I have taken my title from the *Onomastikon* or *Word-Book* of an Alexandrian Greek of the second century of our era named Julius Pollux. At the end of a longish section (3.73-83) listing, and sometimes exemplifying, the Greek words which meant “slave” or “enslave”, in certain contexts at least, Pollux noted that there were also men like the helots in Sparta or the *penestae* in Thessaly who stood “between the free men and the slaves”. It is no use pretending that this work is very penetrating or systematic, at least in the abridged form in which it has come down to us, but the foundation was laid in a much earlier work by a very learned scholar, Aristophanes of Byzantium, who flourished in the first half of the third century B.C. The interest in the brief passage I have cited is that it suggests in so pointed a way that social status could be viewed as a continuum or spectrum; that there were statuses which could only be defined, even if very crudely, as “between slavery and freedom”. Customarily Greek and Roman writers were not concerned with such nuances. To be sure, the Romans had a special word for a freedman, *libertus*, as distinguished from *liber*, a free man. When it came to political status, furthermore, distinctions of all kinds were made, necessarily so. But for social status (which I trust I may be permitted, at this stage, to distinguish from political status), and often for purposes of private law, they were satisfied with the simple antinomy, slave or free, even though they could hardly have been unaware of certain gradations.

There is a Greek myth which neatly exemplifies the lexical point, a myth certainly much older than its first surviving literary reference in the *Aga-
memnon of Aeschylus produced at Athens in 458 B.C. Hercules was afflicted with a disease which persisted until he went to Delphi to consult Apollo about it. There the oracle informed him that his ailment was a punishment for his having killed Iphitus by treachery, and that he could be cured only by having himself sold into slavery for a limited number of years and handing over the purchase price to his victim's kinsmen. Accordingly he was sold to Omphale, queen of the Lydians (but originally a purely Greek figure), and he worked off his guilt in her service. The texts — which are fairly numerous and scattered over a period of many centuries — disagree on several points: for example, whether Hercules was sold to Omphale by the god Hermes or by friends who accompanied him to Asia for the purpose; whether his term of servitude was one year or three, and so on.¹

One has no right to expect neatness in a myth, of course, nor, for that matter, in the legal institutions of the archaic society in which this particular myth arose. The ancient texts all speak of Hercules being "sold", and to describe his status while in Omphale's service they employ either doulos, the most common Greek word for "chattel slave", or latris, a curious word that meant "hired man" and "servant" as well as "slave". The word latris upsets modern lexicographers and legal historians, but the historical situation behind the lexical "confusion" is surely that in earlier Greece, as in other societies, "service" and "servitude" did in fact merge into each other. The Biblical code was explicit (Deuteronomy 15.12-17): "If thy brother... be sold unto thee and serve thee six years; then in the seventh year thou shalt let him go free from thee... And it shall be, if he say unto thee, I will not go out from thee; because he loveth thee and thy house, because he is well with thee; then thou shalt take an awl, and thrust it into his ear unto the door, and he shall be thy servant for ever."

Cynical remarks are tempting. Quite apart from the very real possibility that the six-year limitation was, as one distinguished authority has phrased it, "a social programme rather than actually functioning law";² there is an odd ring about "if he say unto thee, I will not go out from thee; because he loveth thee and thy house". One suspects that the transition from a more limited bondage to outright slavery was neither so gentle nor so voluntary; that, unlike Hercules, the victims in real life, once caught up in bondage, had little hope of release; that, as in peonage, their masters could find devices enough by which to hold them in perpetuity. The sixth-century Athenian statesman Solon, referring to debt-bondsmen, used these words: "I set free those here [in Athens] who were in unworthy enslavement,

¹ The most important sources are Sophocles, Trach. 68-72, 248-54, 274-76 (with scholia); Apollodorus, Bibl. 2.6.2-3; Diodorus 4.31.5-8.
trembling at the whim of their masters.” And the Greek words he employed were precisely those which became the classical terminology of chattel slavery: *douleia* - slavery; *despotes* - master; *eleutheros* - a free man. Modern scholars, too, regularly speak of enslavement for debt. Why not? Why play with words? Why draw elaborate, abstract distinctions?

