy to families of servile origin. This historical reality amongst the Fante further points to the unique nature of an African slave institution (Fig. 1).

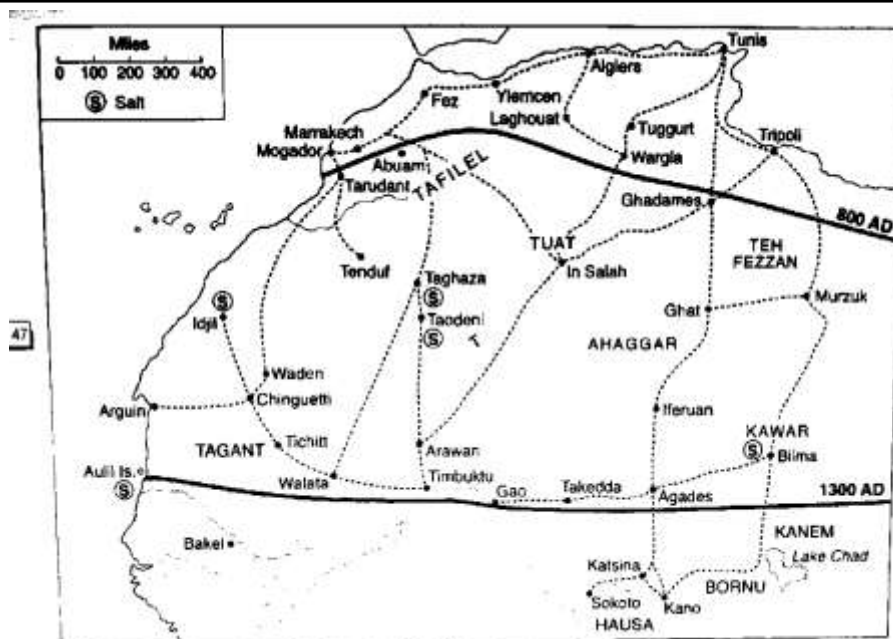


Fig. 1: The Major African Slave Trade Areas and Routes (Source: Alexander, 2001).

Forms of Slavery

Slavery as a concept is often classified into different types. In light of this assertion therefore, this paper identifies four different forms of slavery. One of these forms is royal slavery. In most African societies for example, a powerful community of slaves emerged holding certain political positions. This group of slaves also emerged in Kano Emirate, especially after the 1804 Jihad of Sheikh Uthman bn Fudi (1754-1817) (Stilwell, Hamza and Lovejoy, 2001: 273). According to Stilwell, the royal slaves who are also considered elitist wielded an administrative power, especially in the political and socio-economic life of the people. Most of these slaves were made war lords, heads of guards, chiefs of mounted escorts, and heads of royal farmland, among other responsibilities (Stilwell, 1999; Lovejoy, Mahadi and Mukhtar, 1993: 1-14). According to Stilwell, royal slaves played a significant role most importantly in gathering a wide range of intelligence information about politics and political intrigues obtained in their lives (Stilwell, 1999: 1-30).

The second form of slavery identified in this paper is war slaves. This category of slaves was used by powerful kingdoms and empires to

fight wars of conquest and protect the political boundaries of such states. A classic example of this category is eminent in the history of the Ottoman Empire, the Funj Sultanate of Sinnar, to mention, but a few (Fadle, 2005: 1-31).

Economic/industrial slaves are those enslaved basically to serve as an economic workforce mainly for the production of surplus goods. This category like the military slaves was also found within the hearts of kingdoms and empires. This type of slavery was extensively discussed by Salau in his seminal work on plantation slavery in the Sokoto Caliphate. These slaves also form the bed-rock of the Trans-Atlantic Slave Trade in which thousands of Africans were forcefully transported to Latin American and West Indies to work in the various European plantation fields.

The last form of slavery as identified in this paper is mental slavery. In this form, no force is used and the slaves were presumably considered 'free' even though 'mentally bounded'. It is often achieved through social engineering, manipulation of knowledge and civilization. This programme was the one used by European colonialists on the various African states in the name of 'civilising mission'. They also succeeded through this means to lure many Africans to love and appreciate their mental slavery by thinking that the only way to civilize, is to westernize. People who succumb to this form of slavery can by extension be referred to as 'slaves'.

