

THE THEORY OF NATURAL SLAVERY
ACCORDING TO ARISTOTLE
AND ST. THOMAS

A Dissertation

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PREFACE

This dissertation aims at untangling certain of the difficulties in the treatment of the question of slavery to be found in the political writings of Aristotle and St. Thomas. It is strange that a political theory whose general tendency is toward a limitation of all human dominions by the natural law, and toward an emphasis on the moral character of the common good, and the dignity of the person, should in this particular instance seem to defend an institution which is symbolic for us of tyranny, arbitrary rule, and the degradation of human nature.

The intention of this dissertation is not to pass judgment on an institution already historically judged, but to attempt to understand the principles on which Aristotle and St. Thomas were each able to accept certain forms of that institution, and to see how these principles colored their precious theory of the kinds of rule. It is best considered as a minor part of some more comprehensive study of the kinds of human rule and their relation to the common and private good.

I wish to thank all those who have assisted me in the preparation of this work. I am especially grateful to Dr. Waldemar Gurian for his kind and learned direction of my work and correction of the manuscript. Since for weighty reasons he takes a less favorable view of Aristotle's theory of slavery, than I have done in this thesis, I hope that he will not be held responsible for any of my personal opinions. Special thanks are also due to Dr. Yves Simon for extremely useful suggestions and corrections, and to my colleague Leo Shields for suggestions and criticisms. I am especially indebted also to the Rev. P. S. Moore, C.S.C. for his generous assistance in my graduate studies, and to Dr. Mortimer J. Adler for introducing me to the study of the political philosophy of St. Thomas.

TABLE OF CONTENTS

Chapter	Page
I. Introduction: <u>Servitude and Freedom</u>	1
II. Slavery in the Time of Aristotle	8
III. Servitude in the Time of St. Thomas	19
IV. <u>The General Theory of Dominion</u>	35
V. <u>The Function of the Natural Slave</u>	50
VI. The Existence and Character of the Slave	63
VII. The Expediency of Natural Slavery	75
VIII. <u>Aristotle and Conventional Slavery</u>	91
IX. St. Thomas and Slavery as the Consequence of Sin	102
X. St. Thomas and the Rights of the "Slave"	114
XI. The Dominion of Servitude and Tyranny	129
XII. Conclusion	140
BIBLIOGRAPHICAL NOTE	147
BIBLIOGRAPHY	149

Chapter I

INTRODUCTION: SERVITUDE AND FREEDOM

The titanic rebirth in these times of doctrines which divide the human race into tyrant races and slave races, tyrant classes and slave classes, tyrant leaders and slave followers, has made freedom the most topical problem in political thought. We begin to realize that the growth of tyranny draws its nourishment from the disorder in society produced by a false notion of freedom, liberalism. We see that what now seems criminal egoism in the totalitarian leaders is simply what liberalism had hoped to multiply in society by granting self-expression to every individual. Catholic philosophers in particular find new meaning now in the idea of lawful authority and of the common good.¹ They insist that the true freedom which we have sought too blindly is not the freedom to do what we please, but rather a terminal freedom, the freedom which a man comes to possess when he lives according to law not because he is constrained by outside forces, but because that law has become the principle of a just order in his very soul.² Catholic culture, with a profound optimism, aims at building the political order on an authority whose aim is the common good conceived in moral and spiritual terms, convinced that as the members of the state become more interiorly just, the character of the external political rule will depend less and less upon coercion and restraint, and

1. The Encyclical of Leo XIII on "Human Liberty" (Libertas Praestantissimum, 1888) explains the opposition of the Catholic Church to Liberalism as an ethical system. The Church's insistence on the unity of the human race is re-emphasized in Pius XII's "Summi Pontificatus," 1939.
2. See J. Maritain, Freedom in the Modern World, 39-40 and Scholasticism and Politics, Chapters IV and V. Also Yves Simon, Nature and Functions of Authority, 42-48.

more and more upon the free and deliberate will of the citizens to order themselves to the common good. Nevertheless, with an equally profound insight into human weakness, Catholic thought recognizes that this goal cannot be attained perfectly and permanently until the end of time. Here and now it has to face the fact that on the one hand liberalism, while permitting human liberties, both true and false, at the same time prepared tyranny, and on the other hand that the new tyrannies mask the essentially materialistic character of their aims by talk about "authority," and "discipline," "self-sacrifice," and "the common good." The way between these deceitful errors is narrow. Even Catholic thinkers may be found sometimes praising "democracy" as if the freedom to print lies in newspapers was a God-given right, and at another time praising authoritarian government as if implicit submission to a master crook in the commission of his crimes was an act of Christian obedience.

The philosophical solution of these tense problems demands of us a precision which political thought has never before attained. The Aristotelian politics based itself upon a correct understanding of human nature and of practical science. Thomist thought took these truths and deepened them by the Christian understanding of the essential dignity of the human person. The Aristotelico-Thomistic politics is thus a practical science of the common good, a common good which is not merely a material or technical well-being but a moral perfection, the supreme natural life of virtue. The life of the single man attains to its perfection in the state; the perfection of the state is a due order in the life which courses through its members. Modern thought, however, has not yet very well understood what this means, has not yet purified itself from the twin taints of liberalism and collectivism.

That we have not understood very well is proved by the embarrassment which Thomists sometimes feel over two points in Aristotelico-Thomistic texts. One of these is to be found in St. Thomas' very evident preference for monarchic government, and Aristotle's equally evident dislike of democracy. The other is Aristotle's

notorious "theory of natural slavery" in which, it has been held, St. Thomas acquiesces. Some have branded both as flat errors to be readily explained by the historical limitations to which even great minds are subject.⁴ To others, however, this is a troubling solution,⁵ since they are haunted by the realization that Aristotle and St. Thomas, whatever their historical limitations, worked with principles of an eternal character, so that even their errors are often useful guides to truth.⁶ As things stand, the fact that we cannot assure ourselves how much truth and how much error these "authoritarian" views contain, convicts us of not having yet developed a wholly satisfactory theory of authority and the relation of the person and the state. Until we have a satisfactory understanding of the "common good" we cannot solve these problems nor can we give a decisive answer to the political heresies of our day.

3. For references to some European scholars who have held that St. Thomas revived the Aristotelian justification of slavery see S. Talamo, Il Concetto della Schiavitù de Aristotele ai Dottori scolastici, 162f. and George O'Brien, An Essay on Medieval Economic Teaching, Chapter 2, sec. 3, 88ff. O'Brien seems to agree with the authors he quotes.
4. Thus recently M. J. Adler has attempted to prove that the views of Aristotle and St. Thomas on both these points is self-contradictory. He believes that their fundamental principles do in fact lead to the conclusion that Democracy is the only truly good form of government, "The Demonstration of Democracy," The Proceedings of the American Catholic Philosophical Association, 25 (1939), 122-165. Many of the difficulties regarding regal rule have, however, been cleared up by M. Demongeot, Le meilleur régime politique selon S. Thomas. Dr. Adler is mistaken in believing that Demongeot's work is based on the disputed parts of De Regimine, see Le meilleur régime, 14f., and "The Demonstration of Democracy," 146.
5. Thus Jacques Maritain who is a determined opponent of every degradation of human dignity and repudiates the Aristotelian theory, sees a wisdom in St. Thomas' view that servitude has an historical necessity, Scholasticism and Politics, 139f, also 177f. Yves Simon, The Nature and Functions of Authority, 38-39 while condemning slavery, points out some real difficulties in the problem.
6. The most obvious examples are theological; Aristotle's theory of God as the Final Cause of the Universe, and St. Thomas' views on

The following pages are an attempt to treat one of the symptomatic problems which has been mentioned, the question of natural slavery. The problem here is not to pass judgment on the wisdom of slavery as an institution of antiquity, nor the record of the Christian Church and medieval civilization in tolerating slavery and serfdom while removing its basis.⁷ Nor is the problem to pass a practical judgment on the relevance of the theory to contemporary social and economic problems. Finally the problem cannot even be to reach a definitive judgment on the essential justice of any of the forms of servitude, since this depends on the relation of the private person to the common good which is still under discussion.⁸ The question is rather to state in detail the Aristotelian theory in order to remove some of the misunderstandings concerning it, and to see how much of it St. Thomas thought compatible with Christian principles. This explication may make clear at least what is universal in this theory and what of merely local and historical character.

It is well at the outset to remove certain difficulties that the word "slavery" itself arouses. It means to most of us a condition in which a human being, a rational and immortal person, is treated as an animal or a machine, in which he is reduced to mere property to be used up or disposed of at will by his master.⁹ But as Belloc has pointed out,¹⁰ the pagan living in a society governed by tradition fully understood that the slave was a human being, and if he treated him otherwise it was the result of that love of expediency and indifference to human dignity which marked every pagan social

(Footnote continued) the Immaculate Conception furnished important principles for the correct doctrines.

7. See J. Maritain, *Scholasticism and Politics*, 177f.
8. On this see P. E. Kurz, O.F.M., *Individuum und Gemeinschaft* Beim Hl. Thomas von Aquin, *passim*.
9. Paul Allard, *Dictionnaire Apologetique de la Foi Catholique*, "Esclavage," 1, col. 1457-1522, defines slavery as follows: "l'etat d'une personne possedee par un autre comme une chose ou un animal, et dependant en tout de la volonte d'autrui. C'est l'alienation complete de la personne humaine."
10. H. Belloc, *The Servile State*, 33f.

relation.¹¹ Ancient law treated the slave as property insofar as he was an object of sale or an important part of a man's worldly goods, or a means to his comfort, but it also recognized in him a human personality. The Greek law of slavery, for example, is inexplicable unless the slave was considered somehow a person.¹² This most absolute sense of the term "slavery," the reduction of man to pure property, was at most an extreme to which practice tended, it was neither the normal practice nor opinion of ancient times. A Christian thinker like St. Thomas pointed out unerringly the reason why such a state is incompatible with human nature: "the rational creature, since it is of itself (*de se*), is not ordered to another [creature] as to an end, e.g., a man to a man."¹³ Aristotle's position is much more ambiguous, indeed, but it will be seen that he admitted personal characteristics, for example friendship and the virtue of temperance in the slave.

Another view of "slavery" has been made common to us by the phrase "wage-slavery"; in this sense slavery is the exploitation of a workman by his more powerful master. This is a concept of great interest, but Aristotle and St. Thomas alike would have opposed such an exploitation, since it is an injustice in exchange.

Finally there is the interesting sociological definition of slavery given by Mr. Belloc.¹⁴ Slavery is a status in which a worker is forced to labor by positive law under the control of a free class who are not forced to labor. This definition of slavery has the advantage

11. H. S. Maine, *Ancient Law*, 158f. "The simple wish to use the bodily powers of another person as a means of ministering to one's own ease or pleasure is doubtless the foundation of slavery as old as human nature."
12. G. R. Morrow, *Plato's Law of Slavery in Its Relation to Greek Law*, 25.
13. Sent. IV, d.44, q.1., a.3. c.
14. H. J. Nieboer, *Slavery as an industrial system*, 8-9, argues that the correct sociological definition is simply the ownership of one man by another. Belloc points out that there may be no "legal ownership" and still an essentially servile status.

of not passing moral judgement on slavery as a reduction of man to property or as being exploitative. This definition can serve as a general description of what St. Thomas and Aristotle meant by servitude. The precisions which they respectively gave the term will be developed in detail in the course of the analysis. Both recognize several forms of servitude, and both consider some just and some unjust.

The ambiguity of the central term is a warning that it is dangerous to approach such a political theory without first ascertaining the concrete institutions which St. Thomas and Aristotle had in mind. These will be briefly discussed in Chapters II and III of this essay.

The Aristotelian theory has a double aspect to be explored. On the one hand it is a theory belonging most properly not to Politics at all, but to "Economics" in the ancient sense, the practical science of the natural society of the household. On the other hand the slave state is discussed not only as a part of Economics in Book I of Aristotle's Politics, but it appears again and again in the rest of that work and in the Ethics. Here the slave and the rule over slaves assumes a general systematic importance as an illuminating contrast to other types of men and other forms of rule. In order to study both of these aspects most conveniently, Chapter IV will be devoted to discussing the systematic position of the dominion of servitude in the whole hierarchy of dominions which Aristotle and St. Thomas discuss; but the special systematic problem of the comparison between the dominion of servitude and other forms of absolute dominion will be reserved to Chapter XI, after the detailed examination of the characteristics of servitude.

Chapters V to VII contain the analysis of servitude as a domestic or "economic" dominion according to Aristotle, but with free use made of Thomistic texts to illuminate those of the Philosopher. Chapter IX discusses Aristotle's views about conventional slavery and the concrete means of realizing his ideal "natural slavery."

St. Thomas in adopting in general the Aristotelian Ethics and Politics was confronted with special problems. In the practical sciences the principle is

the end, and the end of life for a Christian is not the same as for a pagan. This difference cast a special light on the humblest members of human society. What to Aristotle was a dull and brutish man, to St. Thomas was a person who had been invited to a contemplation of the Good far superior to that of the philosopher. In Chapter IX and X an attempt is made to discover to what extent St. Thomas accepted the views of Aristotle and what developments he made in them.

Chapter XI, as has been mentioned, returns to compare the dominion of servitude, as thus analyzed in detail, to other dominions, especially those of an absolute character. In the Conclusion, Chapter XII, the results of the whole analysis are summarized.

SLAVERY IN THE TIME OF ARISTOTLE

...la Grèce du iv^e siècle traverse une crise économique provoquée par un excès de population dans un petit pays agricole, aggravée dans certaines régions par la distribution trop inégale des terres, compliquée dans les Etats mercantiles d'une crise morale et politique. Il faut des réformes. La problème de la population, l'organisation agraire, la question du commerce s'imposent à la réflexion.¹

Aristophanes in The Clouds, Xenophon in his charming Economics, and Aristotle in the cold pages of the Politics, each in his turn lamented the sorry defeat of the old Greek virtues by the commercial greed, the fratricidal wars and the sophistic thought that became the chief attributes of the culture of the Fourth Century. The love of "Virtue" was replaced by the unnatural love of money. Athens had become a commercial democracy whose chief rule, as Aristotle says, "is for a man to live as he likes; inasmuch as to live not as one likes is the life of a man that is a slave."²

Under the impulse of this commercial spirit and the necessity of war the Athenians had sold or deserted their hereditary estates and come to the City. Here many lived on fees which they voted as payment for the performance of their civil duties. Now they could give full rein to their Attic passion for litigation, debate and all public affairs. Life became a round of assemblies, public meals, and religious ceremonies, interspersed with military undertakings, too often disastrous. The spiritual backwash of this gregarious life was the

1. M. Defourny, Aristote; Études sur la "Politique," 101.
2. Politics, VI, 1, 1317b. For a brilliant description of this life see T. R. Glover, Pericles to Phillip, IX.

scepticism, individualism, emotionalism to which Euripides first gave expression. The Attic citizen, once a farmer who fastened his rustic locks with gold pins shaped like grasshoppers, now led a life wholly separated from productive activity.

Some have said that this citizen was idle because he feared to class himself with slaves by sharing their occupations, but the growing contempt for servile work had deeper roots than this.³ It was the logical result of the cult of physical beauty and of intellectualism which the Fifth Century perfected and the Fourth Century deepened and rationalized. Plato and Aristotle despised manual labor not merely because it was the work of slaves, but also because they believed it to be an insurmountable obstacle to the liberal life of military, political, and contemplative activity. The ordinary Greek was touched by this same fear, and yet, sadly enough, when he gave up the life of the farmer, he came not to seek the life of contemplation but the life of a commercial city.

Since the citizen could not be a true citizen and yet engage in industry, and the Fourth Century Greek was bent on the profits of industry and commerce, a substitute had to be found.⁴ The Greeks were thus compelled to invite to their cities a vast number of resident aliens, whom they called metics, selected for their skill in all the crafts, and for their trade connections. These foreigners could neither become citizens nor have legitimate children by citizens. They could not own land, and could be reduced to slavery for failure to pay taxes or for attempting to claim citizenship. Their

3. For the theory that slavery was the cause of the contempt for servile work see H. Mitchell, The Economics of Ancient Greece, 14; for an account of the development of this attitude see P. N. Uhre, The Origin of Tyranny, 15ff. Xenophon expresses the older admiration of the farmer's life in his Economics, IV, 2-3.
4. An excellent account of the economic situation at this period is contained in Defourny, Aristote; Études sur la "Politique," Chapter II.

residence had a temporary character and their separation from the citizenry was absolute. And yet they were the very heart of Athenian productive life. It was they who did most of the work on the beautiful temples of the Acropolis.⁵ They owned many slaves themselves and trained the slaves of others. Their life had its advantages since they were free of all political duties except the payment of taxes. While the Athenian cooled his heels in the Assembly, the metics made money. This class was probably from a third to a half as large as the citizenry in Attica.⁶

The harboring of metics, however, was not a complete solution to the productive problem. Since they could not own land, they could not be the farmers. Since they were at once alien and free they could hardly be trusted with domestic service or compelled to perform tasks of the more degraded sort. Moreover, as Defourny points out,⁷ money exchange was still too feebly developed to make possible a large market for wage-paid labor. Although there was a class of free Athenian artisans they were the exception, often paid only in produce, and more miserable, Aristotle implies, than the slaves themselves.⁸

Thus the slave class, which in Attica was about as numerous as the citizenry,⁹ was absolutely necessary to work those farms the masters of which had sold out or risen above servile labor, and to carry on the life of the household. The well-to-do family had 3 or 4 of them, the rich a great many.¹⁰ Where did these lowly people come from? The Greeks believed, and perhaps rightly that the first slaves were the conquered natives subdued when the Hellenic race first invaded the Mediterranean area,¹¹ but successive enfranchisements and wars had

5. See the various lists of workman given in the monograph of Oscar Jacob, *Les esclaves publics à Athenes*, *passim*, and W. L. Westermann, *Pauly-Wissowa*, Supplement Band VI, 912f.
6. G. Morrow, *Plato's Law of Slavery*, 23, note.
7. M. Defourny, *Aristote: Etudes sur la "Politique"*, 66.
8. *Politics*, I, v, 1260b.
9. G. Morrow, *op. cit.*, 23.
10. H. Michell, *op. cit.*, 50.
11. H. Wallon, *Histoire de l'esclavage dans Antiquite*, I, 64f.

long ago wiped out most of this aboriginal group. Enslavement in war however remained a permanent feature of Greek life and the traditional source of slaves. The fear of enslavement which furnishes one of the common shadows of Greek Tragedy was the chief incentive to heroic deeds, and slavery itself the proper blend of mercy with justice for the weak or cowardly. Another mode of enslavement was as a punishment, especially for theft. Of a similar character was the ancient enslavement as an act of propitiation for some dreadful crime, for example the servitude of Heracles, but this was obsolete in the Fourth Century.¹² Enslavement for debt was common, but the famous law of Solon abolished it in Attica.¹³ Still more barbarous, yet a very important source was kidnapping.¹⁴ As the works of Aristotle themselves show¹⁵ piracy and brigandage were recognized businesses, and the "hunting of men" a profitable means of obtaining slaves. In theory at least it was a means to be used only against barbarians, as enslavement in just war; but by the Fourth Century this was only a theory.¹⁶

Besides these violent methods, the most common way of all was to obtain slaves by purchase, and every Greek city had its slave mart. In some places the parents even sold their children, but this was forbidden to Attic citizens. Exposure of infants however was common enough, and anyone who found such an unfortunate might raise it as a slave.¹⁷ Finally, of course, there were the children of slaves. Attic law seems usually to have given the child the same status as its mother, although it sometimes followed the milder policy of the melior condicio.¹⁸ By the Fourth Century however the cost of

12. H. Wallon, *op. cit.*, 70.
13. Aristotle, *Atheniensium Respublica*, vi.
14. Westermann, *op. cit.*, col. 929.
15. *Politics*, I, 11, 1255b and 111, 1256b.
16. W. Newman, *The Politics of Aristotle*, I, 154f.
17. The Romans were much more humane in this respect and considered every foundling as free, R. W. and A. J. Carlyle, *A History of Medieval Political Theory in the West*, II, 130, quoting Digest xl, 8.
18. G. Morrow, *op. cit.*, Chapter VI, especially 90f.

raising a slave had become so great for the urban dwellers that it was very bad business to keep slave children, when useful adults could be much more cheaply acquired.¹⁹ Thus the main sources of slavery were sale, kidnapping, and war, with birth and penal enslavement as secondary sources.