The men Solon liberated belonged to a restricted though numerous class: they were Athenians who had fallen into bondage to other Athenians in Athens. His programme did not extend to non-Athenians, outsiders, who were slaves in Athens, just as the Biblical six-year limitation was restricted to “thy brother”, a fellow-Hebrew, and did not extend to the Gentile. Nor was this merely a sentimental distinction, empty rhetoric holding up vain hopes to the in-group, pretending that they were different from the outsiders when in fact they shared the latter’s fate. The whole story of Solon (like the closely analogous struggles in early Roman history) proves that the distinction was meaningful, though it may have been in abeyance in any individual case or in any given span of time. For Solon was able to abolish debt-bondage — indeed, he had been brought to power for that express purpose — following a political struggle that bordered on civil war. Athenian bondsmen had remained Athenians; now they re-asserted their rights as Athenians, and they forced an end to the institution — servitude for debt — which had deprived them *de facto* of all or most of those rights. They were not opposed to slavery as such, only to the subjection of Athenians by other Athenians. Hence, whatever the superficial similarity, this was not a slave revolt; nor did ancient commentators ever make such a connection, despite their resort to slave terminology.

I am not now concerned with the history of debt-bondage and its abolition or of clientage in Athens or Rome, nor for the moment with giving precise content to the notion of “rights”. I am merely trying, as a preliminary, to establish the need to distinguish among kinds of servitude, even though contemporaries were themselves not concerned to do so, at least not in their vocabulary. The matter of revolts is worth pursuing a little further in this connection. The debt-revolt syndrome was one of the most significant factors in the early history of both Greece and Rome, and it even survived into classical history. Helot revolts were equally important and very persistent in the history of Sparta. Chattel slaves, on the other hand, showed no such tendency at any time in Greek history and only for a brief period, between about 135 and 70 B.C., were there massive slave revolts in Roman history. Towards the end of antiquity, finally, there was more or less continual revolt

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3 Quoted in Aristotle, *Const. of Athens* 12.4.

in Gaul and Spain by depressed and semi-servile peasants and slaves acting in concert.5

To explain the differences in the revolt pattern, and particularly in the propensity to revolt, by the differences in treatment, by the relative harshness or mildness of the masters, will not do. The one distinction which stands out most clearly is this, that the chattels, who were both the most rightless of all the servile types and the most complete outsiders in every sense, were precisely those who showed the weakest tendency to cohesive action, the weakest drive to secure freedom. Under certain conditions individual slaves were permitted considerable latitude and eventual emancipation was often held out as an incentive to them. That is another matter, however. Slaves as slaves showed no interest in slavery as an institution. Even when they did revolt, their objective was either to return to their native lands or to reverse the situation where they were, to become masters themselves and to reduce to slavery their previous masters or anyone else who came to hand. Insofar as they thought about freedom, in other words, they accepted the prevailing notion completely: freedom for them, as individuals, included the right to possess other individuals as slaves. Debt-bondsmen and helots, in contrast, fought — when they fought — not only to transfer themselves, as individuals, from one status to the other, but to abolish that particular type of servitude altogether (though not, significantly, to abolish all forms, and particularly not chattel slavery).

II

To a Greek in the age of Pericles or a Roman in Cicero’s day, “freedom” had become a definable concept, and the antinomy, slave-free, a sharp, meaningful distinction. We are their heirs, and also their victims. Sometimes the results are amusing, as in the first efforts in the Far East in the nineteenth century to cope with the word “freedom” for which they had no synonym and which till then was “scarcely possible” in, say, Chinese.6 And sometimes the results are very unfunny, as when western colonial administrators and well-meaning international organizations decree the immediate abolition of such practices as the payment of bride-wealth or the “adoption” of debtors on the ground that they are devices for enslavement.7 My subject, however, is not current social or political policy but history; the simple slave-free antinomy, I propose to argue, has been equally harmful as a tool of analysis when applied to some of the most interesting

and seminal periods of our history. "Freedom" is no less complex a concept than "servitude" or "bondage"; it is a concept which had no meaning and no existence for most of human history; it had to be invented finally, and that invention was possible only under very special conditions. Even after it had been invented, furthermore, there remained large numbers of men who could not be socially located as either slave or free, who were "between slavery and freedom", in the loose language of Aristophanes of Byzantium and Julius Pollux.