Characteristics of Slavery

Though from the ancient times to the contemporary period, the definition of what constitutes a slave differs sharply, however, their characteristics seem to be pointing to the same direction. These characteristics will be discussed in the following sub-heads:

Lack of Personal Ownership

One of the major features of slavery is the lack of one's personal ownership. This according to Boahen (2012: 167) is made so by powerful institutions whose powers spread to their individual members ensuring that slaves become just 'pieces of property, lacking any other social dimension'. That is why the status of people in slavery is defined by an extensive lack of freedom to pursue their lives as they saw fit. This phenomenon has been in existence from the Greco-Roman period of

slavery, the Arab's Tran-Saharan Slave Trade and above all, the Trans-Atlantic Slave Trade in which millions of African people were forcefully enslaved and transported to the west (Basil, 1961; Curtin, 1971 and Christopher, 2001). Though slaves lack personal ownership, a level of 'freedom', particularly in some African societies was accorded to them to the extent that the difference between slaves and free individuals becomes slender. These privileges or 'freedoms' include; rights to own properties, marriage, the enjoyment of social mobility by rising to occupy sensitive positions of authority among others (Boahen, 2012: 168). A typical example of this transition could be seen in the history of the Niger-Delta Trading Houses where people of servile origin occupied important economic and political positions. A level of social mobility in this regard was also eminent amongst the Fantes in the present day Ghana.

Commodification

From the classical, medieval to modern periods, the commodification of people considered slaves had been a major characteristic of slavery. In this regard therefore, a slave owner has some unrestricted rights to buy, or sell his slaves. This was also what was obtainable throughout the history of slavery in Europe, Asia and Africa. This trend no doubt developed in a large scale as a result of the western Trans-Atlantic Slave Trade, which encouraged the buying and selling of slaves as another form of commodity. To further buttress this point, Oliver and Fage (1969: 268) state that, 'it was only with the growing European demand, from the sixteenth century onwards that the large-scale slave trade developed'. While discussing the status of slaves as commodities or articles of trade Boahen (2012: 178) further asserts that the growth of European mercantile activities greatly influenced the economic fortunes of the privileged in the society, but at the same time stimulating the rapid expansion of slavery to various coastal societies, particularly in West Africa. For instance, in Senegambia, the European initiated slave trade has as early as the 1500s encouraged the local rulers who contributed to the growth of the trade. This was also obvious in the transformation of slave trade under the Benin Kingdom that became a major slave trading state during the Trans-Atlantic Slave Slavery (Manning, 2006: 101).

De-humanization

Though the concept of de-humanization can escape the definitional boundaries of what constitutes slavery to issues of global human trafficking for instance, the concept is more or less associated with slavery. This was the reason why many slaves were maltreated, de-humanized and even killed without any socio-political intervention. Though some religions like Islam and some African societies and cultures frown upon de-humanization of slaves had been the major fulcrum of the characteristics of slavery. The de-humanization of slaves was more pronounced in the European model of slavery where slaves were forced to walk and work even when they were ill. Failure to do so was tantamount to severe punishments including death. Special chains were also used to tie slaves like animals (see Fig. 2).



Fig. 2: Slave Procession in East Africa (Source: Alexander, 2001).

According to Dodge (2013: 77-90), scholars on slavery have estimated that between 2.5 and 5 million enslaved Africans died during their shipment to Europe. These death rates were no doubt attributed to the de-humanizing treatment of such African slaves by their European enslavers. Despite series of slave resistance and revolts in different parts

of the European plantation fields, it was always brutally suppressed ending with the killing of many slaves. A classic example was the Maroon rebel slave communities in the Americas (Burnard, 2008: 143-144).

The Deprivation of Rights

Another important characteristic of slavery is the deprivation of human rights. Enslaved people are deprived their rights to association, rights to own properties and the rights to even practice religion. They also have no right to what they drink or eat simply because they are considered by societal 'laws' as individuals who have completely lost their personal ownership. On this basis therefore, they can be treated as mere chattels that can be used and thrown away. As human beings too, they cannot partake in decision-making process even when it involves matters relating to their lives. They can also be sold to anyone at will without their consents or approval because they are completely owned by someone.

Conclusion

This paper examined the nature and dynamics of the origin, nature and transformation of slavery as a social institution. Emphasis is however, given to the major characteristics of slavery though the features vary from one society to another. The major characteristics discussed include; the lack of personal ownership, de-humanizing treatments, commodification of individuals and the deprivation of rights almost in totality. Other important issues treated in this paper includes the various forms of slavery located within different political and capitalist economic institutions where slaves serve traditional rulers, private and corporate individuals in different capacities including industrial works, fighting wars as soldiers, among other important roles.

The paper also contextualizes the concept of slavery and its characteristics within the broader picture of the meaning, types, functions, transformation and impact of the institution on both the slaves and the definition of identities even after its abolishment since 1807. Despite the age long standing of the slavery institution it is argued that the concept lacks a clear cut and all- encompassing definition, which is also absent in Article 1of the 1926 Slavery Convention.

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