* These private slaves were used for every sort of domestic, industrial, artistic, and agricultural purpose, as well as for mere luxury, but the chief use remained domestic.²⁰ In the Laws Plato speaks of slaves as the physicians of other slaves, as personal and domestic servants, as actors, pedagogues, teachers, and farmers.²¹ In Sparta the Helots constituted a state-controlled mass of serfs attached to the land, and other Greek states had similar serf classes, notably Crete.²² Attica had no such serf class, since there the citizens had engaged in agriculture until such a late date, but Athens had many public slaves.²³ Some of these performed the same functions as private slaves, but some of them corresponded to the modern civil servants of the lower ranks. They were executioners and prison-keepers, participants in public ceremonies, overseers, and pay-masters, keepers of the treasury and of the public weights and measures. They were even policemen, and an important part of the home militia was the famous Scythian archers. These slaves were acquired by the state in the ordinary ways, but also by the confiscation of private slaves, and by the enslavement of troublesome metics. Thus Greek life from the kitchen to the Acropolis used the slave as an indispensable instrument.

What was the life of these "animate human instruments?" The fragments of Menander's comedies and the plays of his Roman imitators show us what the

19. Ibid., 24.

20. As will be seen later Aristotle had no sympathy with systems that called for large classes of slaves separated from close contact with the household or some equivalent unit.

21. G. Morrow, op. cit., 28f.

22. H. Wallon, op. cit., I, Chapter III.

23. O. Jacob, op. cit., passim.

disapproving words of the conservatives, including Aristotle, confirm, that the domestic slaves were often highly involved in the personal affairs of their masters. The slaves in the mines were worked so brutally that the most reckless attempts at revolt took place among them.²⁴ The fear of revolt along with a certain cultural moderation led the Greeks, however, to treat their slaves with considerable humanity. Their laws were never as liberal nor their writers as outspoken in the interests of the slave as were the laws and the philosophers of Rome, but the abnormal brutality and sensual cruelty which was characteristic of the luxurious Romans of the Empire was probably never common among the Greeks.²⁵

Morrow, in his discussion of the law of Greek slavery,²⁶ has shown very vividly how the slave's legal position had a double aspect, he was both property and person. These two aspects were inextricably interwoven in Greek law, as they are in the thought of Plato and Aristotle. As property the slave could be sold or freed by his master or used for any purpose as the master saw fit. Ordinarily the law allowed no investigation or interference in the master's management. Yet the slave himself was also a person since he was individually subject to the law and responsible to it for his own offenses. It is possible that he was even allowed in some instances to be a witness at law. To murder a slave was legally punishable. Most important of all, his master could be punished for mistreating him in ways which the Greeks considered to be the sign of impious insolence (hybris), for intemperate violence or unseemliness. This fact is proof that a strong public opinion against irrational cruelty tempered the slave's lot. Yet it must be emphasized that ordinarily the slave's whole fate depended on his master's character.

24. H. Wallon, op. cit., I, 371f. and P. N. Uhre, The Origin of Tyranny, 45.

25. W. R. Brownlow, Lectures on Slavery and Serfdom in Europe, Lecture I.

26. G. Morrow, op. cit., 25.

THE THEORY OF NATURAL SLAVERY

The laws of Gortyna show that the marriages of slaves had a certain legal character, and might even be made without the consent of the masters. Moreover the slave could accumulate some personal property.²⁷

The slave could be freed by a regular legal process, manumission, either through his master's generosity, through payment of his own price by careful saving, or as reward for some heroic act or special service to the state. This hard won freedom however, although it seems to have been a strong incentive to good behavior, did not raise the slave to a citizen's estate, but left him in semi-dependence. Unlike the Romans,²⁸ the Greeks manumitted few slaves and there was never an important class of freedmen in the Hellenic states. The sharp division of citizens, metics, and slaves grew more and more exclusive in Aristotle's time, though the break down of the division of Greek and Barbarian was under way.²⁹

The Philosopher thus had before him, besides such special cases as the serfdoms of Crete and Sparta, a great and universal institution of domestic slavery, not altogether inhumane yet wearying to the spirit, of the greatest economic importance, and firmly rooted in the Athenian ideal of the liberal citizen. The best of the citizens, says Aristotle, left their slaves to stewards "in order that they might engage in politics and philosophy."³⁰

THE VIEWS ON SLAVERY KNOWN TO ARISTOTLE

Internal evidence and the history of Greek thought suggest only a few sources for Aristotle's

27. R. Schlaifer, "Greek Theories of Slavery from Homer to Aristotle," Harvard Studies in Classical Philology, 47, (1936), 183. Attic slaves were not so well treated.
28. The economic causes of the Roman manumissions is discussed at length in the standard work by a Marxist, E. Cicotti, Le Déclin de l'esclavage Antique.
29. W. Newman, The Politics of Aristotle, I, 154 and R. Schlaifer, op. cit., 165-171.
30. Politics, I, 11, 1255b.

NECESSARY INSTITUTION?

SLAVERY IN THE TIME OF ARISTOTLE

thought on slavery.³¹ His general attitude toward servile work, his contempt of the lowest classes, his assumption that slavery is a universal and practically necessary institution, and his belief that the Barbarians were naturally servile and incapable of being free citizens, seems to have been the common view of the well-born Greek. It is sufficient to note them and to discuss them in detail in connection with the particular aspects of Aristotle's theory which they influenced.

Besides these almost universal Hellenic attitudes, three influences are most certain. The first and least important of these was the contemporary wisdom about the management of household affairs. Hesiod had made the life of the farmer a standard literary theme. In the generation before Aristotle, Aristophanes made such questions as the management of one's wife, one's children, and one's servants, and the conflict between domestic and public affairs, the popular topics of comedy. Greek thought on the life of the household is summed up in the refreshing Economics of Xenophon, a delightful work which argues that the best life for the Greek is one which combines the healthful work of managing a farm with a noble degree of leisure. It is pretty certain that Aristotle had these thinkers and this type of speculation in mind when in the Politics he took such care to prove that managing a household is not a very important or noble business. This is one of the main themes of Book I of that work.

The second source of opinion on which Aristotle drew was that which he is bent on refuting in his explicit justification of slavery in Book I of the Politics. Newman believes that the thinkers referred to were either Sophists or Cynics.³² We do not know any of the details of their arguments, but it is not hard to guess the spirit of the debate. It is the same we see reflected in Euripides, a troubled, half cynical

31. Two good accounts of the pre-Aristotelian speculation on the subject are in W. Newman, The Politics of Aristotle, 139-142 and R. Schlaifer, "Greek Theories of Slavery from Homer to Aristotle," Harvard Studies in Classical Philology, 47, (1936), 165-204.
32. W. L. Newman, op. cit., 139f.

questioning about previously unquestioned matters, whose cynicism is rooted in a frustrated hunger for true morality. Aristotle attempts to refute, or rather correct, several quite contradictory views, but all of them have this feature in common that they have been brought into relief by questionings about things as they are. One view is that slavery is just because there is no justice but force, and slavery comes about by force. Opposed to this are a number of views that hold slavery is not justified if it is justified by force alone. The ones clearly indicated by Aristotle are first the theory that the justification of slavery is a legal or traditional one, and second that slavery is simply unjust since it may subordinate the good to the bad. As Schlaifer points out, Aristotle concedes something to all three, since each had many facts to support it. The Greeks had seen the sad spectacle of enslaved Greeks of noble birth and great virtue. It was clear that slavery had a deep traditional support which would have made its abolition catastrophic. Finally, as Aristotle says, force has something to be said for it since in general the virtuous man is strong. It is pretty evident from the scattered quotations of opposition to slavery to be found in the poets, that none of this feeling against slavery rose much further than the feeling that after all men are much alike, and that slavery is a disaster to which we are all liable unless it is done away with. But there seem to have been no serious proposals actually to abolish the institution. There is no evidence either in Aristotle's work or Plato's that the question of the intrinsic justice or injustice of holding a man as chattel had been discussed. It is for this reason that Aristotle's theory seems obscure. We expect him to answer the objection that the slave has been deprived of his "natural rights," but Aristotle touches this only obliquely.

The final and most important influence was of course Plato. Dr. Glen Morrow has recently given us an exhaustive study of Plato's views and legal arrangements concerning slavery,³⁴ and has reached the conclusion

33. R. Schlaifer, *loc. cit.*, Appendix, 202-204.

34. Glenn Morrow, *Plato's Law of Slavery*, 16.

that Aristotle agrees with Plato in almost every respect. This seems to me certainly to be the case. However it must also be recognized that one of Aristotle's chief concerns in discussing slavery is to refute the notion, which he apparently ascribes to Plato, that the rule over the house and especially over the slave is not different in kind from the rule over the state. It is Aristotle's insistence on the natural, necessary, and irreducible character of the household which particularly distinguishes the *Politics* from the *Republic* and even from the *Laws*.

Plato, in a sense, originated the problem of slavery when he laid down his formula "one man one task."³⁵ The political problem thus becomes the discovery of the tasks which are required by the state and the kind of men which are required by the tasks. This produces the famous three-fold division of the state according to the three kinds of arts which it requires and the three kinds of souls which are fitted to possess them. It is impossible here to enter into the classical problem of the relation between this view and that of Aristotle, but it is certain that in discussing slavery he has before him a familiar problem. What are the functions of the household, and of the state? These include the functions whose arts are servile. What type of man is especially fitted for such arts? Whoever he be, that is our natural "slave."

In the *Republic* Plato says so little about slavery that some have concluded he forbade it in the ideal state. Newman and Morrow³⁶ are certainly right in holding that this is not the case. Plato's chief interest in the *Republic* is to determine the objective rule by which the guardians are to govern, that is Justice. For this reason he says little not only about slavery but about all the conditions of the lower classes. All we can be sure of is that the third class which is made up of those who supply the state with its necessities, because they have only particular arts instead of the art

35. *Republic*, II, 370B.

36. W. L. Newman, *op. cit.*, I, 143, n. 3 and G. Morrow, *op. cit.*, 130 note.

of the whole, are not slaves.³⁷ The slaves are still lower and have only the power of manual unskilled work.³⁸

In the Laws however there are plenty of details. Some men are naturally inferior in virtue to others but able to do servile work. These ought to be slaves.³⁹ These inferior men are not Greeks but Barbarians.⁴⁰ They should be given the ordinary rights guaranteed by Greek law, which have already been discussed.⁴¹ Care should be taken not to treat them too familiarly, or to allow them to form conspiracies against their masters.⁴² They should not be allowed to intermarry with Greeks.⁴³ Plato is insistent that the master should be especially just to them since they are his absolute inferiors, but he is equally insistent that they should be entirely under the master's control as to the enforcement of their rights.⁴⁴ The master is the cause of such virtue in the slaves as is possible to them, chiefly fortitude and temperance.⁴⁵ Finally Plato approved of the general situation in Attica in contrast to the serfdom of Sparta; he wanted few public slaves, while the domestics slaves were not to be so great as to be a threat of rebellion.⁴⁶ The one important disagreement with Aristotle would seem to be Plato's advice to use commands rather than admonitions to slaves,⁴⁷ but here as Morrow shows⁴⁸ Aristotle typically distorts Plato's point.

Aristotle's theory thus has little claim to originality in either its principle or its details, but the Politics has the merit of attacking the question directly in an attempt to solve all the known difficulties.

37. Republic, II, 371E.

38. Ibid., IX, 590C.

39. Ibid., IX, 590C; Laws, XII, 966B; IV, 720A-C.

40. Laws, VI, 777C; Republic, V, 469C.

41. Laws, IX in particular.

42. Ibid., VI, 777C-778A.

43. Laws, VIII, 840ff.

44. Ibid., VI, 777C; III, 680B.

45. Ibid., VI, 777C-778A.

46. G. Morrow, op. cit., 35f.

47. Laws, VI, 778A.

48. G. Morrow, op. cit., 44.

SERVITUDE IN THE TIME OF ST. THOMAS

The rich variety of feudal institutions makes it much more difficult to form a clear picture of medieval servitude than of its classical form. To judge it is even more difficult since we are uncertain whether to attribute its evils to the system or to the fact that the system was never systematically realized. Classical slavery had the air of an eternal institution little criticized until it was in decline, but serfdom was always somehow a compromise between the Christian emphasis on human equality and the military aristocracy which was bringing some order out of the disintegration of the ancient world. It had in essence therefore a kind of transitional aspect. Some Catholic apologists have pictured it as a part of an ideal hierarchical society destroyed by the Reformation. Marxists have explained its decay by the very economic advances of which it was the cause,¹ painstaking but anti-clerical scholars like Coulton have shown it to have been in fact a complex of misery and disorder in a rickety society.² Coulton argues that since both Church and State attempted to stabilize serfdom and enforced it by cruel exactions and reactionary repression, its abolition can be explained only by the actions of the serfs themselves anxious for liberty, economic, political, and religious. He fails to realize that the very cultural growth that prepared the peasant-serf for independent life was the product of the order which Church and State had striven to establish.³ It is extremely

1. E. g. E. Cicotti, Le Déclin de l'esclavage antique.

2. G. G. Coulton, The Medieval Village, passim. Also see F. Pijper, "The Christian Church and Slavery in the Middle Ages," The American Historical Review, XIV, (1909), 675-695.

3. The paradoxical character of the culture of the Middle Ages has never been better explained than in the first chapters of J. Maritain's "True Humanism," where it is shown how and why the Middle Ages fell short of the fullness of Christianity.

important in understanding the medieval attitude toward serfdom to observe that its passing was on the whole very gradual. Manumission of the serfs occurred not all at once nor by a spreading movement, but sporadically wherever economic and cultural life were especially favorable. It was not the product of any great new idea, or event, or discovery, or technical improvement, but was rather the fruit of a ripening culture.

There was never, during its existence, any organized opposition either practical or theoretical to serfdom.⁴ The theologians universally saw in it something contrary to the primary intention of God, but none proposed its abolition.⁵ It was removed by countless complaints and minor revolts, political bargains, economic transactions, and pious emancipations. The peasants in seeking liberty in particular cases pointed to their rights and dignity as Christians, yet there was no general contention that serfdom was un-Christian. When the great ideological change of the Reformation came about, serfdom was already declining.⁶ The silent character of this transition, and the witness it bears to the nature of the institution, is brought out by a comparison with the way in which serfdom replaced classical slavery. Roman slavery declined with Roman civilization but its very roots were removed by the revolutionary introduction of Christianity. It was abolished slowly but for a revolutionary reason. Every Christian Father explains that absolute slavery is not the work of God, and that the absolute or proud master is purchasing for himself damnation.⁷ They did not preach physical revolution, but they did preach a spiritual one. Serfdom however did not fall from a spir-

4. Bede Jarret O. P., Medieval Socialism, 96.

5. See Paul Allard "Le philosophe scolastiques et l'esclavage," Revue des Questions Historiques, 87, 476ff. Professor Allard is sometimes too concerned to mitigate the fact that serfdom was allowed by the Church.

6. For certain qualifications see G. G. Coulton, op. cit. 371.

7. On the effect of Christianity on Roman slavery see Paul Allard, Les esclaves Chrétiens, passim. On the teaching of the Fathers concerning slavery see S. Talamo, Il Concetto Della Schiavitù da Aristotele ai Dottori Scholastici, Chapter IV-V.

ual revolution, as did slavery of the classical sort, but from the blooming of a plant already rooted in that revolution. The doctrines of individualism which make us look with horror at serfdom, did not come into existence until it was dead in most of Europe.

Feudalism and its servitude were thus in a special sense transitional institutions, but to those who lived under them, they seemed eternal. At the top was a double class of men living a predominantly liberal life, and under them a vast range of persons engaged in servile tasks and subjected to various legal and economic limitations. This double class was composed of nobles and clerics, the former living a military life, the latter either an active life of intellectual and pastoral work, or a life of contemplation.⁸ The political function was divided in a complex way between the two classes which were internally hierarchized so that in theory only Pope and Emperor remained unsubordinated to any man. By the times of St. Thomas, along with these two classes, there existed commercial and industrial cities which in Italy had overthrown their lords and become independent oligarchies with certain democratic features.⁹ Though there were different social classes within these cities the majority of the inhabitants did not differ in status as to freedom, but, as will be seen later, there was a small class of real slaves. Guild organizations produced an hierarchy of mutual duties and the lowest grades of apprenticeship approached a condition of servitude, but only as a temporary state. Thus the entirely free members of the society included the nobles, the clergy, and the citizens of the free towns. To these we should add a class of freemen engaged in farming. They ordinarily could not own land and were thus distinguished from clergy and nobles, but they obtained its use for a fixed rent and without courvée, that is personal service, and in this way they were distinct from the serfs.¹⁰

8. A. Luchaire, Social France at the Time of Phillip Augustus, 382. "General sentiment knew only the theory of the three castes: those who prayed, those who fought, those who nourished the other two."