Let us look at one particular case which came before the royal court of Babylonia in the middle of the sixth century B.C., in the so-called neo-Babylonian or Chaldaean period. A man borrowed a sum of money from a woman who was head of a religious order, and gave her his son as a debt-bondsman. After four years the woman died and both the debt and the debt-bondsman were transferred to her successor. The debtor also died and his son, now his heir, found himself in the position of being simultaneously the debtor and the debt-bondsman (an oddity in the ancient Near East, I may add parenthetically, where the transfer of wives and children for debt was common, but the transfer of the debtor himself was rare, unlike the Graeco-Roman practice). After ten years the bondsman paid over a quantity of barley from his own resources and went to court. The judges made a calculation, according to the conventional ratios, translating each day's service into barley and then translating the barley (both the real barley and the fictitious barley) into money; this arithmetic produced a sum which was equal to the original loan plus 20% interest per annum for ten years; the court ruled, accordingly, that the debt was now paid up and the bondsman was liberated.

During his ten years of service was the bondsman who was working off his father's debt (which became his debt) a free man or a slave? Were the Israelites in Egypt slaves because they were called upon, as were most native Egyptians, to perform compulsory labor for the Pharaoh? The answer seems clearly to be "Neither"; or better still, "Yes and no". In analogous situations the Greeks and Romans defined such service obligations as "slave-like", and that catches the correct nuance. There were in Babylonia and Egypt chattel slaves in the strict property sense, whose services were not calculated at so much barley or so much anything per day, who could not inherit, own property or take a matter to court. But there was no word in the languages of these regions to encompass all the others, those who were not chattel slaves. To call them all "free" makes no sense because it wipes out the significant variations in status, including the presence of elements of unfreedom, among the bulk of the population.

If one examines the various law codes of the ancient Near East, stretching back into the third millennium B.C., whether Babylonian or Assyrian or Hittite, the central fact is the existence of a hierarchy of statuses from the king at the top to the chattel slaves at the bottom, with rules — in the penal law, for example — differentiated among them. Translators often enough employ the term “a free man”, but I believe this to be invariably a mistranslation in the strict sense, the imposition of an anachronistic concept on texts in which that concept is not present. It is enough to read the commentaries appended to the translations to appreciate the error: each such rendition requires the most complex contortions in the commentary if the various clauses of the codes are not to founder in crass inner contradictions once “free man” has been inserted. What the codes actually employ are technical status-terms, which we are unable to render precisely because in our tradition the hierarchy and differentiation of statuses had been different. Hence, for example, careful Hittitologists resort to such conventional renditions as “man of the tool”, which may not be very lucid but has the great advantage of not being downright misleading. The English word “slave” is a reasonable translation of one such status-term, but it is then necessary to emphasize the fact that slaves were never very significant and never indispensable in the ancient Near East, unlike Greece or Rome.

The neo-Babylonian case I have discussed took place 60 or 70 years before the Persian Wars, by which time the Greek city-state had achieved its classical form, in Asia Minor and the Aegean islands as well as on the mainland of Greece, in southern Italy and Sicily. Proper analysis of classical Greece would require far more space than I have at my disposal, for the society was not nearly so homogeneous throughout the many scattered and independent Greek communities as we often pretend. I shall confine myself to two cities, Athens and Sparta, in the fifth and fourth centuries B.C., the two cities which the Greeks themselves considered the best exemplars of two sharply contrasting social systems and ideologies.

Athens is, of course, the Greek city that comes first to mind in association with the word “freedom”. And Athens was the Greek city which possessed the largest number of chattel slaves. The actual number is a matter of dispute — as are nearly all ancient statistics or, better, statistical guesses — but much of the debate is largely irrelevant since no one can seriously deny that they constituted a critical sector of the labour force (in a way which slaves never did in the ancient Near East). My own guess is of the order of 60-80,000, which would give a ratio to the free population about the same

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as in the southern states of the United States in the first half of the nine-
teenth century, but with a different distribution pattern. Proportionally more
Athenians than Southerners owned slaves, but there were few if any great
concentrations in single hands because there were no plantations, no Roman
latifundia.

For our present concern there are a number of points to be made about
slavery in Athens, which I shall run through briefly.

1) There were no activities in which slaves were not engaged other than
political and military, and even those two categories must be understood
very narrowly, for slaves predominated in the police and in what we should
call the lower civil service. Contrariwise, there were no activities in which
free men were not engaged, which slaves monopolized: they came nearest
to achieving that in mining and domestic service. In other words, it was
not the nature of the work which distinguished the slave from the free man
but the status of the man performing the work.

2) Slaves were outsiders in a double sense. After Solon’s abolition of debt
bondage, no Athenian could be a slave in Athens. Hence all slaves to be
found there had either been imported from outside the state or had been
born within to a slave mother. “Outside the state” could mean a neighboring
Greek state as well as Syria or southern Russia — the law never forbade
Greeks to enslave other Greeks, as distinct from Athenians and Athenians
— but the evidence seems to show that the great majority were in fact non-
Greeks, “barbarians” as they called them, and that is why I say “outsiders
in a double sense”.

3) Slaveowners had the right, essentially without restriction, to free their
slaves, a right which seems to have been exercised with some frequency,
especially among domestic servants and skilled craftsmen, though, as usual,
we are unable to express the pattern numerically.

4) The contemporary attitude was summed up by Aristotle when he wrote
(Rhetoric 1367a32): “The condition of the free man is that he does not
live under the restraint of another.” In that sense, manumitted slaves were
free men, if we ignore, as we legitimately may in this outline analysis,
conditional manumissions and minor obligations towards the ex-master. But
in another sense “free man” is an excessively loose category. The distinction
between citizens and free non-citizens was not merely political — the right
to vote or hold office — but went much deeper: a non-citizen could not
own real property, for example, except by special grant of that privilege
by the popular assembly, a grant which was rarely made. Nor, for much of
the period under consideration, could a non-citizen marry a citizen; their
children were by definition bastards, subject to various legal disabilities
and excluded from the citizen-body. Manumitted slaves were not citizens,
though free in the loose sense, and hence they suffered all the limitations
on freedom I have just mentioned. In addition, it should be noted that in-
sofar as slaves were often freed relatively late in life, and insofar as any
children born to them were not freed along with them – practices which
existed though we do not know in what proportion of the cases — to that
extent freed women were effectively denied the right to procreate free
children.

Now let us look at Sparta in the same period, the fifth and fourth centuries
B.C., and in the same schematic way.
1) The Spartiates proper were a relatively small group, perhaps never
more than 10,000 adult males and declining from that figure more or less
steadily during our period.
2) Such chattel slaves as existed were wholly insignificant. In their place
there existed a relatively numerous servile population known as helots (a
word with a disputed etymology) who were scattered over extensive terri-
tories in the southern and western Peloponnese, in the districts of Laconia
and Messenia. Again we lack figures, but it is certain that the helots out-
numbered the Spartiates, perhaps several times over (in contrast to Athens
where the proportion of slaves to free was probably of the order of 1:4,
of slaves to citizens less than 1:1).
3) Who the helots were in origin is disputed. They may even have been
Greeks to begin with, but whether so or not, they were the people of La-
conia and Messenia, respectively, whom the Spartans subjugated and then
kept in subjection in their own home territories. That immediately distin-
guished them — and distinguished them sharply — from the chattel slave
“outsiders”, not only genetically but also in later history, for they were
bound together by something far more than just the weak negative factor
of sharing a common fate, by ties of kinship, nationhood (if I may use
the term) and tradition, all perpetually reinforced through their survival on
their native soil.
4) Insofar as it makes any sense to use the terminology of property, the
helots belonged to the state and not to the individual Spartiates to whom
they were assigned. (Parenthetically I should say that the word “belonged”,
which explains the willingness of the Greeks to call the helots “slaves”, is
justified by the existence of a further Peloponnesian population who were
politically subject to Sparta but were at the same time free and citizens of
their own communities, the perioeci, whom I am ignoring in this discussion.)
5) It follows from the previous point that only the state could manumit
helots. They did so only in one type of situation: when military service by
helots was unavoidable, those selected were freed, either beforehand or as a
subsequent reward. Once freed they did not become Spartiates but acquired
a curious and distinct status, as did Spartiates who lost their standing for
one reason or another, so that, as in Athens, the category of “free men”
was a conglomeration, not a homogeneous single group.

These points do not exhaust the picture, nor do they by any means exhaust
the range of differences between Athens and Sparta, but I trust I have said enough to make it clear not only that the differences were very sharp but also that the number of status possibilities was very considerable. It remains to add that whereas for our subject Athens was typical of the more highly urbanized Greek communities on the mainland of Greece and in the Aegean islands, Sparta was, taken whole, unique. However, if we narrow our focus solely to the helots, then parallels were far from uncommon, less so in Greece proper than in the areas of Greek dispersion east and west, such as Sicily or the regions bordering on the Black Sea, where native populations were reduced to a status sufficiently like that of the helots to warrant their being bracketed with them, as Pollux did, under the rubric “between the free men and the slaves”.10