9. See the Introduction to M. J. Clark's The Medieval City State.

10. Ross W. Collins, A History of Medieval Civilization in Europe, 248f.

The classes who were in servitude, properly speaking, were principally two.¹¹ First was the genuine slave who was a regular article of commerce, and the second the villein and serf who were attached to the soil. These latter were the descendants of the Roman colonus or slave attached to the soil under a master called a patronus.¹² Serf and villein were distinguished mainly by the harder life and fewer privileges of the former.¹³

It is one of the most striking features of the servitude of the Middle Ages that the serf and villein were not in any sense aliens or barbarians, as were most of the subjugated of the classical period. The medieval "barbarian" was the Jew, or Saracen, or perhaps the Tartar. These were seldom if ever put in serfdom. The slave on the other hand was almost certain to be a non-Christian.¹⁴ This fact indicates that the serf was a true part of the state in a way in which the slave was never a part of the classical Polis. The serf and villein were the lowest rung of the medieval social hierarchy, but they were a part of its essential pattern.¹⁵ They, like other men, had mutual rights and duties in relation to their superior, but they had no inferiors, just as the Pope and Emperor had no superiors.¹⁶ The position of serf and Emperor and Pope are understandable only as special cases of the general feudal system of subordinations with reciprocal rights and duties. The slaves however were in a much more anomalous position. Their main function was domestic and industrial; consequently they were found only in the cities or in the houses of great nobles.

The sources of these two groups of men in servitude is evident from their respective natures. The serfs were a hereditary class which could receive new

11. For a table of different sorts of serfs see H. D. Traill, Social England, I, 123.
12. W. R. Brownlow, op. cit., 48f.
13. C. Seignobos, The Feudal Regime, 13ff.
14. G. G. Coulton, op. cit., 491.
15. Funck-Brentano, The Middle Ages, 13f.
16. For a discussion of the pattern of medieval organization see E. Barker, Church, State and Study, Chapter II, 44f.

recruitments only by birth, occasionally by war, and by poverty so dire as to force freemen to give themselves to a lord. Though belonging to the land, they could sometimes be sold separately from it, a fact often ignored.¹⁷ It is likely however that this sale did not change their status as serfs, they were simply attached to a new property. The slaves on the other hand could be obtained by all the classical methods, primarily by war, sale, and as punishments.¹⁸ The Jews were considered to be slaves of the Princes because of their infidelity. Very early however the Church strictly forbade the sale of Christians into slavery¹⁹ so that the sources of slavery were very limited through the Middle Ages. The status of servitude was inherited in general according to Roman law, the child followed the condition of its mother, but there were exceptions.

The actual conditions of both slave and serf during this period are now difficult to determine because the legal system of the Middle Ages depended so much for its actual operation on local custom.²⁰ Several facts however are clear about both groups. First it is certain that all the evils which usually arise when arbitrary lords can enforce their will on weak subjects, seem to have taken place. The life of the serf was often one of bitterly hard work, of ignorance, and of low culture. It is common knowledge that Christianity in some regions did little more than color the paganism of the people, who were prevented by social conditions from rising to a more orthodox religious level. Secondly it is certain that the Church for directly religious reasons and in the face of every sort of custom and abuse insisted on certain rights for both slaves and serfs.²¹

17. G. G. Coulton, op. cit., 13.
18. G. G. Coulton, op. cit., 491.
19. R. W. and A. J. Carlyle, op. cit., I, 134. On the position of the Jews see St. Thomas, Summa Theologica, II-II, q.10, a.10 c.
20. On the evils of the system see F. Pijper, op. cit., 634.
21. R. W. and A. J. Carlyle, op. cit., 117f. give an impartial and scholarly account of the legal measures taken by the Church to protect the slave's position. In general they were based on the best of the Roman laws concerning slavery, but modified in a religious sense, particularly in the matter of marriage.

They could not be murdered or outraged; they could not be prevented from marriage; they could not be prevented from fulfilling their religious obligations. She was especially insistent on the observance of the Sunday rest for all workmen. Besides this She allowed the ordination of serfs and slaves if their master consented, or if She could purchase their freedom. ✓ These rights upon which She insisted against great odds, are sufficient evidence that the Church maintained the personal character of the Christian serf. Roman law even when most humane never gave the slave a true marriage. On the other hand the non-Christian slave being beyond the Church's direct control was in a more ambiguous position. Yet She forbade that he be forcibly baptized.²² The Church continued to emphasize the religious equality of all men, and many of the clearest denunciations against abuse of the serfs is to be found in medieval sermons.²³ Besides these elementary rights She was also insistent that families should not be separated by sale, that immoral acts should not be committed against the serf's person, and that the whole scheme of rights and duties should be strictly enforced.

Against this grant of fundamental protections evidencing the personal character of the slave, stood the extremely aristocratic outlook of the whole Middle Ages,²⁴ so that in medieval literature the laboring classes are commonly depicted as brutish and vicious or are totally ignored. That this was in some degree the case is evident from the complaints of church moralists themselves. There were even noblemen who argued that the human race was divided into two species, those from Adam and those from Cain, the gentlemen and the serfs.²⁵ This popular attitude was strengthened in practice by the fact that although the system of rights and duties was elaborate there was no arbiter to enforce the mutual laws governing the master and the serf.²⁶ The very

22. St. Thomas attitude to this right is discussed post Chapter I.
 23. G. G. Coulton, *op. cit.* *passim* gathers his most damaging material from sermons.
 24. A. Luchaire, *op. cit.*, 384f.
 25. G. G. Coulton, *op. cit.*, 232.
 26. C. Seignobos, *op. cit.*, 34.

essence of the feudal system was the almost independent governance of his estate by the lord. The economic and political supremacy were so completely united that the serf was like a minor child of the lord, without anyone to appeal to. The result was often great abuse by the master who commonly led a life of military aggressiveness which inclined him to greed and pressing demands for supplies from his inferiors. ✓

Uprisings among the peasants were quite common but not usually successful, yet the very fact that the system was finally ended by independent movements among the serfs shows that considerable resistance was possible. An independent attitude was encouraged by the fact that the serf owed all allegiance to one lord alone, to others he was free. Moreover he was free before the law.²⁷ The famous fortieth article of the Magna Charta guarantees justice even to the serfs.²⁸ Although the courts were usually wholly controlled by his lord, yet he knew how to plead before them as a man with rights, and as Jarrett says the chief political right to the mind of the Middle Ages was not liberty but justice.²⁹ The power of resistance was increased by the fact that the population was in some places quite mobile, the serfs escaping either into towns or some other estate.³⁰ The lords usually solved the latter problem by settling the accounts among themselves through some exchange. There were laws however, enforced also by the Church, for the return of fugitives, although she gave them a right of refuge until their status could be properly determined.

It is not necessary for our purposes to study the various duties which the serf owed his master. They can be summarized as follows:³¹ First he owed his master a wide variety of taxes from his various products. Secondly he had personally (along with his family) to perform certain specified amounts or periods of work

27. Paul Vinogradoff, *Cambridge Medieval History*, III, Chapter 18, 473.
 28. Bede Jarrett, *op. cit.*, 109.
 29. *Ibid.*, 94.
 30. A. Luchaire, *op. cit.*, 404.
 31. Ross Collins, *A History of Medieval Civilization*, 251.

for the lord. Thirdly he had to make use of the lord's mill, press, oven, etc., and make a certain payment from the product in return for their use. Besides this he could not leave the land without manumission, and if he died without leaving a family to continue his work all his property reverted to the lord. Besides the personal rights guaranteed by the Church, in effect he was assured of all the means necessary for making a living. Under ordinary circumstances he had a permanent tenure of the land during his life and that of his heirs; he had the right to use the mill and such other primitive machinery as was necessary, and he could use certain common property along with the other serfs, forests and pasture lands for example. Finally the lord was supposed to protect him from marauders and in war-time and administer justice to him.³² The slave on the other hand had no rights beyond those personal ones guaranteed by the Church or by Roman law.³³

Both serf and slave could be freed by recognized legal procedures, although this manumission did not raise them to the same status as the free man. A social stigma attached to their birth and they were often threatened with return to servitude. The Church however was resolutely opposed to this return except as a punishment for crime.³⁴

The extent and causes of manumission are much disputed among scholars, and it is not necessary here to know who is right. What is clear is that serfdom was finally abolished by gradual manumission and that this was taking place on a fairly large scale in the 13th Century,³⁵ for example the mass manumissions in France under Phillip Augustus and St. Louis.³⁶ Some of the Italian towns emancipated the outlying serfs in a body, for example Bologna (1256), Treviso (1260), and Florence (1288).³⁷ Most manumissions seem to have been

32. E. M. Hulme, *The Middle Ages*, 576f.

33. F. Pijper, "The Christian Church and Slavery in the Middle Ages," *The American Historical Review*, XIV, (1929) 269-281.

34. R. W. and A. J. Carlyle, *op. cit.*, 130f.

35. G. G. Coulton, *op. cit.*, 161.

36. Marc Bloch, *Rois et Serfs*, *passim*.

37. J. K. Ingram, *A History of Slavery and Serfdom*, 107.

in return for payments by the serfs themselves, but the practice of manumission at the death of a master, (which was not uncommon in classical times), was increased by the Church's approval of it as an almsdeed for the soul of the deceased.³⁸ The Church however provided by Canon Law that her serfs could not be manumitted, in order to protect the permanent property rights of the religious orders and bishoprics from the imprudent generosity of some temporary incumbent. This seems contradictory in view of her pleas for manumission by the lay lords.³⁹ Churchmen like Bernard of Clairvaux and some of the later mendicants had serious doubts about the wisdom of this policy,⁴⁰ and enemies of the Church have often cited it against her. Allard and others have argued that these canons were modified in practice by other provisions⁴¹, while Coulton among others has attempted to refute this argument. The provision of Canon Law however does illustrate a widespread belief among ecclesiastics that serfdom was an important part of the stable social organization which they were building and that it had best be removed only when the lay lords were willing to do it and the serfs able to maintain themselves against the lords. For the Church to take the first step, they seemed to feel, was to weaken her often precarious position as against the nobles. The general moral position of the whole society was that serfdom was not a social evil, but it was a personal misfortune, consequently liberation was an act of charity. Bishops however ought not to perform almsdeeds or charities out of the Church's possessions which would make the work of the Church difficult. Without serfs to work her farms, her schools, hospitals, and all her great social institutions would have become difficult. To understand this phase in Church sociology it is necessary to understand the whole tragedy of medieval Christendom. It is

38. R. W. and A. J. Carlyle, *op. cit.*, 134.

39. G. G. Coulton, *op. cit.*, Chapter XIV states this view very strongly, but not impartially.

40. R. Cave and H. Coulson, *A Source Book for Medieval Economic History*, 300.

41. See Allard's article "Esclavage," *Dictionnaire Apologetique de la Foi Catholique*, I, col. 1457-1522.

probably a mistake, therefore, to conclude from the works of apologists like Allard, that the medieval Church set about to destroy serfdom. She desired earnestly to mold it into conformity with Christian life, and in general her own serfs were in a favored condition.

The general tendency of the whole development of serfdom was thus not toward an abolition of all subjection, but rather toward the formalization of mutual rights and duties. The lord had great powers and could use them arbitrarily, but the spirit was always more and more to put down every duty in a specified formula, not always good ones, but nevertheless objective. The classical slave lived under the whim of his master, tempered by public opinion. The serf lived under a lord limited by the laws of religion and by an objective rule of mutual obligations. The rise of commerce turned these obligations into rents, and the serf either into a peasant or a wage-laborer.

THE VIEWS ON SLAVERY KNOWN TO ST. THOMAS

The sources on which St. Thomas had to draw for his views on slavery were very rich. Besides Aristotle there were three main written bodies of doctrine with which he was very familiar.

The first and of course most revered was Sacred Scripture, the writings of the Fathers, and Canon Law, the specifically Christian light on the matter. Sacred Scripture itself supplied him with four great and yet puzzling views on slavery. First it taught him that slavery was unknown in man's primitive state of blessedness and was introduced as a punishment for sin.⁴² Secondly it provided him with a model code for the treatment of slaves, since the Law of Moses treats slavery as a divinely appointed and regulated institution. This Mosaic code of servitude summarized the best regulations of all ancient nations, and presents a fair picture of the actual institution of classical slavery at its best.

42. Genesis, ix.

A comparison between this Jewish law and the Roman law for example shows that in general the legal institutions were much the same,⁴³ but the Jewish law had further and higher aims. It prevented Jews from becoming subject to pagan lords, or from becoming corrupted themselves by pagan slaves. The methods of obtaining and exchanging slaves, and the legal disabilities and punishments assigned to them were almost the same as under Roman law, but the Old Law insisted that slavery should be a means of adding proselytes to Judaism and of enforcing a pure morality among these proselytes. The sexual morality and personal dignity of the slave were carefully protected from his master, especially by a provision that an outraged slave should go free. The life of the slave was protected by penalties. Most remarkable of all however was the fact that while Hebrews could be enslaved to Hebrews, this enslavement could not last beyond the sabbatical cancellation of debts nor beyond jubilee years. The non-Jewish slave was not freed in this manner, but he too was treated as a person and incorporated in the nation in a religious sense by circumcision and participation in the Passover.

Besides the Mosaic Code itself the historical parts of the Bible provided for St. Thomas some insights on the actual operation of the institution, while the wisdom literature provided aphorisms about the justice of slavery and the proper treatment of the slave. One such aphorism is the one quoted by St. Thomas in his Commentary on the Politics of Aristotle,⁴⁴ "The foolish man will be a servant to the wise."⁴⁵ St. Thomas thus had before him what was at once a religious testimony that slavery cannot be essentially and always evil since it had once been legalized by God Himself, and a model code for regulating slavery.⁴⁶

A third and most mysterious view of slavery appears in the great text of St. Paul which summarizes the

43. For an illuminating account of the Jewish Law on this matter see R. Salomon, L'esclavage en droit comparé Juif et Romain.

44. I, Lectio 3.

45. Proverbs, 11,29.

46. St. Thomas' discussion of the Old Law is to be found in S.Th., I-II, qq.98-105.

whole New Dispensation: "exinanivit semetipsum, formam servi accipiens, in similitudinem homo factus, et habitu inventus ut homo."⁴⁷ "He emptied himself taking the form of a servant, being made in the likeness of men, and in habit found as a man." That God Himself had become a man in the form of a servant, and that all men are freed only by becoming one with Him in this humiliation, is an idea which makes slavery sacred. To this is added the continual plea of the whole New Testament that men recognize at last their common origin, their common destiny, their common redemption and Redeemer. Greek, Jew, and Barbarian are to be united in one Mystical Body.⁴⁸

The fourth scriptural attitude is that provided by St. Paul in several places, but most clearly in his Epistle to Philemon, concerning a run-away slave whom he is returning. Here St. Paul teaches that the natural order of superior and inferior has now been made insignificant by the new supernatural order in which the foolish and lowly may be far wiser and more powerful than the intelligent and rich. Grace has given the weak a better prudence than the strong. Thus to the eye of faith the orders of this world become not a sign of worth or happiness, but as it were destined positions to be accepted as duties and penances. To be either proud or discontented is to show a mistaken evaluation of worldly things. He therefore advises the men of his times, masters and slaves to accept their positions with deep humility and to make them the occasions of a more perfect charity. The master must realize his position is no proof that he is better than the slave, but rather if anything more unfortunate, and the slave must accept his own humiliation as a chance for special sanctity.

The Fathers of the Church on the basis of these texts adopted the practical attitude of St. Paul. They believed that slavery was a consequence of the Fall, that it was not essentially sinful, that therefore it was imprudent to attempt to abolish anything so immemorial, but that it was an act of true mercy to emancipate slaves privately, and that finally it must be made a

47. Phillipians, 2,7.

48. For an analysis of the views of the New Testament see S. Talamo, Il Concetto della Schiavitù, Chapter IV.

kind of friendship in which the virtues and dignity of master and slave were scrupulously guarded.⁴⁹

The main content of the Canon Law on slavery has already been discussed earlier in this chapter.

The second great source, apart from Aristotle and indirect borrowings from Plato, was the moral writings of the Stoics. St. Thomas quotes Seneca's De Beneficiis⁵⁰ in this connection and he must have been well acquainted with the opinions contained in Seneca's other works and those of Cicero. The Middle Ages drank deeply of the moral ideas of the Stoics. The Epicurean and Stoic attitude had marked a great stage in the development of thought on slavery.⁵¹ Both held with the sophists of Aristotle's day that slavery was conventional and a product of force, but they went on to argue that since slavery was thus only the result of chance or violence it could not be a hindrance to the life of happiness. The Epicureans had some difficulty in maintaining this apparently paradoxical theory, but the Stoics found it the natural consequence of their ethical theory.⁵² Since the only happy man is the virtuous man, and virtue releases man from all dependence on pleasure and all subjection to pain, the slave can be as happy in slavery as any man. The only true slavery is slavery to one's lower self. The parallel between these views and that of Judaism and Christianity is striking and there was perhaps an intellectual interchange.⁵³ The following quotation from Seneca illustrates the Stoic viewpoint:

He errs who thinks that servitude descends into the whole man; his better part is excepted; bodies are vile and be-

49. The meaning of these Patristic views for St. Thomas will be discussed post Chapter IX. See S. Talamo, op. cit., Chapter V and VI. Also J. Dutilleul, Dictionnaire Theologique Catholique, V pt.1, col. 457-520.

50. S.Th., II-II, q.106, a.3, 4m.

51. Paul Allard, "Esclavage," Dictionnaire Apologetique de la Foi Catholique, I, col.1457-1522. Also Wallon, Histoire de l'esclavage, III, Chapter 1.

52. E. Zeller, The Stoic, Epicureans, and Sceptics, 329f.

53. Philo's views on slavery seem to coincide in many respects with those of the Stoics. H. Wallon, op. cit., III, 31.

long to masters, the mind indeed is *sui juris*....And it is the body which fortune hands over to a master; this he buys, this he sells; that interior part cannot be given in slavery.⁵⁴

It is important not to overestimate this Stoic view. It adds little to the view of those Greeks who opposed slavery, as far as explaining the origin and legal basis of slavery, and it certainly presents no social solution. To urge the ordinary slave to become a philosopher was ridiculous. The Christian was able to say honestly that the slave might be happy in the super-natural virtue of hope; the Stoic could only say with some hypocrisy that slaves should acquire a wholly natural imperturbability based on philosophy. Moreover the Stoic and Epicurean moral systems were in their very basis anti-political.⁵⁵ Both schools were convinced that the great body of mankind was hopelessly debased, and that only the few could be happy. Social reform had no burning interest for them. Their real answer to the slave was the one which in the end they took for themselves, suicide when life became unbearable. It is doubtful, therefore, if they added much to the actual thought which Christianity and Judaism could contribute to the ethical problem of slavery, but they wrote many noble and beautiful descriptions of the possible dignity of the lowly. Most important of all, their doctrine that the wise man is not a Greek or a Roman, but a "citizen of the world," helped to destroy that provincialism which was so important a part of the Greek justification of slavery.⁵⁶

The third source for St. Thomas was the body of Roman law both in its original form and as it was incorporated in the works of the medieval legists. Much of this law had been written under Stoic influences so that it does not differ much in theory from the Stoic view, but it put these in a concrete form. The main outline

54. *De Beneficiis*, 111,20; quoted by St. Thomas in part, *S.Th.*, II-II, q.106, a.3, ad 4m.