Now, merely to illustrate the variety which actually existed, I want to look briefly at the institution we know from the so-called law code of Gortyn in Crete.11 The text we have was inscribed on stone in the fifth century B.C. but the provisions may be much older. The code is far from complete, and there are some devilishly difficult problems in interpretation. It is clear, however, that there was a servile population which in some sense “belonged” to individual Gortynians who could buy and sell them (apparently with restrictions hinted at, but not clarified, in the code), unlike the situation in Sparta with which too easy comparisons are often made. Yet this same servile population had rights which slaves in Athens lacked. For example, the rules regarding adultery and divorce and the provisions regulating relations between bondsmen and free women leave no doubt that it is proper to speak of marriage, of a relationship which was more than the Roman contubernium between slaves, because it created enforceable rights, but which was at the same time far less than a marriage between free persons. For one thing, an unfree husband was not his wife’s tutor; that role was fulfilled by her master. For another, such a marriage did not lead to the creation of a kinship group, although it created the elementary family for certain purposes. Hence a composition payment for adultery could be arranged with the kinsmen of a free woman, but only with the master of a servile woman. (Parenthetically, I should also note that debt-bondsmen are clearly differentiated in the code from the bondsmen I have been discussing.)

After the conquests of Alexander the Great, finally, when Greeks and Macedonians became the ruling class in Egypt, Syria and other lands of the ancient Near East, they found no difficulty in adapting themselves to the social structure which had been in existence there for millennia, modifying

the top of the pyramid more than the bottom. A city in the Greek style like Alexandria had its chattel slaves just as in Athens; in the Egyptian countryside, however, the peasantry remained in its traditional status, neither free nor unfree. Royal grants of land to favorite ministers included whole villages along with their inhabitants. Compulsory labor services of various kinds were imposed on them, precisely as on the Israelites a thousand years earlier. Our greatest historian of this era, Rostovtzeff, has written of this peasantry that “They possessed a good deal of social and economic freedom in general and of freedom of movement in particular, . . . And yet they were not entirely free. They were bound to the government and could not escape from this bondage, because on it depended their means of subsistence. This bondage was real, not nominal.”12 Which both makes my point and illustrates, in the vagueness and inadequacy of its formulations, how far we still are from a proper analysis of the social pattern.

The Romans, who eventually replaced the Greeks as rulers of this whole area, had a history of servitude more like that of Athens than of Sparta or the Near East, but with features of their own worth our notice. They, too, had an internal crisis in the archaic period brought about by massive debt-bondage. They, too, then turned to chattel slaves on a large scale, the form of dependent labor which was characteristic of Rome in what I shall arbitrarily define as its classical period, roughly speaking, the three centuries between 150 B.C. and 150 A.D. “Rome” is here ambiguous: we normally use it to refer both to the city on the Tiber and to the whole of the Roman Empire, which by the end of the classical age extended from the Euphrates to the Atlantic. I want to focus on neither, however, but on Italy, the Latin heartland of the Empire, which had become sufficiently uniform socially and culturally to warrant our treating it as a unit. And I want to single out a few characteristics of slavery in Italy which contribute new dimensions to the picture I have drawn so far.

1) The great landed estates of Italy, the latifundia, which specialized in ranching, olive- and wine-production, remained, at least until the American South replaced them, the western model of slave agriculture par excellence. Slave numbers there, and in the rich urban households, reached proportions far exceeding anything in Greece. In the final struggle between Pompey and Caesar, for example, Pompey’s son enlisted 800 slaves from his shepherds and personal attendants to add to his father’s army.13 In a law of 2 B.C., Augustus restricted to 100 the number of slaves a man could manumit in his will, and only an owner of 500 or more was permitted to free that many.14 A certain Pedanius Secundus, who was prefect of the city in A.D.

13 Caesar, Bell civ. 3.4.4.
14 Gaius, Inst. 1.43.
61, maintained 400 slaves. These are examples at the upper end of the scale, to be sure, but they help fix the whole level.

2) Upon manumission a freedman acquired the status of his ex-master, so that the freed slave of a Roman citizen became a citizen himself, distinguished by certain minor disabilities (chiefly with respect to his former master) but none the less a citizen with the right to vote and to marry in the citizen class. This last had interesting and amusing implications. Within the Roman imperial territory there was a complicated variety of free statuses in the sense that there were numerous non-Romans, free and citizens of their communities, who lacked both the political rights of Roman citizenship and the *ius conubii*, the right to contract a marriage with a Roman citizen. But an ex-slave, by the mere private act of manumission, which required no approval from the government, automatically jumped the queue, in law at any rate, provided his master was a Roman citizen.