55. E. Zeller, *op. cit.*, 311ff.

56. E. Zeller, *op. cit.*, 326ff.

of the Roman law of slavery was much the same as that of Greek law, but it differed in at least three very important respects.⁵⁷ It multiplied the rights of the slaves manifold, it was very favorable to manumission, and it was particularly interested in clearly defining the slave's legal position. All these elements are, as has been seen, incorporated in the tendencies of the medieval system. They were encouraged by Roman internationalism, the Stoic humanism, and the economic changes which made slavery increasingly unprofitable under the Empire. Nevertheless the use of slaves in gladiatorial combat was not abolished until the triumph of Christianity, and perhaps the blackest era of brutality and utter indifference to the personality of the slaves came at the height of the Empire.⁵⁸ Pliny called the slaves the *desperati*, the hopeless ones. These extreme conditions were especially met with among the innumerable slaves used for mere luxury. A single year of servitude caused an enormous depreciation in the value of a domestic slave, an indication both of the brutal treatment to which he was subjected and to the purely luxurious and fashionable character of the market. The increase of emancipation however caused the lawyers to enshrine the theory that slavery is an institution of the positive law, or according to the more subtle position of Ulpian, of the *jus gentium*. All agreed that it was in some way opposed to the natural law itself, and had been brought about by human will. This theory, satisfying enough for the lawyer, is a serious puzzle to the philosopher. Dom Lottin has shown⁶⁰ that this theory along with a similar explanation of the right of private property led to a dialectic among the Schoolmen which was only terminated by St. Thomas' great theory of law. It will be seen later what this solution was, but it is evident that the view of the lawyers was a challenge. If it is true that slavery has come about against the intentions of nature and is nevertheless universally recognized to

57. H. Wallon, *op. cit.*, III, Chapter 2 and H. Maine, *Ancient Law*, 160f.

58. W. R. Brownlow, *Slavery and Serfdom in Europe*, 1-41.

59. R. W. and A. J. Carlyle, *A History of Medieval Political Theory*, II, 34, and Dom Odon Lottin, *Le Droit Naturel chez Saint Thomas d'Aquin et ses prédécesseurs*, 8.

60. O. Lottin, *op. cit.*, *passim*.

be legal and is enshrined in the very heart of the law, either slavery is wrong, or the law is not law at all, or law can be unjust. The outcry of the sophists which Aristotle had tried to silence is heard again. How is it that the most civilized states have consented to an unjust and unnatural institution? This is the whole mystery of slavery, and the lawyers brought it into clear relief by combining the legal fact of slavery with a rejection of every natural apology for it. This Roman dilemma was made the common property of the theologians by St. Isidore of Seville in his writings on the kinds of law.⁶¹

St. Thomas was thus faced with the problem of reconciling, (since his method was to reconcile opinions if possible), the Aristotelian theory which he found in the Politics, with the view of a Christendom whose legal theories were fed on Roman and Stoic sources. Nothing could summarize this Roman Christian view better than a famous passage by Gregory the Great, which St. Thomas refers to⁶²:

Since our Redeemer, the Author of Life, deigned to take human flesh, that by the power of His Godhead, the chains by which we are held in bondage being broken, He might restore us to our first state of liberty, it is most fitting that men by the concession of manumission should restore to the freedom in which they were born those whom nature sent free into the world, but who have been condemned to the yoke of slavery by the law of nations.⁶³

61. Ibid., 9f. St. Thomas quotes Isidore on the point, S.Th., II-II, q.57, a.3, 2m et "sed contra."

62. Sent. II, d.44, a.1, a.3, 1m.

63. Epist. vi, 12.

THE GENERAL THEORY OF DOMINION

St. Thomas never develops the problem of slavery at length. Having interpreted Aristotle's view in his Commentary on the Politics, he was content to borrow from the Philosopher's exposition whenever he had need in his theological researches.¹ It is best therefore to follow Aristotle's argument in the Politics consecutively, making use not only of St. Thomas' Commentary, but also of his many scattered remarks on slavery to illuminate difficult points.

In the First Book of the Politics Aristotle seems to raise and drop the question of slavery and then return to it again in a confusing and inconclusive manner. St. Thomas clarifies the order by showing that the book is divided into two parts, a proemium (c.1, 1252a-1253b) explaining the nature of Political Science, and a second part in which Aristotle proceeds to set forth the science itself by beginning the discussion of the parts of the state. In the Proemium his concern is to show that the object of the science, the Polis, is essentially distinct from other human communities, and includes them all. He wants to disprove the view of those who say

1. S. Talamo in his work Il Concetto della Schiavitù da Aristotele ai Dottori Scolastici, c.vi and Paul Allard in an article "Les Philosophes Scolastiques et l'Esclavage," Revue des Questions Historiques, 87 (1920), 478ff., argue that St. Thomas disagreed radically with Aristotle on this question. Of course his Commentary cannot be used to prove his agreement with Aristotle since he is uniformly non-committal on the value of the text which he explains. However when we see that he continually uses the conclusions of that text in his other works without critical disagreement, the inference is obvious. In Chapters IX and X below I will discuss in detail the problem of St. Thomas' modification of the Aristotelian theory; that it bears a very different aspect as he uses it in his theology cannot be questioned.

that every community and every rule is essentially the same. In order to do this he begins with the unpounded elements, the simplest communities out of which all others are made and shows chronologically how these higher communities household, village, and state came into being each with its own end and proper kind of rule. Slavery is here introduced (1252a,4--1252b,6) as a simple community of two persons, a combination of a strong but stupid man, and a man of intelligence for the sake of security, and it is proved that the relation of male and female is distinct from this. In the order of development it seems to be second, that of male and female coming first.

After this introduction which sets before us in a summary way the component parts of the state, Aristotle proceeds to analyse the first part of the state which is directly a part, since the other relations are only mediately parts, namely the household. He demonstrates that the perfect household must have a master, a wife, children, and property. Then he shows that this property must contain slaves. There are objections to this however so that Aristotle devotes especial effort to clearing up two controversies, first the view of those who say that managing slaves is the same science as managing any subjects, and secondly those who say that it is an unnatural rule.² He defines the slave in such a way that it is clear that a distinct rule is required for him and that such a rule is profitable for such a being. Next he tries to show that such a being exists by showing that throughout nature wherever there is a whole, ruling and subjected parts are to be found, and secondly that certain physical and mental signs make evident that some men are fitted to this special subjection. Finally he again explains the expediency of this relation. But he is forced to make certain concessions to those who maintain that much actual slavery is only conventional.

Having discussed the slave, he next treats of the non-human possessions of the household at some length, (1256a-1259b) and only toward the end of the

2. On this see Newman, *Politics of Aristotle*, p. 145.

book returns to the rule over wife and children. The point of view changes from expediency to that of virtue, since he is again speaking of a rule over rational or human subjects. And here the slave is again treated. This is of the greatest importance in understanding the theory of slavery. The slave is as it were the borderline of human rule. He is first discussed going downward, so to speak, when Aristotle is bent on showing that political rule is very different from what we would now call "economic relationships," that is the rule over property. But at the end of Book I he is discussed as the beginning of the upward series as Aristotle wants to show the rule over progressively better human subjects. Here he shows what virtues the slave is capable of and contrasts him with the artisan, and then he shows how the children and wife are capable of still higher virtues. And he concludes:

It is clear then that household management takes more interest in the human members of the household than in its inanimate property, and in the excellence of these than in that of its property, which we style riches, and more in that of its free members than in that of its slaves.³

It is thus important to keep in mind the different viewpoint from which slavery is discussed in each of these three loci in Book I. It is first introduced in a merely summary fashion in an argument to show the supreme and essentially distinct position of the Polis. In the second the question is whether slavery is expedient and necessary for the household and for the master and the slave. In the third locus the problem is the virtues appropriate to each member of the household, and to the slave as the least of these.

It is evident that this entire discussion is of interest to Aristotle not so much for its own sake as in relation to his discussion of the true rule of the state. As the least human rule over human beings it is of great value as a contrast to the highest rule.⁴ Before

3. *Politics*, I, v, 1259b.

4. This will be discussed in detail *post*, Chapter XI.

discussing it in detail, therefore, it is necessary to have in view the general analysis of rule or dominion which is developed by Aristotle and magnificently expanded by St. Thomas. Aristotle himself introduces this general question in discussing the slave.⁵

DOMINION IN GENERAL

Authority and subordination are conditions not only inevitable but also expedient; in some cases things are marked out from the moment of birth to rule or to be ruled. And there are many varieties both of rulers and of subjects (and the higher the type of the subjects, the loftier is the nature of the authority exercised over them, for example to control a human being is a higher thing than to tame a wild beast; for the higher the type of the parties to the performance of a function, the higher is the function, and when one part rules and another is ruled, there is a function performed between them)--because in every composite thing, where a plurality of parts, whether continuous or discrete, is combined to make a single common whole, there is always found a ruling and a subject factor, and this characteristic of living things is present in them as an outcome of the whole of nature, since even in things that do not partake of life there is a ruling principle, as in the case of the musical scale..... It is in a living creature, as we say, that it is first possible to discern the rule both of master and of statesman; the soul rules the body with the sway of a master, the intelligence rules the appetites with that of a statesman or a king; and in these examples it is manifest that it is natural and expedient for the body to be governed by the soul.⁶

St. Thomas in the Summa Contra Gentiles applies this same principle to the entire universe in all its magnificent multiplicity; speaking of man he says:

5. Politics, I, 11, 1254b.

6. Politics, I, 11, 1254a-b. See also Meta. Lambda, 9 and 10, 1075a in which Aristotle discusses the order of the universe and shows its order is in order to the Prime Mover, as the order of an army is to its leader.

Among those things that are wholly bereft of knowledge, one thing is placed before another according as one is more capable of action than another. For they have no share in the disposition of providence, but only in the execution. And since man has both intelligence, and sense, and bodily powers, these things are dependent on one another, according to the disposition of divine providence, in likeness to the order to be observed in the universe. For bodily power is subject to the powers of sense and intellect, as carrying out their commands; and the sensitive power is subject to the intellective, and is controlled by its rule. In the same way we find order among men. For those who excel in intelligence, are naturally rulers; whereas those who are less intelligent, but strong in body, seem made by nature for service, as Aristotle says in his Politics. (I, 11.) The statement of Solomon (Prov. xi, 29) is in agreement with this: The fool shall serve the wise; as also the words of Exodus (xvii, 21, 22): Provide out of all the people wise men such as fear God...who may judge the people at all times.⁷

This is the universal pattern of nature, and yet because of the contingency of created things it may fail:

And just as in the works of one man there is disorder through the intellect being obsequious to the sensual faculty; while the sensual faculty through indisposition of the body, is drawn to the movement of the body, as instanced in those who limp: so too, in human government disorder results from a man being set in authority, not on account of his excelling in intelligence, but because he has usurped the government by bodily force, or has been appointed to rule through motives of sensual affection.....Nor is the natural order wholly perverted by such a disorder: for the government of fools is weak, unless it be strengthened by the counsels of the wise.⁸

7. Contra Gentiles, III, 81. See also III, 78-80 and S.Th. I, q. 96, a.1; II-II, q. 104, a.1 and Sent. II, d. 44, q. 1, a. 3. This order is to be found not only in natural but also in supernatural things, Sent. IV, d. 24, q. 1, a. 3.

8. This immediately follows the passage just quoted. The same idea is frequent in Aristotle, e.g., Politics, I, 11, 1254b, "since those that are bad or in a bad condition might be thought to

Aristotle and St. Thomas thus see the entire universe as a series of dominions of a superior mover over an inferior. What is the necessity of these dominions? As St. Thomas say "Gubernare autem est movere aliquos in debitum finem; sicut gubernat navem, ducendo eam ad portum."⁹ The purpose of dominion is to guide the thing ruled to a due end, because it cannot attain that end itself, or at least not rightly and easily. It must be moved by one who has the power of reaching that end.¹⁰ Thus dominion implies a relation between a superior and an inferior, a power of directing in the superior, the action of directing, and an end to which the thing is directed.¹¹ Or we may look at dominion as having an efficient principle, the superior (and more exactly the power by which he is the superior and an agent); a formal principle, the order of the action; a material principle, the inferior who is the subject of the motion; and a final principle, the goal to which this subject is moved.

In every whole, whether it be a substance as the human being, or an accidental whole like the universe and society there must be such a dominion. Dominion produces a unity of action in the parts of the whole and gives this unified action its proper direction. This is possible to the ruling parts even in inanimate things, but Aristotle is careful to point out in the passage quoted that it is only in living things and most properly

(Footnote continued) have the body rule the soul because of its vicious and unnatural condition." It is also evident in his discussion of tyranny which we shall treat in some detail in Chapter XI below.

9. S.Th., II-II, q.102, a.2-c. For an exhaustive discussion of the Thomistic terms with special application to property see C. Spicq. "Dominium, Possessio, Proprietas" and "La notion analogique de Dominium," in Revue des Sciences Philosophiques et Theologiques, 18 (1929), 269-281 and 20 (1931), 52-76 respectively.
10. De regimine, III, c.1, "Non est dominium ubi non est potentia sive virtus."
11. On dominion as a relation and power see De pot. q.7, a.10 ad 4; S.Th., I, q.13, 7 ad 1 et ad 6, and a.8 ad 1. For the action of dominion see S.Th. II-II, q.104, a.1, c. and q.14, a.5.

in rational things that we can speak of true dominion.¹² This is because it is only a rational creature which can foresee the end to which he is to guide his subject, and every other "dominion" is reducible to an intelligent dominion.¹³ Therefore the only beings in the universe who can have dominion in the proper sense are God, angels, and men.¹⁴ But everything whatsoever except the Prime Mover is a subject of dominion since every other thing has an end which it cannot know or attain by itself. Men and angels are able to guide themselves only by faculties which must be themselves guided in their operations by God. The angels guide men, and within the ranks of the angels the higher guides the inferior. Here the principle is essential inequality. Among men the more intelligent and virtuous guide the less intelligent and virtuous. Here the principle of inequality is accidental. If somehow this relation is reversed, so that the inferior is placed over the superior, and the power of ruling is not in the agent, or if the power of ruling which he has is not that by which he is superior to the thing he tries to move, then the dominion must be perverted and unnatural. If the gorilla rules the man, or the statesman rules the Church, then the dominion is an unnatural one.

Ordinarily the agent is able to move his subject only with the aid of instrumental causes. Thus the teacher is able to direct his pupil only with the aid of praise and blame; the political leader requires the art of rhetoric; the king requires rewards and punishments, etc. The power of dominion has as an essential property the ability to induce or coerce movement in the subject against its own inertia or perversity.¹⁵

12. The rule of the soul is the first example of a rule which is that of "a master and a statesman."
13. This is shown by St. Thomas in his famous teleological proof of the existence of God, S.Th., I, q.2, a.3. Also see II-II, q.47, a.12.
14. Aristotle has the intelligences that move the spheres, instead of the Angels, Meta. Lambda, 1073a.
15. St. Thomas quotes the pseudo-Dionysius who says that Dominion implies an "inflexible and rigid" rule, S.Th., I, q.108, a.5 ad 2. See also J. Gretdt, Elementa Philosophiae Aristotelico-Thomisticae, 2, no. 984, 391.

The formal principle of dominion is an order of action communicated by the ruler to the ruled. The agent must be intelligent in order to know this rule, and he must have the power of choice as well in order to will the end to which he moves his subject. Dominion indeed is most formally in the will of the ruler.¹⁶ This will is expressed in its most perfect form by law, which is an ordinance of reason having as its end the good of the things ruled. This is given to rational beings whose own will is bound by it and who cooperate freely in carrying it out.¹⁷ It may have a less binding character and thus be a counsel,¹⁸ or it may have as its end not the good of the person ruled but the good of some artificial work and thus be only a rule of art. In each case the formal principle or order must take its character from the end. It must be emphasized that this order can be considered both as a motion of the thing to its end, as when a man moves himself, or it can be considered as a principle of unity which the ruler communicates to a multitude.

The most difficult problems however concern the final principle in dominion. In God dominion is realized to the most perfect degree because, though his good is independent of the good of his creatures, nevertheless in moving them to their own good he only glorifies himself, since he is the good of every creature. Although Aristotle had an imperfect notion of the Divine rule, he expresses this idea forcefully by comparing the universe to an army whose captain is the Prime Mover. "Its good is found both in its order and in its leader and more in the latter; for he does not depend on the order but it depends on him."¹⁹

In all lesser dominions however this simple identity of the good of the ruler and the good of the thing ruled is not to be found. The angels guide men,

16. Summa Contra Gentiles, II, c.1. "Super ea quae nostrae voluntati subduntur, dominamur."

17. S.Th., I-II, q.90, a.4 c.

18. Ibid., II-II, q.124, a.3 ad 1.

19. Metaphysics, Lambda, 10, 1075a.

yet the end to which they lead them is not the angels' good as such. This is because every rational being has a kind of equality in being capable of seeking the Universal Good. All intellectual beings are ordered immediately to God, their good cannot be another created being.²⁰

If we turn to human dominion it is necessary to consider especially three things which are closely related: (1) The inequality between the ruler and the ruled, (2) the end to which the subject is moved, this obviously depends both on the nature of the subject and the power in the ruler, and (3) the mode of rule which is again an expression of the kind of inequality between the terms of the dominion.²¹

The rule which is over a subject least equal to the human ruler is man's dominion over all sub-rational things. Some, the Buddhist for instance who will not kill an insect, have held that this dominion is really unjust since it sacrifices the good of one thing to another. We must distinguish however between the intrinsic good of a thing which is simply the realization of its own nature, and its extrinsic good, which is some nature better than its own to which it is naturally directed.²² All sub-rational things have intrinsic ends which are proper to them, for the flower it is to be a beautiful flower, etc., but their extrinsic ends are ultimately some human good. For this reason man's dominion over sub-rational things has as its end his own good and its mode is absolute. He is said to have a perfect right over these things, since he can consume them

20. I have not found this idea in Aristotle though it is obviously crucial to our discussion. It is often expressed in St. Thomas.

"Nature autem rationalis, in quantum cognoscit universalem boni et entis rationem, habet immediatum ordinem ad universale essendi principium" (II-II), q.2, a.3, c.) Also "Creatura rationalis in quantum est de se non ordinatur ad finem ut homo ad hominem. Unus homo natura sua non ordinatur ad alterum sicut finem." Sent. IV, d.44. q.1, a.3, c. et ad 1.