3) A significant proportion of the industrial and business activity in Rome and other cities was carried on by slaves acting independently, controlling and managing property known as a *peculium*. This was a legal device invented in the first instance to permit adults to function independently while still technically in patria potestas, the tenacity of which in Rome is one of the most remarkable features of the social history of that civilization. The extension of *peculium* to slaves created legal problems of great complexity — in the event of a lawsuit, to give the most obvious example — but they do not concern me now, apart from one notable anomaly. It was possible, and by no means rare, that a *peculium* included one or more slaves, leaving the slave in charge of the *peculium* in the position of owning other slaves *de facto*, though not *de jure*. The reason I have singled out *peculium* can perhaps best be clarified by some rhetorical questions. In what sense were a slave loaded with chains in one of the notorious agricultural *ergastula* and a slave managing a sizeable tannery which was his *peculium* both members of the same class we (and the Romans) call “slaves”? Who was more free, or more unfree, a slave with a *peculium* or a “free” debt-bondsman? Can the concept of freedom be usefully employed at all in such comparisons?

4) In order to insure their administrative control, the early emperors, beginning with Augustus and reaching a crescendo under Claudius and Nero, made extensive use of their own *familiae* in running the Empire. The *servi* and *liberti Caesaris*, the emperor’s own slaves and freedmen, took charge of the bureaus and even headed them for a time. Careful investigation has shown that even among these imperial slaves their children were not as a rule freed along with them if they were also slaves — there are complications here, arising from the status of the mothers, which I need not go into — but stayed on as *servi Caesaris*, advancing in the service if they were

capable and earning their own freedom in time. Hence the interesting situation was created in which important civil servants not only came out of the slave class but left their children behind in that class. And more interesting still, the generalization may be made that in Rome of the first century of our era, much the greatest opportunity for social mobility lay among the imperial slaves. No one among the free poor could have risen to a status like that of head of the bureau of accounts, or, for that matter, to anything like the many lower posts in the administration. I doubt if I need make further comment.

III

All the societies I have been discussing, from those of the Near East in the third millennium B.C. to the end of the Roman Empire, shared without exception, and throughout their history, a need for dependent, involuntary labor. Structurally and ideologically, dependent labor was integral, indispensable. In the first book of the Pseudo-Aristotelian Oeconomica we read: “Of property, the first and most necessary kind, the best and most manageable, is man. Therefore the first step is to procure good slaves. Of slaves there are two kinds, the overseer and the worker.” Just like that, without justification or embellishment. There is no need to pile on the quotations; it is simpler to note that not even the ancient believers in the brotherhood of man were opponents of slavery: the best that Seneca the Stoic and St Paul the Christian could offer was some variation on the theme, “status doesn’t matter”. Diogenes the Cynic, it is said, was once seized by pirates and taken to Corinth to be sold. Standing on the auction block he pointed to a certain Corinthian among the buyers and said: “Sell me to him; he needs a master.”

Most revealing of all is the firm implication in many ancient texts, and often the explicit statement, that one element of freedom was the freedom to enslave others. Aristotle wrote the following in the Politics (1333b38ff., translated by Barker): “Training for war should not be pursued with a view to enslaving men who do not deserve such a fate. Its objects should be these — first, to prevent men from ever becoming enslaved themselves; secondly, to put men in a position to exercise leadership . . . ; and thirdly, to enable men to make themselves masters of those who naturally deserve to be slaves.” It may be objected that I am unfair to select a text from Aristotle, the most forthright exponent of the doctrine of natural slavery, a doctrine which was combatted in his own day and generally rejected by philosophers in later generations. Let us then try another text. About the year 400 B.C. an Athenian cripple who had been taken off the dole on the ground that the amount of property he owned made him ineligible,

16 Diogenes Laertius 6.74.
appealed formally to the Council for reconsideration of his case. One of his arguments was that he could not yet afford to buy a slave who would support him, though he hoped eventually to do so.17 Here was no theorist but a humble Athenian addressing a body of his fellow-citizens in the hope of gaining a pittance from them. The implications — and the whole psychology — could scarcely be brought out more sharply.

I do not propose to revive the old question of the origin of the inequality of classes, to ask why dependent labor was indispensable. My starting-point is the fact that everywhere in the civilizations under consideration, as far back as our documentation goes (including the new documentation provided by the Linear B tablets), there was well established reliance on dependent labor. All these societies, as far back as we can trace them, were already complex, articulated, hierarchical, with considerable differentiation of functions and division of labor, with extensive foreign trade and with well-defined political and religious institutions.