21. This is true of every dominion but is especially important for the complex classification of human dominions.

22. Politics, I, iii, 1256b and Contra Gentiles, III, c.112, and S.Th. I, q.96, a.1 c et a.2 c.

utterly.²³ The only limitation on his lordship is one which comes from his own nature, he must not use them unreasonably in such a way that his own actions are inordinate, e.g., he cannot kill animals for the sake of a cruel pleasure. As Aristotle points out this rule over things may serve their intrinsic as well as their extrinsic good; tame animals are more secure and better fed than wild ones.²⁴

Man also has a rule over himself, he is able to direct the lower parts of his nature by the higher, and the highest parts, his will and his reason, by a mutual free motion.²⁵ This self-direction has a three-fold mode; he directs his body absolutely, his passions politically, i.e., with a certain "give and take," and his own will freely in an absolute sense. The natural power of self-direction which he has is perfected by the intellectual virtues which enlighten his knowledge of his end, and the moral virtues which render his appetites obedient to the intellect and firm in their attachment to his end, and above all by prudence which brings both intellectual and moral virtues into motion toward that end.²⁶ Nevertheless this self-dominion is not absolute. Not only is man subject to law in achieving his end, but in particular he may not destroy or consume himself. He is limited in his dominion by his own nature which he may not rightfully transgress.²⁷ The end which he seeks is one truly ultimate, in the natural order the life according to virtue culminating in the natural contemplation of God, in the supernatural order the life of charity culminating in the Vision of God.²⁸

23. See J. Greth, Elementa Philosophiae, II, #988-992.

24. Politics, I, 11, 1154b. "Tame animals are superior in their nature to wild animals...it is advantageous to be ruled by man, since this gives them security."

25. Ibid., 11, 1254b; S.Th., I-II, q.17, a.7 c, and q.56, a.4.

26. Cf. Books VI and VII of the Ethics and the corresponding parts of the S.Th., II-II.

27. St. Thomas gives three reasons against suicide, natural inclination, God's prior rights over man, and the injury done to the common good. S.Th. II-II, q.64, a.5 c. The second comes from Plato's Phaedo, the third from Aristotle, Ethics, V, 1138a.

28. Aristotle of course only discusses the natural end of man, see especially Ethics, X. St. Thomas views are to be found in S.Th., I-II, qq.1-5 and Contra Gentiles, III, cc. 25-37.

In reference to our quote stated earlier, however, etc, etc,

This is all very clear, but great difficulty arises when it is asked: Can man rule over man? If every human being is capable of directing himself and if his end is his own virtuous life and God, why should he be subordinated to another? The anarchist has always upheld this view vigorously. The answer of St. Thomas and of Aristotle before him is quite clear. It is indicated in the passage from the Politics quoted at the beginning of this chapter. Wherever there is an inequality in intelligence or virtue between men, then the inferior will attain his goal more certainly if guided by the superior. The child requires to be guided by the adults, and the fool by the wise man. The inequality is only accidental but it is nevertheless real.

This is not the only reason however that rule of man over man is necessary. Man is a political animal; he is able to attain to the virtuous life which is his end only in the society of other men. Since this society is made of a multitude of individuals it requires a principle to direct it to its end, the virtuous social life. It cannot attain this end without a dominion any more than a man without an intelligence. This dominion cannot simply proceed from the unanimous will of the members of the society, for even among good men there is seldom agreement on how to act in particular circumstances. Such decisions depend on prudential judgments and not on demonstrable conclusions.²⁹

What is the relation between the good of the members of the society and the good of the society itself? This problem of the relation of the private good and the common good is much too difficult and controverted for settlement here, but two things are clear: (1) there is a harmony between the two, since a common good of a multitude is impossible unless the members partake of it, and (2) the common good is better than the private good as the whole is better than the part.³⁰ The virtuous

29. For a detailed discussion of this problem see Yves Simon, The Nature and Functions of Authority.

30. For proof that St. Thomas did not disagree with Aristotle on this point as some have asserted see Individuum und Gemeinschaft beim Hl. Thomas von Aquin by P. Edelbert Kurz, O.F.M. and Eberhard Welty, O.P., Gemeinschaft und Einzelmensch. The specifically Christian questions are treated by J. Maritain, Scholasticism and Politics, Chapter III.

social life must be lived by men who are each virtuous, but the virtuous life of the city cannot be sacrificed to the good of one of its parts. The Christian view that the person is not only a part of the temporal state, but also has a supernatural end above the state, adds a further complication. But if we remain at the natural level it is important to grasp something of the nature of the common good. It is a kind of life lived by free men possessed of virtues by which they are able to live not merely to themselves but in the whole and for the whole, as the rational soul functions in every part of the body. This includes that justice which directs all things to the common good, that prudence which discovers in each case the proper means to that good, and finally the contemplative wisdom whose activity is the highest good which the society produces.³¹

Inside this society, however, are many lesser dominions of man over man. The craftsman who guides his assistant, and the teacher and his pupil are related by dominion, but these are dominions only in one respect and for the sake of the particular good produced. There is however another dominion which like the state is a rule over life itself. This is the household which has as its end the virtuous daily life.³² The members of the family each contribute something to the good of the whole and receive in turn what they lack in themselves.

It should now be clear that in every dominion of man over man, there is some common good at which they aim. If it be a dominion of master craftsman and assistant this "common good" is the work to be made. If it be a dominion over life itself then a common life is sought. In God's dominion over man there is naturally no dependence of the ruler on the ruled; in man's dominion over things there is no common good because the lower thing cannot participate in the proper good of man; but in the dominions of man over man there is both a mutual dependence and a capacity to share in some truly common good.³²

31. *Ethics*, VI, 8,9, 1141b-1142a and V, 10, 1134b-1135a. *Politics*, discussion of good citizen, III, *passim*. *S.Th.*, II-II, a.47, a.10 c; a.11 c; a.12;q.50 totum; on the kinds of life see *Ethics*, X, and *S.Th.*, II-II, qq.179-182.
32. This will be discussed in detail later.

Nevertheless there can be great inequality between men and for this reason the mode of rule which is required may be of various sorts. The father rules the child in a very different way than he rules his wife.³³ The teacher adopts different methods with the stupid pupil and the brilliant one. Aristotle says:

...the higher the type of the subjects, the loftier is the nature of the authority exercised over them... for the higher the type of the parties to the performance of a function, the higher is the function.³⁴

Thus God's rule over men is eminently noble, and the mode of the rule is a free one. While man's rule over "wild beasts," as Aristotle says, must be one of force.

With these facts in mind it becomes possible to draw up a table of the kinds of human rule over human beings according to the nature of the inequality between ruler and ruled, and this diagram (Table I on following page) makes it possible to locate the slave dominion. Since a human state can be made of many different qualities of subjects and of rulers, these different forms of government are possible, indeed they are necessary and good. But all are alike in aiming at the good of society. When this is not the case, the dominion goes contrary to the purpose for which it came into existence, and is unnatural.³⁵

The general analysis of dominion and this diagram make evident the very special character of the dominion of servitude. The slave is a human being and hence should be capable of a human share in the common

33. *Politics*, I, v, 1260a.

34. *Ibid.*, I, ii, 1254a.

35. *Politics*, III, iv, 1279a. "...in cases where the one or the few or the many govern with an eye to the common interest, these constitutions must necessarily be right ones, while those administered with an eye to the private interest of either one or the few or the multitude are deviations." See *De Regimine*, I, c.iii. For a brilliant discussion of the Aristotelico-Thomistic theory of the forms of government, concerning which many erroneous notions are current, see M. Demongeot, *Le meilleur régime politique selon saint Thomas*.

TABLE I

Kinds of inequality between subjects and ruler:

1. Essential	man and irrational creatures	<u>dominium perfectum</u>
2. Radical (different radical powers of prudence)		<u>domesticum</u>
a. difference chiefly in the body: man and wife		<u>despoticum</u>
b. difference chiefly in the soul: master and slave		<u>paternum</u>
c. difference in both: father and child		<u>regale</u>
3. Radical equality but differences in <u>active power</u> of prudence.		<u>politicum</u> in the broadest sense, including <u>monarchy</u> and <u>aristocracy</u> .
4. Equality in power of prudence but difference in <u>habits</u> .		<u>politicum</u> in the strictest sense, including <u>aristocracy</u> and <u>polity</u> .
5. Habitual equality but difference in <u>actual exercise</u> .		

Note: Monarchy also called regale occurs in two places and is taken in two senses, absolute monarchy and constitutional monarchy. Aristocracy comes under 14 insofar as the rulers are habitually superior to their subjects, but under 351 insofar as they are habitually equal to one another.

good, and yet, says Aristotle, he is ruled primarily for the good of the master. This is what takes place in the state in the unnatural forms of government. How then can slavery be a natural dominion?

Chapter V

THE FUNCTION OF THE NATURAL SLAVE

In developing his theory of natural slavery Aristotle first attempts to show that the very nature of the household requires a certain instrument, and that this instrument is the slave. Then he proves that nature actually provides men fitted to be such instruments. Finally he shows how these instruments, since they are human, must be made virtuous according to their capacities. The first of these problems must be understood in relation to Aristotle's account of the kind of life which the household makes possible. In the most famous text of the Politics he says:

...man is by nature a political animal; and so even when men have no need of assistance from each other they none the less desire to live together. At the same time they are also brought together by common interest, so far as each achieves a share of the good life. The good life then is the chief end of society, both collectively for all its members and individually, but they also come together and maintain the political partnership for the sake of life merely, for doubtless there is some element of value contained even in the mere state of being alive, provided that there is not too great an excess on the side of the hardships of life, and it is clear that the great mass of mankind cling to life at the cost of enduring much suffering, which shows that life contains some measure of well-being and of sweetness in its essential nature.¹

Here Aristotle speaks of two reasons for society, the natural tendency of men to be with men, and the common advantage which they gain by mutual help. This advantage he subdivides into a minimum and a maximum good;

1. Politics, III, iv, 1278b.

the minimum is a kind of secure subsistence, the maximum is the good life, the life of perfect human virtue in society. He implies that even the minimum of a secure subsistence is difficult for the isolated man. The life of the household is in some way a mean between these two extremes, it is a good life in being one of virtue but it is not the perfect life, it is the good daily life.² In order to show, therefore, that slavery is necessary it must be proved that it is required for the good daily life.

Aristotle first mentions the relation of master and slave as necessary for mutual security.³ Just as the sexual union is necessary for the preservation of the species, so the despotic relation is necessary to give this first union security. Here Aristotle seems to mean little more than that the master profits by the additional physical strength at his command in the slave, as the slave profits by being guided by one who can cleverly foresee possible dangers. When the master cannot secure a slave he can substitute an ox. But just as the union of the sexes is the instinctive basis of a higher and truly rational institution, so the natural combination of the stupid strong man and the intelligent man gives rise to a more deliberate relationship. When he comes to the analysis of the household, Aristotle takes great pains to explain the slave's function in this elaborated family society.

The smallest parts of the household are the master and the slave, husband and wife, father and children.⁴ But besides these human parts there must be property, the various material goods required for daily life. Aristotle attempts to show that each of these parts are necessary. The head of the household is necessary in order to give a unity of action to the parts,

2. Ibid., I, 1, 1252b. The village is in turn a sort of mean between this daily life and the perfect life of the state, but while the daily life of the family cannot in any way be substituted for, the village life is only an imperfect substitute for the good life of the state.

3. Ibid., I, 1, 1252b.

4. Politics, I, 11, 1253b.

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and because he is the one possessed of the necessary prudence to know what is good and expedient for the daily life. Moreover, as shall be seen later, the household can be said to exist for his sake, since it is he who directly is a partner in the perfect life of the state which the household serves. This ruler is naturally the husband since men are capable of greater prudence than women.⁵ Since a man's life is limited, however, the household is not complete or "self-sufficient"⁶ unless it has the means of continuing itself. Therefore the wife is necessary for the generation and raising of the children, and since this too must be supervised by the father, the paternal dominion arises. These relations therefore are essential to the family as to its very being, they create and direct it as such.⁷

On the other hand this life is impossible without the requisite material goods. These are not part of the household in the most proper sense, but belong to it as its necessary conditions.⁸ Aristotle spends the central portion of Book I proving that this is the case and that hence unlimited accumulation of property does not belong to good household management, but only the securing of a limited amount.⁹ Though a limited production is required for the household, its daily life is rather one of consumption than production. It is

5. *Politics*, I, v, 1260a and *De Generatione Animalium*, II, c.3. Also see St. Thomas, S.Th.II-II, q.57.a.4.

6. Aristotle remarks that in a sense "self-sufficiency is an end, a chief good" of every society. *Politics*, I, 1, 1253a.

7. In this analysis, following hints in St. Thomas' commentary on the passage 1253b-1253a of Book I of the *Politics*, Lectio 11, I have somewhat expanded Aristotle's terse argument.

8. *Politics*, I, 11, 1253b. Aristotle speaks of the relationships of dominion, the individual persons, and the property as all "parts" of the household, but it is clear he regards the related persons as most truly parts, and these are either free or slave.

9. *Politics*, I, 11, 1256a to 14: 1259a. Aristotle is especially concerned to refute those who have held that the proper function of the householder is to make a fortune rather than direct virtuous life.

business of the head of the household to know just what material goods are necessary for human needs and how they ought to be used. These goods are the tools of the householder in the process of living. Tools however can be not only inanimate but also living and even human, for in all the arts not only inanimate and irrational beings may be made use of, but also human beings can act as assistants for the master craftsman. The helmsman requires both a rudder and a lookout man, the architect both bricks and bricklayers, the writer both pen and paper and a secretary. Moreover human instruments are much more useful than inhuman ones because they have foresight and thus can perform the work of many tools,

for if every tool could perform its own work when ordered, or by seeing what to do in advance, like the statues of Daedalus in the story, or the tripods of Hephaestus which the poet says "enter self-moved the company divine," if thus shuttles wove and quills played harps of themselves, master-craftsmen would have no need of assistants and masters no need of slaves.¹⁰

It must be carefully noted just what this passage is intended to prove. Aristotle is not speaking here of slaves as such, but simply of the contrast between human and inanimate instruments in general. Human instruments are necessary because between the decision to accomplish some exterior work and the actual execution there lies a gap which cannot be bridged without a human mind able to judge concerning contingents, capable of seeing what to do in advance.¹¹ The actual execution of any task requires innumerable adaptations of the plan of action to uncalculated contingencies. No matter how elaborate the machine, there must still be a human being to supervise its operation. This is particularly true

10. *Politics*, I, 11, 1253b. St. Thomas, *Contra Gentiles* III, c.79. and *Sent. IV.*, d.4, q.1, a.1, Solutio c.

11. For an analysis of the intellectual requirements of manual work see Yves Simon, "Work and the Workman," *The Review of Politics*, 2 (January, 1940), 63-86, especially the section "The Work of the Mind" 68ff. Similar ideas are developed in J. Maritain, *Scholasticism and Politics*, 174-178.

of household tasks where mechanical reproduction is not the problem. Thus Aristotle has a strong argument when he holds that there must be knowing instruments as well as inanimate ones. But need this living instrument be human? The ox can substitute for the slave, and animals have a quasi-prudence.¹² The intelligent horse is able to adapt the commands of his master to circumstances to a considerable degree. Aristotle, however, makes clear that the animal can only be a substitute for the human instrument capable of real arts; the perfect household has slaves as well as domestic animals. So far it has only been proved that the household requires reasonable instruments. Why are not these the man, his wife, and his children, as they commonly are with us? Aristotle has already supplied the answer by proving that the dominion over the wife is different in kind from the dominion of servitude.¹³ The perfect arrangement in the household art as in any art is to have a division of labor by which the execution and direction are separated and carried on by persons of different abilities. He intends this principle to apply to every servile work, not only that of the slave. If Aristotle went no further we should probably agree that it is most convenient when a household has servants to carry on its various tasks, just as a business office requires a staff to run its typewriters and calculators.

Aristotle however does not intend to say that the slave is simply a human minister in the sense that the assistant of a craftsman is a minister. After the passage quoted he continues:

Now the tools mentioned are instruments of production, whereas an article of property is an instrument of action; for from a shuttle we get something else beside the mere use of the shuttle as there is a difference in kind between production and action and both need tools,

12. "...we say that some even of the lower animals have practical wisdom" phronesis or prudence "viz. those which are found to have a power of foresight with regard to their own life." Ethics, VI, 7, 1141a. Also *Meta. I a princ. De Veritate*, q.24, a.2., 7 c. and *S.Th.*, I-II, q.24, a.3 ad 4.
13. "...one thing for one purpose." *Politics*, I, 1, 1252b.

it follows that those tools also must possess the same difference. But life is doing things not making things; hence the slave is an assistant in the class of instruments of action.¹⁴

This distinction is perhaps the most puzzling and the most important in the whole Aristotelian treatment of slavery.¹⁵ It is rather a commonplace to refer today to this whole passage, and especially the part about shuttles that weave of themselves, and then to remark that today we have such shuttles that weave of themselves, and that hence slavery is no longer necessary according to Aristotle's own words. But Aristotle's viewpoint is very different. Although he regards the slave as property, as an instrument; although he assigns to him the tasks of the artisan and the farmer, nevertheless in defining the slave he calls him an instrument not of production, but of living. It is worth while to quote St. Thomas' exposition of the later part of this passage:

...[Aristotle] makes a second division of instruments [the first was between animate and inanimate instruments]. For the instruments of the arts are called factive instruments; but property which is the instrument of the household is an active instrument. And he proves this division by two reasons: First because factive instruments are said to be those from which results something more than mere use of the instrument. And we see this in the proper instruments of art, as for example from the shuttle which textile workers use something more than mere use results, namely cloth. But from property which is the instrument of the household, nothing else results except the use of the possession itself, as from clothing and bed nothing results except the use of them. Therefore, those instruments are not factive, as are the instruments of the arts. He gives the second reason: ...which is as follows: the instruments of diverse things are diverse; but action and making are different in kind, for making is an operation by which something is wrought upon external matter, as to cut and to burn; but action is an operation remaining

14. *Politics*, I, 1, 1254a.

15. It is quite neglected in the important work of S. Talamo, *Il Concetto della Schiavitù*.

in the agent, and belonging to his life, as it is said in the ninth book of the Metaphysics. Now both these activities need instruments. Therefore these instruments will differ in kind. But life, that is to say the domestic life (conversatio domestica), is not making (factio); therefore, the slave is the helper and the instrument of those things which pertain to action, but not of those things which pertain to making (ad factionem).¹⁶

St. Albert the Great in his Commentary on the Politics gives a somewhat similar explanation. He argues that properly speaking action (immanent action) requires no instruments, but faction does; the slave therefore is in himself an instrument of faction since his work is of a transitive or productive character, but considered as a part of his master this work is really action, and he can thus be called an instrument of action.