It is rather what happened thereafter which interests me now: the essentially different development as between the Near East and the Graeco-Roman world, and, in the latter, the sharp differences in different periods as well as the unevenness of development in different sectors. I have already indicated the most fundamental difference, namely, the shift among Greeks and Romans from reliance on the half-free within to reliance on chattel slaves from outside, and as a corollary, the emergence of the idea of freedom. A wholly new social situation emerged, in which not only some of the components were different from anything known before but also the relationships and spread among them, and the thinking. We may not be able to trace the process but we can mark its first literary statement beyond any doubt, in the long poem, the Works and Days, in which Hesiod, an independent Boeotian landowner of the seventh century B.C., presumed freely to criticize his betters, the “bribe-devouring princes” with their “crooked judgments”.

In another poem, the Theogony, also attributed to Hesiod — and it does not matter whether the attribution is right or not, for the Theogony and the Works and Days were approximately contemporary, which is enough for this discussion — the same new social situation found expression in another area of human behavior, in man’s relations with his gods. As Frankfort phrased it, the author of the Theogony “is without oriental precedent in one respect: the gods and the universe were described by him as a matter of private interest. Such freedom was unheard of in the Near East...”18 It was a firm doctrine in the ancient Near East that man was created for the sole and specific purpose of serving the gods: that was the obvious extension by one further step of the hierarchical structure of society. Neither Greek nor Roman religion shared that idea. Man was created by the gods,

17 Lysias 24.6.
of course, and he was expected to serve them in a number of ways, as well as to fear them, but his purpose, his function, was not that, and surely not that alone. Institutionally the distinction may be expressed this way: whereas in the Near East government and politics were a function of the religious organization, Greek and Roman religion was a function of the political organization.

Hesiod is often called a peasant-poet, which is inexact, for Hesiod was not only himself an owner of slaves but he assumes slavery as an essential condition of life for his class. From the first, therefore, the slave-outsider was as necessary a condition of freedom as the emancipation of clients and debt-bondsmen within. The methods by which outsiders were introduced into the society need not concern us. But it is worth a moment to consider one aspect of the outsider situation, the "racial" one, which is being much discussed today, both by historians and sociologists, chiefly with reference to the American South. It is important to fix in mind that "outsiders" were often neighbors of similar stock and culture; that though the Greeks tried to denigrate the majority of their slaves with the "barbarian" label and though Roman writers (and their modern followers) are full of contemptuous references to "Orientals" among their slaves and freedmen, the weaknesses of this simple classification and its implications were apparent enough even to them. The decisive fact is that widespread manumission and the absence of strict endogamy together destroy all grounds for useful comparison with the American South on this score. I need not go into the variations in antiquity with respect to rights of marriage — I have already indicated the significance of the Roman practice which granted freedmen full rights of conubium, for example, and that should be enough to show that the "racial" element in the concept of the outsider, though not zero, was essentially irrelevant, both in fact and in the ideology. When the Roman lawyers agreed on the formulation, "Slavery is an institution of the ius gentium whereby someone is subject to the dominium of another, contrary to nature," they were saying in effect that slavery was indispensable, that it was defensible only on that ground, and that one was liable to be enslaved just because one was an outsider. An outsider, in short, was an outsider. That tautological definition is the best we can offer. Hence the expansion of the Roman Empire, for example, automatically converted blocks of outsiders to free insiders.

Why, we must then ask, was the historical trend in some Greek communities, such as Athens, and in Rome towards the polarity of the free insider and the slave outsider, while elsewhere no comparable development occurred (or where incipient signs appeared, they soon proved abortive)? Max Weber suggested that the answer lay in the loosening of the royal grip on trade and the consequent emergence of a free trading class who acted as social

19 Digest 1.5.A.1.
I have no great confidence in this hypothesis, which can neither be verified nor falsified from Greek or Roman evidence. The decisive changes occurred precisely in the centuries for which we lack documentation, and for which there is no realistic prospect of new documentation being discovered. I must confess immediately that I have no alternative explanation to offer. Reexamination of the body of Greek and Roman myth may help, but the hope lies, in my opinion, in the very extensive documentation of the ancient Near East.

I say “hope”, and no more, because it is no use pretending that study of Near Eastern servitude has taken us very far. One reason is the primitive classification into slave and free which has been my theme, and I now want to return to this and suggest an approach. Merely to say, as I have thus far, that there were statuses between slavery and freedom is obviously not enough. How does one proceed to formulate the differences between a Biblical bondsman who hoped for release and the man who chose to remain a slave in perpetuity and had his ear bored to mark his new status? Or between a helot in Sparta and a chattel in Athens?

The Sicilian Greek historian Diodorus, writing as a contemporary of Julius Caesar, gives us the following variation on the Hercules-Omphale myth. Hercules, he says, produced two children during the period of his stay with the Lydian queen, the first by a slave-woman while he was in servitude, the second by Omphale herself after he had been restored to freedom. Unwittingly Diodorus has pointed the way. All men, unless they are Robinson Crusoes, are bundles of claims, privileges, immunities, liabilities and obligations with respect to others. A man’s status is defined by the total of these elements which he possesses or which he has (or has not) the potential of acquiring. Actual and potential must both be considered: the potential of the servi Caesaris, for example, was always a factor in the psychology of status in the early Roman Empire, and sometimes it became an actuality, when one of them climbed high enough on the civil service ladder and was freed. Obviously none of this can be expressed in numerical, quantitative terms: it is not a matter of one man having one more privilege or one more liability than another. Rather it is a matter of location on a spectrum or continuum of status; the servi Caesaris as a class, in this language, stood nearer the freedom end than did the servi of any private owner in Rome.

It is possible, furthermore, to work out a typology of rights and duties. By way of illustration, I suggest the following rough scheme:

1) Claims to property, or power over things — a category which is itself complex and requires further analysis: for example, the difference between the power of a slave over his peculium and the power of an owner in the

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21 This is substantially the scheme I first formulated in the article cited in n. 9.
strict sense; or differences according to the different categories of things, land, cattle, money, personal possessions, and so forth.

2) Power over human labor and movements, whether one's own or another's — including, of course, the privilege of enslaving others.

3) Power to punish, and, conversely, immunity from punishment.

4) Privileges and liabilities in judicial process, such as immunity from arbitrary seizure or the capacity to sue and be sued.

5) Privileges in the area of the family: marriage, succession and so on — involving not only property rights and rights of conubium, but, at one step removed, the possibility of protection or redemption in case of debt, ransom or blood-feud.

6) Privileges of social mobility, such as manumission or enfranchisement, and their converse: immunity from, or liability to, bondage, penal servitude and the like.

7) Privileges and duties in the sacral, political and military spheres.

I have said enough, I trust, to forestall any suggestion that I am proposing a mechanical procedure. In Athens chattel slaves and wealthy free non-citizens (Aristotle, for example) were equally barred from marriage with a citizen; in terms of my typology, they both lacked the privilege of conubium. It would be absurd, however, to equate them in a serious sense just on that score. Or to take a more meaningful instance of quite another kind: Athenian slaves and Spartan helots both belonged to someone, but the fact that the someone was a private individual in the one case, the Spartan state in another, introduced a very important distinction. These various combinations must be weighed and judged in terms of the whole structure of the individual society under examination.

If I am then asked, What has become of the traditional property definition of a slave? Where on your continuum do you draw the line between free and slave, free and unfree? — my answer has to be rather complicated. To begin with, the idea of a continuum or spectrum is metaphorical: it is too smooth. Nevertheless, it is not a bad metaphor when applied to the ancient Near East or to the earliest periods of Greek and Roman history. There one status did shade into another. There, although some men were the property of others and though the gap between the slave and the king was as great as social distance can be, neither the property-definition nor any other single test is really meaningful. There, in short, freedom is not a useful category and therefore it is pointless to ask where one draws the line between the free and the unfree.

In classical Athens and Rome, on the other hand, the traditional dividing line, the traditional distinction according to whether a man is or is not the property of another, remains a convenient rule of thumb for most purposes. For them the metaphor of a continuum breaks down. But the problem has not been to understand those two, relatively atypical, societies, but the
others, societies which we have not understood very well just because, in my view, we have not emancipated ourselves from the slave-free antinomy. And if my approach proves useful, I suggest it will lead to a better understanding of Athens and Rome, too, where the category of "free man" needs precise subdivision.

I might close with a highly schematic model of the history of ancient society. It moved from a society in which status ran along a continuum towards one in which statuses were bunched at the two ends, the slave and the free — a movement which was most nearly completed in the societies which most attract our attention for obvious reasons. And then, under the Roman Empire, the movement was reversed; ancient society gradually returned to a continuum of statuses and was transformed into what we call the medieval world.

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