In this they (slave and other property) differ, since the possession is a factive instrument, but the slave or minister is an active instrument subserving and ministering to making that which is made.¹⁷

It would be wholly to miss Aristotle's argument, therefore to believe that he considered slaves as universally necessary merely as productive tools. He emphasizes rather their necessity for consumption. The slave is required to carry out all those tasks of using property which are necessary parts of domestic life. Our own economic notions makes this difficult to grasp. We would say that if the slave is a cook he contributes to the production of food, or if he is a gardner that he "produces" it. Aristotle however confines production to the process of increasing the wealth of the family by adding new property or to the strictly manufacturing arts. If we regard cooking not in its technical aspect but as an execution of a prudential decision of the master then we see it as active rather than factive. This becomes clear if we consider for a moment Aristotle's idea of the master. He is not a directing craftsman whose artistic orders are executed by inferior craftsmen,

16. In IV Politicorum, I, Lectio 2.

17. Albertus Magnus, In Polit. I, c.2, h.

because he does not know what is required by art.

The slave's sciences then are all the various branches of domestic work; the master's science is the science of employing slaves.... The master must know how to direct the tasks which the slave must know how to execute.¹⁸

One form of authority is that of a master; by this we mean the exercise of authority in regard to the necessary work of the house, which it is not necessary for the master to know how to execute, but rather how to utilize; the other capacity, I mean the ability actually to serve in these menial tasks, is indeed a slave's quality.¹⁹

What the master knows is not an art of making at all, but of living. He understands what the good life is. He has that species of Prudence which St. Thomas calls domestic.²⁰ He does not know cooking but he knows that the members of his household require a temperate sufficiency of pleasant and healthful food rather than expensive luxuries. This is a prudential and ethical problem not a technical one, but he must have ministers to bring about the technical requirements of his decisions. The slave therefore may be quite autonomous in his art. He is directed not with respect to the productive order but in the prudential, ethical or active order. A failure to emphasize this distinction naturally leads us to wonder how Aristotle could have believed the slave so stupid as to require constant direction by another and yet attribute to him the household arts.²¹

It is especially important to understand the way in which the slave acts as an instrument. "The slave is a part of the master--he is, as it were, a part of the body, alive but yet separated from it."²² "The

18. Politics, I, ii, 1255b.

19. Ibid., III, ii, 1277b.

20. S.Th., II-II, q.50, a.3 c. Also see Ethics, VI, viii, 1142a.

21. On prudence and art see Ethics, VI, i, 1140a. It can be summed up for our purposes in St. Thomas words "Prudentia quae est circa actiones, differunt ab arte quae est circa factiones."

22. Politics, I, ii, 1255b. Eudemian Ethics, VII, ix, 1241b.

Direction of a slave is an end in itself 56

slave is a partner in his master's life, but the artisan is more remote."²³ The inanimate active instrument like the chair or bed is used in action but it does not itself act. The irrational animate active instrument cooperates in the action but without comprehension, hence it cannot be said properly to share in the action. The rational factive instrument, the artisan, shares in the factive process, he knowingly cooperates in the directions received from the master craftsman. But when the direction of the ruler is a prudential one this cooperation takes on a special character. Prudential activity differs from technical activity in being internal (intransitive) in its effects. In the case of technical activity the action passes from the master through the artisan and terminates in the thing made. In the case of the prudential dominion the action ends in the master and in the slave insofar as he is the master's cooperative instrument, a "partner in the master's life." The master's body shares in the same life as the soul which directs it, but not the clothes he wears, nor the article of furniture which he has made. The slave is like a part of the body not like clothes. This is much more fully developed by St. Thomas as follows:

A slave is moved by his master, and a subject by his ruler, by command, but otherwise than as irrational and inanimate beings are set in motion by their movers. For irrational and inanimate things are moved by others and do not put themselves in motion, since they have no freewill whereby to be masters of their own actions, wherefore the rectitude of their government is not in their power in the power of their movers. On the other hand, men who are slaves or subjects in any sense, are moved by the commands of others in such a way that they move themselves by their freewill; wherefore some kind of rectitude of government is required in them, so that they may direct themselves in obeying their superiors; and to this belongs that species of prudence which is called political.²⁴

23. *Ibid.*, I, v, 1260a.

24. *S.Th.* II-II, a.50, a.2 c. This is not in contradiction with the passage in the *Ethics* X, vi, 1177a where slaves do not have "free-choice" Aristotle only means that they are not free to conduct their own lives independently.

We thus have the first elements of the definition of a slave; he is a human active instrument separate from the master. This however does not distinguish him from any subordinate in the prudential order. As the above passage indicates in every political dominion those under the rule are as it were instruments.²⁵ It is not his instrumental character, therefore, which is the differentia of the slave from the freeman, and that he is active distinguishes him only from the ministers in the arts. Aristotle goes further and calls him "of another." "One who is a human being belonging by nature not to himself but to another is by nature a slave."²⁶ Now it is just this transition which puzzles the modern reader. Why is there a necessary connection between being directed by another in prudential matters and being "of another"? Why is the slave not simply a free subordinate in the household as are the children and the wife?

The key to this puzzle ought to be contained in the following passage, but it remains obscure.

These considerations therefore make clear the nature of the slave and his essential quality one who is a human being belonging by nature not to himself, but to another is by nature a slave, and a person is a human being belonging to another if being a man he is an article of property, and an article of property is an instrument of action separable from its owner.²⁷

For he is by nature a slave who is capable of belonging to another and that is why he does so belong, and who participates in reason so far as to apprehend it but not to possess it; for the animals other than man are subservient not to reason, by apprehending it, but to feelings.²⁸

25. St. Thomas, quoting Aristotle's definition of an instrument even calls Angels instruments or ministers, *Contra Gentiles*, III, c.79.

26. ὁ γὰρ μὴ αὐτοῦ φύσει ἀλλ' ἄλλου ἄνθρωπος ὢν, οὗτος φύσει δοῦλος ἐστίν.

Politics, I, ii, 1254a. "Alterius" is St. Thomas' word.

27. *Ibid.*, I, ii, 1254a.

28. *Ibid.*, I, ii, 1254b.

Here Aristotle seems to say that a slave is an article of property and hence "of another," because he is an active instrument. But we have already seen that this is not the case, or every subject would belong to his kind. The solution to the ambiguity however appears if we recall the reason that active instruments of this special sort are necessary. The wife might be considered an active instrument insofar as she carries out her husband's will. But her instrumental character remains secondary, her essential quality is that she is directly a cause of the existence of the household. She is an essential partner to the family. The slave on the other hand is required principally to use the material goods of the household, and these material goods are not participants in the life of the household nor its end but only its conditions.²⁹ The slave thus belongs essentially to the conditions of the household rather than to its very entity. Although he participates in the household life and the life of the master he is allowed to do so in order that the material conditions of that life should be supplied. His position is essentially instrumental. The wife and children do function as instruments of the father, and the citizens do function as instruments of the king, but they do not belong to these communities just because they are instruments. The wife belongs as required by the very character of generation, the citizens belong as required by the very character of the state which is a community of citizens. But the slave does not belong to the family as demanded by its very entity. A family is father, mother, and children only, it is not a house, beds, food, and slaves to use them with, though these are required for the perfect household. The slave is thus necessary to the family in a secondary sense. But does this mean that he must be "alterius"?

Aristotle's thought on this point can perhaps be best understood by considering why it would be unnatural for a freeman to be a slave. The freeman has the virtues necessary to conduct his own life as a part of the city, especially the virtue of prudence. He naturally

29. *Politics*, II, 11, 1253b.

seeks his own good and that of the city as the whole of which he is the part.³⁰ What if he were subjected to a master and made to fulfill the household tasks. He could no doubt perform them, but he would be also capable of advising the master, as does the wife. More than this he would be just as able as the master himself to direct the affairs unaided. Such a person cannot be called "of another" because in him the power of prudence is an independent and principle one. If he submits to any rule it is because of the necessity of authority.³¹ But the slave has prudence only instrumentally and since this is all that is required for the household tasks, the principle of "one man one task" implies that only a man of this sort should be a slave. The artisan is in the same position of being dependent on another for his virtue, but this is a virtue of art, and hence he is "alterius" only in one respect. But the slave is dependent on the master for the virtue which guides not his work, or making, but his life, or doing, so that he is wholly "of another."

A strong objection to this argumentation is immediately evident. Why cannot the slave have a proper good of his own distinct from that of the master? If the good of the slave is wholly assimilated to that of another being, then he is exactly like an inhuman thing whose extrinsic good is that of another. This problem can be answered only at the end of our researches, but suffice it to say that Aristotle is at some pains to show that slavery serves the advantage of the slave as well as of the master.³² To be "of another" means, as St. Thomas says in his Commentary, to be "exists alterius," incapable of reaching one's own good except in dependence on another. The citizen is dependent on the ruler for his social good, but he himself could be ruler if not perfectly. The wife depends on the husband for the ordered household life, but she could partially substitute for him. The slave however is "alterius"

30. See the lengthy discussion of the character of the citizen in Book III of the *Politics*.

31. Required for unity of action in the state.

32. See references in Chapter VI *post*.

because he cannot live prudently except as he is a part of the master. He is an animate human instrument of the active sort, existing as a part of the master but substantially separate from him.³³

This definition is clear, but our problem remains dark for two reasons. First it must be objected that a man who has no prudence would be an idiot and hence incapable of the arts. Secondly it must certainly be maintained that whether a man can himself attain to his proper good or not, he has such a proper good and it may not be sacrificed to that of another human being. Aristotle attempts to show that the slave function is necessary and that its proper instrument is a man capable only of the arts, since a being capable of anything better should serve other functions, but does such a person as this "human instrument belonging to another" exist?

33. St. Thomas collects this definition from Aristotle's discussion: "Servus est organum animatum activam separatum alterius homo existens" I, lectio 2 ad finem.

Chapter VI

THE EXISTENCE AND CHARACTER OF THE SLAVE

We must next consider whether or not anyone exists who is by nature of this character, and whether it is advantageous and just for anyone to be a slave, or whether on the contrary all slavery is against nature. And it is not difficult either to discern the answer by theory or to learn it empirically.¹

Aristotle, having explained the necessity of the slave function for the household as he conceives it, next argues that human beings fitted especially for this function exist. The order of his proof is very puzzling. After the passage quoted he proceeds to develop the idea that throughout nature in every whole there is a ruling part and subject parts, which has already been discussed in Chapter IV above. He shows that every rule takes its character from the inequality between the ruler and the ruled, consequently when two men are as unequal as the soul and the body, then one ought to rule the other as the soul does the body, and this is the rule of master and slave. How does this indicate anything about the existence of the slavish character? Aristotle seems to argue that since everywhere in nature we find that every whole is made up of parts which are each adapted to perform a special function under the rule of the part whose function is the order of the whole, therefore since in the whole which is the household there is required the special function of servile work, nature must have provided a being especially adapted to that function. An objection is obvious: In an organic whole we may assume that nature has provided a proper part for every function, but can we do so in accidental whole like the family? Aristotle would no doubt answer that the family is a natural whole, though

1. *Politics*, I, 11, 1254a.

not a substance. Nature has provided for it the woman who is especially adapted to continuing the family, and also the slave who is adapted to preserving it materially. It must be admitted that this is a dangerous method of argument in political matters, since it begins with a picture of an ideal society and then proceeds to argue that nature has provided its parts. Some of this difficulty, however, has been removed by the fact that Aristotle constructed his picture of the household from the empirical knowledge that households have slaves. But not satisfied with this he now produces another more factual argument; we observe men who are physically and mentally different from freemen, and different in a way that adapts them for physical work. The proof of the existence of slaves thus has two sides. First their necessity for the household is argued, and this has already been considered. Second the character and signs of the slave are discussed to show that they correspond to well-known facts.

Aristotle tells us that the chief characteristic of the man who is adapted by nature to be a slave is that he be "strong for necessary occupations,"² that is for servile work. This statement produces a difficulty, for the great soldier and statesman, the virile man must have great strength. The strength of the warrior and of the slave however have a different character. Plato, Aristotle, and St. Thomas are commonly insistent on the view that the character of the body often gives an indication of the character of the soul which informs it. This is why they are especially concerned with the bodily education of the citizen. Plato and Aristotle are continually insisting that the gymnastic exercises should produce not athletes who can do strange feats, but strong freemen who are fitted for military valour and for a life of temperance and fortitude. As Plato said:

The honourable body is not the fair body nor the strong nor the swift nor the large, nor yet the body that is sound in health,--although this is what many believe; rather those bodies which hold the mean position between all these extremes are by far the most temperate and stable;

2. *Politics*, I, 11, 1254b.

for while the one extreme makes the souls puffed up and proud, the other makes them lowly and spiritless.³

Similarly Aristotle insists that great care be taken lest the body be debased by the exercises and occupations engaged in:

...they must not participate in such among the useful arts as will render the person who participates in them vulgar. A task and also an art or a science must be deemed vulgar if it renders the body or soul or mind of free men useless for the employments and actions of virtue. Hence we entitle vulgar all such arts as deteriorate the condition of the body.⁴

Now at the present time some of the states reputed to pay the greatest attention to children produce in them an athletic habit to the detriment of their bodily form and growth, while the Spartans although they have avoided this error yet make their boys animal in nature by their laborious exercises, in the belief that this is most contributory to manly courage.⁵

It is manifest therefore that the study of music must not place a hindrance in the way of subsequent activities, nor vulgarize the bodily frame and make it useless for the exercises of the soldier and the citizen, either for their practical pursuits now or for their scientific studies later.⁶

From these passages and other references in the *Politics* as well as in the writings of Plato, it is clear how strongly the Greeks believed that great muscular development or an irregular development that strengthened parts of the body at the expense of the whole is contrary to the proper life of the citizen. Aristotle summarizes this view as applied to the slave as follows:

The intention of nature therefore is to make the bodies also of free men and of slaves different--the latter strong for necessary occupations, but serviceable for

3. *Laws*, V, 728E.

4. *Politics*, VIII, 1, 1337b.

5. *Ibid.*, VIII, 111, 1338b.

6. *Ibid.*, VIII, vi, 1341a.

a life of citizenship (and that again divides into the employments of war and those of peace); but as a matter of fact often the very opposite comes about--some persons have the bodies of free men and others the souls.⁷

St. Thomas' explanation of this passage is of considerable interest, since it reflects the survival of the Greek medical theories into the Middle Ages:

First therefore he says that nature wishes,-- i.e., has a certain impetus or inclination-- to make a differentiation between the bodies of free men and of slaves, so namely that the bodies of slaves may be strong to exercise the necessary function which belongs to them, namely working in the fields, and to exercise other like ministeries, but the bodies of free men ought to be erect, that is well disposed according to nature, and not useful for such servile operations because of their genteel physique (*complexio delicata*); they should, rather, be useful for civil life in which free men are engaged. Now, the man who has a body useful for civil life has a physique adapted for warlike and peaceful usages; such, that is to say, that in time of war he may have a body fit for fighting and for other military work, but in time of peace for discharging other civic duties. And although nature has a tendency toward causing the aforesaid difference of physiques, nevertheless, she is sometimes remiss in this, as also in everything else which is begotten and is consequently corruptible. Nature has her own way thus in many things, but she is remiss in a few. Since, therefore, nature is remiss in this matter, it very often turns out contrary to what has been said, so that, namely, those who have the souls of free men may have the bodies of slaves and vice versa.⁸

Much of this discussion however seems to refer more to acquired characteristics than to innate capacities. The training of the slaves⁹ and the labors which

7. *Politics*, I, 11, 1254b.

8. *In Polit.*, I, lect. 3.

9. They were forbidden gymnastic exercises, *Polit.* II, 11, 1264a.

they performed increased their natural dis-symmetry. What about their natural capacities made this sort of training the best that they could receive?¹⁰ St. Thomas continues in his commentary as follows:

For it must be borne in mind that the Philosopher here draws a conclusion from the foregoing in which he was treating about the ordering of the soul, because, since the body exists naturally by virtue of the soul, nature intended to form such a body as should befit the soul, and on that account, nature tends to give the bodies of free men to those who have the souls of free men, and likewise in regard to slaves. And this is indeed consistent so far as the internal dispositions are concerned; for it is impossible that someone should have a well-ordered soul if the faculties of imagination and other natural and sensitive faculties be disordered, even though in the external configuration and size and other external disposition one may find disparity.¹¹

St. Thomas thus interprets Aristotle as holding that even when the slave and free do not differ in bodily externals, there may be a real difference, a difference which is the true root of the slave's unfitness for liberal life. The slave's defect is in the internal senses which are required for thought. It would not be in place here to discuss a very elaborate Aristotelico-Thomistic theory¹² concerning the relation between the "*complectio*" of the body and the character of the soul. It would seem at first glance that since the Aristotelian School holds that forms are individuated by their matter, and that the soul is the form of the body, therefore all human souls would be equal. Differences in intelligence could be explained as simply due to the accidental characteristics of this or that body. The position of Aristotle and St. Thomas is however much

10. Aristotle believed that only barbarians should be slaves and they were physically unbalanced because of the climates in which they lived. See *post*, Chapter VIII.

11. *In Polit.*, I, lect. 3.

12. For an elaborate discussion and justification of this position see R. J. Slavin, O.P., *The Philosophical Basis for Individual Differences according to St. Thomas Aquinas, passim*. He shows the theory is not only metaphysically sound but singularly agreeable to modern psychological findings.

more subtle. Because the bodies of different individuals have different dispositions, the souls naturally informing them are more or less "good." The intelligent man not only has an especially good body and good interior senses, but also an especially intelligent soul. This does not mean however that there is a difference in species between souls, but only a natural difference in quality. The naturally good soul belongs to the naturally good body, and though, as Aristotle and St. Thomas point out, this may often fail as regards outward accidents, it seldom fails as regards the interior senses on which intellectual operation depends.¹³ Moreover these interior senses manifest their degree of perfection in the whole nervous system, and outwardly especially in the sensitivity of touch. This famous observation of Aristotle that intelligence went with the softness of the flesh¹⁴ has considerable scientific truth and is undoubtedly the key to the present problem. The natural slave is detected by outward bodily signs because these indicate the perfection of the nervous mechanism on which the intellectual powers depend. This does not mean an essential difference between man and man, but it is an innately different intellectual capacity, evidenced by bodily signs. In another text Aristotle mentions his opinion that erect posture is indicative of the intellectual nature.¹⁵ In all this there is an absurdity due to errors in positive science, but the principles of Aristotle implied in this discussion are very important. The slave is innately weak intellectually, and this is reflected in an insensitive nervous system, and in the kind of strength which is compatible with such insensitivity. Nevertheless this does not mean that the slave is essentially different in the metaphysical sense from the master; he can be truly human and yet have naturally weak intellectual powers. The Aristotelian psychology is not contradictory in this.

But does Aristotle contradict this psychological theory in the Politics? He says in comparing the slave

13. In De Anima, a.5 ad 5.

14. De Anima, II, c.9.

15. De Partibus Animalium, II, x, 656a.

with the free wife and child:

All possess the various parts of the soul, but possess them in various ways; for the slave has not got the deliberative part at all, and the female has it, but without full authority, while the child has it but in undeveloped form.¹⁶

By "deliberative part" (βουλευτικόν, consiliativum) Aristotle would seem to mean the power of practical reason, the power which is perfected by art and prudence. But a man without practical reason has no free will, no morality, no understanding, and necessarily no art of any sort! Yet Aristotle makes very clear that the slave possess arts which the master himself does not possess.

But we distinguish several kinds of slave, as their employments are several. One department belongs to the handicraftsmen, who as their name implies are the persons that live by their hands, a class that includes the mechanic artisan. Hence in some states manual labourers were not admitted to office in old times.¹⁷

We gather from another passage that Aristotle distinguished between the skilled and unskilled worker and considered both servile.¹⁸ Moreover he makes the farmers of his ideal state slaves, and yet admits that while to engage in wealth-getting activities such as farming is illiberal, yet the principles of these activities are scientific and worthy of study.¹⁹ There are grades in servile work, "some more menial and some more honorable,"²⁰ and even the work of directing the household can be carried on by a steward who is no doubt a slave.²¹

Is not Aristotle caught in a gross contradiction when he asserts that the slave is capable of the arts and not capable of deliberation or of guiding his own

16. Politics, I, v, 1260a.

17. Politics, III, ii, 1277b.

18. Ibid., III, iii, 1278a.

19. Ibid., I, iv, 1258b. and I, ii, 1255b.

20. Ibid., I, ii, 1255b. See also Economics, I, 4, 1344a.

21. Ibid., I, ii, 1255b.

life? One way of solving this apparent contradiction would be to say that Aristotle did not think the servile arts required any intelligence. There is a famous passage in the Metaphysics which has been interpreted to mean this:

Hence we think also that master workers in each craft are more honorable and know in a truer sense and are wiser than manual workers, because they know the causes of things done (we think the manual workers are like certain lifeless things which act indeed, but act without knowing what they do, as fire burns,--but while the lifeless things perform each of their functions by a natural tendency, the labourers perform them by habit.²²

This cannot be pressed very far however since Aristotle is contrasting the scientist and the man of habit, not speaking formally of work itself. Undoubtedly Aristotle along with the rest of the Greeks had a special distaste and contempt for servile work. Book I of the Politics has as a polemical undertone a refutation of such writers as Xenophon who dared praise the life of the farmer.²³ If we examine the several texts in which the slave's intellectual capacities are discussed, Aristotle's main point about the slave's mind becomes evident.

For he is a slave...who participates in reason so far as to apprehend it, but not to possess it; for the animals other than man are subservient not to reason, by apprehending it, but to feelings.²⁴

Those persons are mistaken who deprive the slave of reasoning and tell us to use command only; for admonition is more properly employed with slaves than with children.²⁵

With this we may compare a passage of St. Thomas on the manner in which rational and irrational creatures are

22. Metaphysics, A,1, 981a. See Jaeger, Aristotle, 71. The parenthetical portion of the above passage is textually dubious; see Ross' commentary on the Metaphysics, 118.

23. In his Economics.

24. Politics, I, 11, 1254b.

25. Ibid., I, v, 1260b.

ruled:

A slave is moved by his master, and a subject by his ruler, by command, but otherwise than as irrational and inanimate beings are set in motion, since they have no freewill whereby to be masters of their own actions, wherefore the rectitude of their government is not in their power but in the power of their movers. On the other hand, men who are slaves or subjects in any sense, are moved by the commands of others in such a way that they move themselves by their freewill; wherefore some kind of rectitude of government is required in them, so they may direct themselves in obeying their superiors.²⁶

St. Thomas enlarges the same point further as follows:

...both men and brutes are led by benefits, and restrained by punishments, or by precepts and prohibitions, but in different ways: since it is in the power of man that, the same things being similarly represented, whether they be precepts or prohibitions, or whether they be benefits or punishments, they choose them or flee them by a judgment of reason; but in brutes this judgment is naturally determined to this that whatever is proposed or happens in one way, in the same way is accepted or fled.²⁷

St. Thomas understands the first text of Aristotle quoted above in the same way, as follows:

He compares the man who is naturally a slave to the brute animal, according to similarity and difference: and says that he who is naturally a slave, communicates in reason only to this extent that he receives the sense of reasoning, as it is put forth by another; but not in this way, that he has the sense of reasoning in himself: but other animals serve man not as receiving any sense of reasoning from man, but only insofar as the memory of those things good or ill received from man arouse them to the work of servitude either through fear or liking.²⁸

I think these passages of St. Thomas correctly interpret Aristotle. They clearly distinguish the mind of the

26. S.Th., II-II, q.50, a.2c.

27. De Veritate, q.24, a.2 ad 7.

28. In Polit., 1, Lectio 3.

slave from the animal "mind," and this distinction is essential and not accidental: the slave has reason (although imperfectly), the animal only passions. Is such a person as described, "feeble-minded" in the modern sense? Aristotle does not clearly distinguish as we do between the stupid and the feeble-minded, but he does distinguish between unintelligent and crazy persons. He says:

...of foolish people those who by nature are thoughtless and live by their senses alone are brutish, like some races of the distant barbarians, while those who are so as a result of disease (e.g., of epilepsy) or of madness are morbid.²⁹

His whole description of the natural slave does not imply that he is a diseased or abnormal being. He is simply stupid in the way Aristotle conceives barbarians to be stupid. He can still learn the arts. What is this strange "stupidity"? How can one "apprehend but not possess reason"? It cannot be claimed that either Aristotle or St. Thomas resolves this difficulty very explicitly, and yet the solution is not far to seek. "Reason" is taken in several senses. If we take it as "speculative reason," the slave possesses it in a very imperfect form, so that he is not capable of the liberal sciences.³⁰ If we take it as the practical reason then a further distinction must be made. Practical reason can be perfected either by the virtue of prudence or of art.³¹ However prudence is as it were the chief of all virtues, the meeting place of the intellectual and moral life. Its function is to choose means to the attainment not merely of particular goods but of the good in general. It must extend therefore to judging every means whatsoever in light of the ultimate good. Art on the other hand is not a moral virtue at all and is not concerned with the universal good, but only with some particular

29. *Ethics*, VII, 6, 1149 a.

30. It must be noted that St. Thomas says "Quantum ad communia principia rationis sive speculativae sive practicae est eadem veritas seu rectitudo apud omnes et aequaliter nota." S. Th. I-II, q.1.a.1c.

31. On this whole question see *Ethics*, VI, 5.

end, and hence the sphere of means concerning which it judges must be very limited. The prudent man is the good man absolutely, but the artist is good only as an artist of some particular sort. It is clear therefore that in Aristotelian psychology it is quite possible for a person to possess an art without having the further and higher perfection of prudence. If the slave has sufficient reason to understand some particular good and the means to it, he has enough reason for art.

It might be thought from the text "the slave apprehends reason without possessing it" that what he lacks is a sort of inventive reason or foresight. But as Aristotle says in discussing the advantage of the slave over the animal as a "live tool," the slave can "see what to do in advance."³² Moreover the arts do all in fact require some foresight. The lowest slaves work from habit "as fire burns," but the higher ones may have quite developed skills. The essential thing that makes them naturally slaves, is the lack of the virtue of prudence and of any considerable capacity for it. They are like those to whom Aristotle refers when he says "it is possible that there are some persons incapable of being educated and becoming men of noble character."³³ The slave can will and think and learn, but these actions though human never rise to the level of the virtue of prudence nor the speculative sciences which belong to the free man. This defect in prudence corresponds to the fact studied in our last chapter, that the slave is an instrument for doing and not for making. Art is a making, and the slave is capable of that himself, but prudence is the perfection of doing, and the slave is capable of that only by his relation to the master.

That St. Thomas understood Aristotle in this way is evident from a remark he makes that parallels Aristotle's own observation that a "slave cannot be a friend, qua slave."³⁴ St. Thomas cites the words of Aristotle, that the slave has no "consiliativum," and answers the objection drawn from them in this way:

32. *Politics*, I, ii, 1253b.

33. *Politics*, V, x, 1316a.

34. *Ethics*, VIII, 1161b.

...the slave does not have the "power of deliberation" (*consiliativum*) insofar as he is a slave, for thus he is an instrument of his master; he is deliberative however insofar as he is a rational animal.³⁵

Aristotle does not go this far, but these words do not really contradict his own. The slave may be capable of some acts of prudence, but what is important for the theory of the household is that the slave cannot successfully rule his whole life except as an instrument of the master, and as an instrument deliberation is not in him but in his master.

We have thus before us Aristotle's characterization of the slave. The chief problems it raises still remain to be considered; but this characterization must not be understood too mechanically. What is essential to this description of the slave is this: the man who is incapable of sufficient prudence to be the head of a household and participant in political and contemplative life is, to Aristotle's mind, "naturally a slave." There is something relative about this, however, since as we shall see Aristotle admits that while in some forms of government the artisans are citizens, in others they are slaves.³⁶

35. *S.Th.*, II-II, q.47, a.12, ad 2.

36. *Politics*, III, 111, 1278a.

Chapter VII

THE EXPEDIENCY OF NATURAL SLAVERY

Aristotle is not content with arguing that the rule of slaves is a necessary part of the household dominion and that the proper subjects of this rule exist, he also wishes to confute those critics who assert that whatever the advantages of slavery, it is morally inexpedient. He does this in part by his argument that the natural slave exists, since that which is natural is just and expedient. Domestication is good for animals because they are naturally the property of man, and similarly with the slave who is naturally of the master.¹ Aristotle, however, realizes that since the slave is different from other property in being human, a further problem remains. In the first part of the First Book of the *Politics* he indicates what the parts of the household are; in the last section he considers what virtues ought to be fostered in its human parts. In the same way in Books VII and VIII he discusses first the parts of his ideal state, and then the education necessary for the citizen. Aristotle is thus faced with the problem of deciding whether the slave attains to any strictly human good. If his function requires human virtue, then he lives a life which is simply good. This would be the true expediency of slavery if it were necessary and useful to promote the virtues of the slave and the master.

It must be emphasized that Aristotle does not approach the problem directly in this way. He has in mind the good of the household, rather than the good of

1. *Politics*, I, 11, 1254b. This argument is dubious since even if the animal suffers as regards its intrinsic end, e.g., is killed, it attains its extrinsic end which is to be of use to man. This cannot be the case for the slave or any human being.

its members separately. What is the advantage of slavery to the slave, in Aristotle's view? As we have seen Aristotle says that the community of master and slave arises from a need of security, the slave profits from the more intelligent master's foresight;² this is repeated when the slave is compared to tame animals who are more secure under a master than in the wild.³ The slave attains to a life where he is always sure of food and clothing, and protection from outside forces, by placing himself under a master. We know from our own experience that the free worker faced with unemployment sometimes envies the slave's lot. This advantage of the slave is evident, but it is an advantage shared by the animals. Does Aristotle attribute anything better to him? There are many texts which make this doubtful; the two most difficult are as follows:

But a state exists for the sake of the good life, and not for the sake of life only; if life only were the object, slaves and brute animals might form a state, but they cannot, for they have no share in happiness or in a life of free choice.⁴

And any chance person--even a slave--can enjoy bodily pleasures no less than the best man; but no one assigns a slave a share in happiness--unless he assigns to him also a share in human life. For happiness does not lie in such occupations, but as we have said before, in virtuous activities.⁵

These texts however are both intended to show how the truly free and good life differs from the sensual idea which the man in the street has of it. The truly good

2. *Politics*, I, 1, 1252b.

3. *Ibid.*, I, 11, 1254b.

4. *Politics*, III, 1x, 2179b. I have here followed the Jowett-Ross translation.

5. *Ethics*, X, vii, 1176a, also *Meta.* A10, 1075a. The text *Politics*, I, 11, 1254b "this is the condition of those whose function is the use of the body and from whom this is the best that is forthcoming" must be considered in its context. Aristotle is contrasting the slave function with the liberal functions. The whole discussion of the first part of Book I has to be qualified by the discussion of the slave's virtues in its latter part.

life which is really happiness is not one of pleasure but of liberal activity ("free choice"), political action and contemplation. The slave is not capable of these (except in such cases when he has "a share in human life" ⁶), and consequently cannot have true happiness. If it is kept in mind that what is denied to the slave is not well being, nor every sort of "happiness," the question of the kind of goodness which his life can have remains open. It might be thought that it is merely of one sensual pleasure, like that of animals. As the writer of the Aristotelian *Economics* says, "Three things make up the life of a slave, work, punishment, and food....The slave's reward is his food." But this same writer says, "To the higher class of slaves he ought to give some share of honour, and to the workers abundance of nourishment."⁷ The life of the slave is thus primarily the life of prudence and contemplation which belongs to the truly good man. But is this life of appetite any different than that of the animals? Aristotle says:

A question may indeed be raised, whether there is any excellence at all in a slave beyond and higher than mere instrumental and ministerial qualities--whether he can have the virtues of temperance and courage, justice and the like; or whether slaves possess only bodily and ministerial qualities. And, whichever way we answer this question a difficulty arises; for, if they have virtue, in what will they differ from freemen? On the other hand, since they are men and share in rational principle, it seems absurd to say that they have no virtue.⁸

He then proceeds to try to solve the general question proposed: How is it that both ruler and subject have virtues? He decides that in human beings both have virtues, and that these are similar, but that they have an essential difference, just as ruler and subject are

6. This puzzling qualification is discussed *infra*.

7. *Economics*, I, 4, 1344a.

8. *Politics*, I, v, 1259b. I have followed the Jowett-Ross translation here. The quotation is in sec. 13 of their division of Book I.

essentially different positions. St. Thomas discusses the same problem in the following way:

Prudence is in the reason. Now ruling and governing belong properly to the reason; and therefore it is proper to a man to have reason and prudence insofar as he has a share in ruling and governing. But it is evident that the subject as subject, and the slave as slave, are not competent to rule and govern, but rather to be ruled and governed. Therefore prudence is not the virtue of a slave as slave, nor a subject as subject. Since, however, every man, for as much as he is rational, has a share in ruling according to the judgement of reason, he is proportionately competent to have prudence. Wherefore it is manifest that "prudence is in the ruler after the manner of a mastercraft, but in the subjects after the manner of a handicraft."⁹

Aristotle having settled this for prudence as does St. Thomas, goes on to say,

We must suppose that the same necessarily holds good of the moral virtues: all must partake of them but not in the same way, but in such measure as is proper to each in relation to his own function. Hence it is manifest that all the persons mentioned have a moral virtue of their own.¹⁰

He is speaking here of the woman, the child, and the slave. What then are the virtues that are most appropriate to the ruler and to the ruled? The two are compared to the rational and irrational parts of the soul.¹¹ Hence each has the virtues appropriate to those parts. The ruler "must possess intellectual virtue in its completeness," and with respect to the household this means domestic prudence.¹² The subordinates on the other hand must have the virtues which control the appetitive or irrational part of the soul and these

9. *S.Th.*, II-II, q.47, a.12, c. The quotation is from the passage of Aristotle which we are considering.

10. *Politics*, I, v, 1260a.

11. *Politics*, v, 1260a.

12. *Ethics*, III, 10, 1142a and *S.Th.*, II-II, q.50, a.3, c.

are temperance, which controls the desires for pleasure, and fortitude, which strengthens the appetites for difficult things.¹³ But among the subordinates themselves there are different natures and functions, and hence different virtues:

For the free rules the slave, the male the female, and the man the child in different ways. And all possess the various parts of the soul, but possess them in different ways; for the slave has not got the deliberative part at all, and the female has it, but without full authority, while the child has it but in undeveloped form.¹⁴

For this reason the woman has not only the virtues strictly proper to a subordinate, but also has an imperfect power of rule, a certain degree of prudence. The child on the other hand will some day possess these virtues, but now is only in the process of acquiring them. He has them as "not personal to himself, but relative to the fully developed being, that is, the person in authority over him." This is true also of the slave, "his virtue also is in relation to the master,"¹⁵ that is the slave is able to remain virtuous only under his master's control. Why this is the case is apparent only if it is remembered that prudence perfects and preserves the virtues, and the slave is deficient in this, like the child. His virtues however are of an extremely humble character:

And we laid it down that the slave is serviceable for the mere necessities of life, so that he clearly needs only a small amount of virtue, in fact just enough to prevent him from failing in his tasks owing to intemperance and cowardice.¹⁶

The slave's love of pleasure, and his fear of pain must not render him unable to carry out the servile arts

13. *Ethics*, III, 10, 1117b and *S.Th.*, I-II, q.61, a.2 on the division of the moral virtues.

14. *Politics*, I, v, 1260a. See also III, 11, 1277b.

15. *Politics*, v, 1260a.

16. *Ibid.*, v, 1260a.

which are his function.¹⁷ The slave will not develop these virtues of his own accord, they must be produced in him by the guidance of the master:

It is manifest therefore that the master ought to be to the slave the cause of the virtue proper to a slave, but not as possessing that art of mastership which teaches a slave his tasks.¹⁸

This makes very clear the character of the household rule. The master does not direct the slave in his servile arts, since the direction of them is also servile, but he does direct him in the prudential order, since to create virtue in another is a liberal occupation,¹⁹ as is the use of property for the immediate needs of life. The labor of the farmer is illiberal though it includes the management of animals, but the guidance of slaves has a certain liberal character. Since however the slave is capable only of the least virtues, this is an unimportant liberal function, and for this reason men wisely have stewards to perform most of it. The steward's function is to execute the master's commands, but the final decision must come back to the master, who alone has true prudence.

Might it not be said that Aristotle does not mean to go even this far, since he frequently compares the slave to the animal in such passages as the following?

The usefulness of slaves diverges little from that of animals; bodily service for the necessities of life is forthcoming from both slaves and from domestic animals alike.²⁰

17. The Economics I, 4, 1344a indicates that the slave must not have the spirited kind of courage appropriate to masters, but a fortitude which endures hardship.
18. Politics, v, 1260b.
19. This is Aristotle's (as well as Plato's) own description of the function of a liberal man and citizen, he is "an artificer of virtue." Politics, VII, viii, 1329a; Republic, 500d.
20. Politics, I, 11, 1254b.

Against this are two facts: (1) The slave is discussed along with wife and child, and their virtues are referred to collectively and in identical terms. The virtues of all three subordinates are compared with those of the master and are said to have a similar character. (2) Aristotle in the Politics and Ethics does not use the term virtue (ἀρετή) for anything except human virtues. Greek usage indeed applied the term to almost any excellence including that of animals.²¹ Aristotle comes nearest this in attributing φρόνησις or prudence to the higher animals, but here he is avowedly referring simply to common speech.²² He says in another place "A brute animal has no vice or virtue, and neither does a God." This is because virtue is for him an exact term referring to voluntary actions of beings who can be otherwise than they are.

The sign of the human character of the slave's virtue which Aristotle gives is as follows:

Hence those persons are mistaken who deprive the slave of reasoning and tell us to use command only; for admonition is more properly employed with slaves than with children.²⁴ *

Thus the slave is to be made to act not only by simply apprehending the command (as Aristotle mentioned before) but also because the master has shown him a certain reasonableness in his commands. *

Aristotle thus attributes to the slave the virtues which are appropriate for the kind of soul which is necessary for the slave functions, a soul which has the appetitive part and the calculative part sufficient for servile art, but who lacks a development of the prudential part of the calculative power, and the speculative part.²⁵ He is thus the lowest human type, since a person of pure appetite would be an animal. He is capable

21. See W. Jaeger, Paideia, The Ideals of Greek Culture, 3.
22. Ethics, VI, 7, 1141a. W. Jaeger, Aristotle, 83 who holds that this passage is a trace of Aristotle's earlier work, since later he used φρόνησις strictly.
23. Ethics, VII, 1, 1145a; vii, 1149b.
24. Politics, I, v, 1260b.
25. On the parts of the soul see Ethics, VI, 1138a-39b. *

of virtue however only relatively, since his master supplies the prudential guidance necessary to temper his appetites.

St. Thomas, having in mind the thought of the Stoics and of Christianity on the subject, had a much more fully developed view of the kinds of virtue possible to the man of humble intellect who does not direct his own life. These however are connected with the idea of the natural limitations on slavery which will be discussed later.²⁶ Here it is important to see that Aristotle has implicitly introduced a certain limitation of the master's right over the slave. Man can use animals and irrational creatures generally without any limitation except in his own nature, the reasonableness of his own action in making use of them for some end. But if we say that the ruler is to produce virtue in his subject, then we limit his use of the subject by the nature of the subject itself. The master does not teach the slave to cook well, but he guides him to live temperately, and what is temperate depends on the human nature of the subject. Aristotle does not in any way develop the important consequences of this principle which logically concludes to what we now call "natural rights." Natural rights however are practically meaningless unless it is granted that the subject may resist a command of the master which is contrary to virtue. Aristotle shows no conception of such an idea, but as will be seen, it appears strongly in Thomistic thought. No doubt he would have thought the idea contrary to the ideal condition in which the judgement about virtue proceeds from the virtuous and wise master, and the submission comes from the virtuous but unwise slave. How is it possible for the slave to know better than the master? It is just because he has a less perfect prudential judgement that he is a slave.

Robert Schlaifer in an interesting article has written:

The necessary granting of psyche to the slave really indicates that his relation to his master should have been defined as that of the reasonable part of the

26. Chapter I, post.

soul to the unreasonable, absolute (βασιλική) but non-arbitrary (πολιτική).²⁷

But this presses the analogy too far. Aristotle it is true says "the slave is part of the master--he is as it were a part of the body, alive yet separate from it," but this does not deny the slave psychical powers.²⁸ What is important is that with respect to the master, the slave's function is characteristically bodily, the servile arts. The wife supplements her husband with respect to the higher virtues, but the slave only in the lowest. The familiar tripartite division of the soul by Plato is reflected here.²⁹ The slave has the lower appetites, the free subordinates the higher as well, the slave has a lower fortitude than that of the freeman. Because the slave's function and capacity is the lowest and of the body as compared with the other functions which have an essentially liberal character, he is ruled like the body rather than like the appetites. The master does not move him at will of course, but relatively speaking the rule is like that over the body, rather than like that over the appetites. The desires rightly prompt the intellect, and the wife her husband, but the body only obeys, and the slave only obeys.

THE COMMON GOOD OF THE MASTER AND SLAVE

The most difficult problem of all concerning the expediency of slavery remains. St. Thomas in a famous passage tells us why slavery is a painful thing which men avoid:

The slave in this differs from the free man that the latter is his own cause, a slave however is ordered to another. So that one man is master of another as his slave when he refers the one whose master he is, to his

27. Robert Schlaifer, "Greek Theories of Slavery from Homer to Aristotle," Harvard Studies in Classical Philology, 47, (1936), 165-204, 195.

28. Politics, I, 1255b.

29. Republic, IV, 435B.

own--namely the master's use. And since every man's proper good is desirable to himself, and consequently it is a grievous matter to anyone to yield to another what ought to be his own, therefore such a dominion implies of necessity a pain on the part of the subjects...But anyone is ruled by another as a freeman when he directs him to the proper good of him who is directed, or to the common good.³⁰

Here he makes a distinction which is certainly Aristotelian in principle and which is of great help in understanding Aristotle's text. A man has a private good and he also participates in the common good of which he is an element, the common good of those societies of which he is a member, chiefly the household and the state. When he works for his own good he is doing what is simply natural and essentially pleasant, but also when he is working for the common good he is following a natural impulse. Although he may have to make personal sacrifices for that common good, it is natural that he should do so. St. Thomas, however, implies that the slave cannot seek his private good nor a common good of which he is a participant. What does Aristotle say?

For he that can foresee with his mind is naturally ruler and naturally master, and he that can work with his body is subject and naturally a slave; so that the master and slave have the same interest.³¹

There is a certain community of interest and friendship between slave and master in cases when they have been qualified by nature for those positions, although when they do not hold them in that way but by law and by constraint of force the opposite is the case.³²

The authority of a master over a slave, although in truth when both master and slave are designed by nature for their positions their interests are the same, nevertheless governs in greater degree with a view to the interest of the master, but incidentally with a view

30. *S.Th.*, I, 9.96, a.4, c.

31. *Politics*, I, 1, 1252a.

32. *Ibid.*, I, 11, 1255b.

to that of the slave, for if the slave deteriorates the position of the master cannot be saved from injury.³³

But he has just said that this is not the case in the rule over the rest of the household:

But authority over children and wife and over the whole household, which we call the art of household management, is exercised either in the interest of those ruled, or for some common interest of both parties,--essentially in the interest of those ruled, as we see that the other arts also, like medicine and athletic training are pursued in the interest of those on whom they are practiced.³⁴

And to these texts we must add the still more puzzling passage in the *Ethics*:

...where there is nothing common to ruler and ruled, there is not friendship either, since there is not justice, e.g., between craftsman and tool, soul and body, master and slave; the latter in each case is benefitted by that which uses it, but there is no friendship nor justice towards lifeless things. But neither is there friendship towards a horse or an ox, nor to a slave qua slave. For there is nothing common to the two parties; the slave is a living tool and the tool a lifeless slave. Qua slave then, one cannot be friends with him. But qua man one can; for there seems to be some justice between any man and any other who can share in a system of law or be party to an agreement; therefore there can also be friendship with him insofar as he is a man.³⁵

This last passage is very famous, and a very astute critic Ernest Barker has seen in it a confession on Aristotle's part of the inconsistency of his slave theory with human nature:

33. *Ibid.*, III, 1v, 1278b.

34. *Politics*, III, 1v, 1278b.

35. *Ethics*, VIII, 11, 1161a. This is paralleled by the *Eudemian Ethics*, VII, 1x, 1241b in which it is said of body and soul, master and slave, etc., that they are one as a whole and a part, and hence have "no good divisible between them."

* If the slave can be treated as a man in any respect, he ought to be treated as a man in all; and the admission that he can be regarded as a man destroys that conception of his wholly slavish and non-rational (one might say non-human) character, which was the one justification of his being treated as a slave.³⁶

We seem to have in this series of passages first the claim that the master-slave relation is a partnership or *κοινωνία* like any other for a common interest or good, as the union of man and wife is for the common good called family life. Next we have the statement that this is useful to both only when the master is a natural master and the slave a natural slave, and this community of interest is called a "friendship." Then we have the crucial statement that the rule over the slave differs from the rule over the other members of the family because it is for the good of the ruler first, and the good of the slave incidentally. Finally we discover from the Ethics that there can be no friendship with a slave qua slave, although he has said that the relation is most perfect when the slave is most truly a slave.

This last point requires to be cleared up first. The reason that the master and slave are not friends is due to an inequality between them, but it is not necessary in the context of Aristotle's discussion that this inequality be one of essential nature. He has just discussed the friendship of unequals and shown that it is possible only when some equality comes first, and the inequality of merit comes secondarily. If the basic equality is not attained there is no friendship. Thus man and the gods cannot be friends, and

...it is clear also in the case of kings; for with them too, men who are much their inferiors do not expect to be friends; nor do men of no account expect to be friends with the wisest and best men. In such cases it is not possible to define exactly up to what point friends remain friends; for much can be taken away and friendship

36. E. Barker, The Political Thought of Plato and Aristotle, 336. R. Schlaifer, loc. cit., 194 believes that Aristotle is quite consistent on this point.

remain, but when one party is removed to a great distance, as God is, the possibility of friendship ceases.³⁷

It is thus possible to say that there is no friendship between master and slave in most of the things of life since their qualities are so different, as "the man of no account" and the wise man, but there is nevertheless the basic equality that both are rational beings who can enter into agreements. Thus a man who makes himself voluntarily a slave or who comes to submit willingly has a friendship with his master as far as the benefits which both receive. In this way the slave is a friend qua man, not as a person of virtue or intelligence, but simply as being capable of agreement or common purpose with the master.

Something more however is implied in comparing the slave again to an instrument, and this is evident from another passage in the Politics which does not mention the slave, but has a parallel interest:

As in other natural compounds the conditions of a composite whole are not necessarily organic parts of it, so in a state or in any other combination forming a unity not everything is a part, which is a necessary condition. The members of an association have necessarily some one thing the same and common to all in which they share equally or unequally....But where there are two things of which one is a means and the other an end, they have nothing in common except that the one receives what the other produces....And so states require property but property even though living beings are included in it, is no part of a state; for a state is not a community of living beings only, but a community of equals, aiming at the best life possible.³⁸

This touches on the heart of the Aristotelian conception of the social organism: the highest life of the state, its true aim, is possible only for some and it is their function in the state to live this life. Not all do so equally, but all who do in any measure are citizens, essential members of that good. Those who cannot are not

37. Ethics, VIII, 7, 1159b.

38. Politics, VII, vii, 1328a, (Jowett-Ross translation).

essential parts, but they are nevertheless indispensable, each living as good a life as is possible for his nature, and receiving advantages from the existence of the higher parts of the state. In Aristotle's ideal state these "indispensable" but not essential parts are the slaves.³⁹

The slaves however live in the household and this fact is probably the key to the many puzzles in the passages quoted. The household life has an end of its own, the daily life, but this daily life is itself a means to produce the free citizen. The master requires the household in order to live and to be set free for the truly good life of the state. His share in the household life is also a liberal one, since he directs it prudentially. His wife too shares in a liberal way as she shares in direction. To the child this life is a means to make him a liberal man. What about the slave? It is clear that he shares in the household life in some manner; he is a "partner in his master's life," in a way which distinguishes him from the artisan; he gains security, certain pleasures, the lower virtues, and an instrumental participation in the master's prudence by which he is able to develop and preserve these virtues. He is even capable of a certain friendship based on his mere humanity, and power to consent to his position. Finally he performs the servile arts. These things all belong to daily life, but what is liberal about daily life, direction, and deliberation, he cannot have, except as he is placed over other slaves, and then he has it only instrumentally and relatively to the master.

It is clear then that in one sense the slave shares in a common good with the master, the lower daily life. This is stressed in the First Book of the Politics when the household is under discussion, as we have seen. But the passage quoted from Book III con-

39. The free artisans are also such indispensable but non-essential parts, but as is observed post, Chapter VIII, it is not clear that Aristotle really approves of such a class in the ideal state. It is more probable that even their work should be done by slaves who belong to a master.

trasts the slaves' position to that of the wife and child, in order to explain the nature of the rule over free persons. The wife and child in some way aim at the liberal life and the husband supplies their defects by raising them toward that life, by letting his wife advise him, and by educating the child. But the slave is incapable of rising to that life in either way, consequently he must be ruled for the master's good which rises to the good of the state, rather than for his own. Everything in the household must serve the good of the master in order to serve the good of the state. The master, wife, and child serve the state by being somehow of its essential function, the life of the higher virtues; but the slave (and also the artisan) can serve it only mediately, by setting free the liberal members of the household for that life.

To summarize it can be said that with respect to the lower life of the household, the daily life of the appetites controlled by virtues, and of the use and acquiring of material goods, the slave is a participant, and the rule is to his advantage. But as to the higher life of the state he is only a means, and in this sense the master rules him for the master's good first, since the master participates directly in the life of the city.

This is Aristotle's picture of the ideal slave. As an abstract description it appears today far from the reality of the common working people as we know them, the farmer who manages his own household rather well, the proletarian who votes about as intelligently as the college professor, and who understands something of scientific interests. C. H. McIlwain says optimistically:

The true solution lies not in denying him the citizenship for which a lack of leisure must unfit him, but rather in achieving an economic order which will itself ensure that leisure without retarding the work of the world.⁴⁰

40. The growth of political thought in the west, 70.

X But it seems to me that the difficulty is rather in the aristocratic idealism of Greek political thought. Aristotle's slave would be very well off in a state whose common life was so sublime as to be above the capacities of the ordinary servile worker, in which the heads of the households were philosophers. This however has never been the case, and Christianity has made us understand why this is not likely to be the case. Because of Aristotle's lofty and unreal idea of the citizen, he has not bothered himself with the real question of the servile classes: Given humanity as it is, not given to a properly human life of contemplation, or of prudence, but interested rather in pleasure, and in the technical improvements that increase pleasure, how are men to be protected from each other and turned to essential goods? We know that Aristotle's master would not be the cause of virtue to his slave, but would show himself worse than a slave in selfishness, greed, and brutality.⁴¹ The history of slavery shows that. We know that slavery would not set him free for the liberal life, but for one of idleness and meaningless belligerence. Aristotle did not see how much there is of human worth and truly human capacity in the least of humanity, because he was blinded by the contrast of that real man with his ideal citizen, with the picture of the philosopher king. The theologian could have set him straight.

41. Of course Aristotle shows himself well aware that his ideal state is nowhere realized, but it is a best "possible" state in which he is interested. Moreover the fault mentioned is much more evident in the treatment of slavery than in most portions of the Politics.

ARISTOTLE AND CONVENTIONAL SLAVERY

Aristotle tells us little about the details either of the slavery of his own times or of the natural slavery which he proposes. He could not have imagined that all the slaves he saw about him were natural slaves, moreover he admitted that at least the outward signs of the naturally servile character were sometimes deceptive. Even heredity was no safe guarantee; since he agrees with Plato that the iron father may have a silver son, and the silver father an iron son.¹ The gap between the theoretical description of the natural slave and the practical institution is thus one of the most striking features of the theory.

M. Defourny has recently made an interesting attempt to explain how Aristotle thought that this gap between theory and practice should be closed.² Aristotle, he explains, realized that the existence of a large group of servile laborers was an economic necessity. However these workers could not be recruited from the Greeks for two reasons. First because the Greeks were naturally liberal men to whom servile work was unsuitable and who realized or ought to have realized that fact; secondly, because of the lack of a money economy, there was no way of paying the necessary wages as inducements for free laborers. Consequently slavery was the only solution. These slaves however, Aristotle believed, ought not to be taken from the Greeks who would not submit to it willingly and ought not to be made to submit to it, but from the barbarians who were used to tyranny and servitude, not well able to resist it, and

1. Politics, I, 11, 1255a; Republic, III, 415C.
 2. M. Defourny, Aristote; Études sur la Politique, 27-38.

who finally were "naturally slaves."³ But even then the problem remained. On the one hand Aristotle knew that some of them were not "naturally slaves," a percentage were capable of the liberal life.⁴ To enslave them would be both unjust and dangerous, since intelligent and spirited slaves would be the cause of dissensions. On the other hand there was the problem of inducing even the natural slaves to work diligently and peacefully. Aristotle discovered a simple method of solving both problems. If the slaves were offered freedom for doing their work well, this would act both as an inducement for diligence and also as a test of their intelligence. Those whose efforts proved them to be of more than servile capacity would be liberated, and this actual liberation would serve as a continual hope even for those not so gifted.⁵ Thus the actual slave population would more and more approach the natural ideal, only those naturally slaves remaining in that status. In this way the theory which demands the enslavement only of those naturally fit for slavery, and the practical institution of enslavement by war would tend to coincide.

This argument probably represents the mind of Aristotle correctly, though it must be admitted that it rests on a single phrase in the Politics, "How slaves would be employed and why it is advantageous that all slaves should have their freedom set before them as a reward, we shall say later."⁶ This isolated sentence is somewhat reinforced by a reference in the pseudo-Aristotelian Economics.⁷ Aristotle's practical solution thus rests primarily on the common belief that barbarians are of a servile temperament. This geo-political theory is elaborated for the world which he knew by Aristotle as follows:

3. On the Greek view of the Barbarians see R. Schlaifer, "Greek Theories of Slavery from Homer to Aristotle," Harvard Studies in Classical Philology, 47 (1936), 165-204.

4. Politics, I, 11, 1255a.

5. Politics, VII, ix, 1330a.

6. Ibid., VII, ix, 1330a.

7. I, 4, 1334a.

Let us now speak of what ought to be the citizen's natural character. Now this one might almost discern by looking at the famous cities of Greece and by observing how the whole inhabited world is divided up among the nations. The nations inhabiting the cold places and those of Europe are full of spirit but somewhat deficient in intelligence and skill, so that they continue comparatively free, but lacking in political organization and capacity to rule their neighbors. The peoples of Asia on the other hand are intelligent and skillful in temperament but lack spirit, so that they are in continuous subjection and slavery. But the Greek race participates in both characters, just as it occupies the middle position geographically, for it is both spirited and intelligent; hence it continues to be free and to have very good political institutions, and to be capable of ruling all mankind if it attains to constitutional unity. The same diversity also exists among the Greek races compared with one another; some have a one-sided nature, others are happily blended in regard to both these capacities.⁸

To this may be added the remarks in Book I which assert that as a matter of fact the Barbarians are commonly enslaved by tyrants and treat their women and children as slaves,⁹ and similar remarks in the discussion of tyrannies.¹⁰ These views of Aristotle were not a mere acceptance of popular national prejudice; they were strengthened by scientific conjectures of his day. We find in the work called the Problemata such a question as this:

Why are those who live under conditions of excessive cold or heat brutish in character and aspect? Is the cause the same in both cases? For the best mixtures of conditions benefit the mind as well as the body, but excesses of all kinds cause disturbance, and, as they distort the body, so they pervert the mental temperament.¹¹

8. Politics, VII, vi, 1327b.

9. Ibid., I, 1, 1252b.

10. Ibid., III, ix, 1285a.

11. Politics, VII, vi, 1327b. As Westermann suggests, "Sklaverei," Fauly-Wissowa, Supplement Band VI, col. 927, Hippocrates supplies evidence that the Greeks had very elaborate ideas of the

It is interesting to compare this, to us, exaggerated belief in the affect of environment on character, with the geo-political ideas at the time of St. Thomas. St. Albertus Magnus with evident scientific interest enforces Aristotle's words in such passages by referring to biological theories found in Aristotle's other writings.¹² St. Thomas in Chapter 2 of the Second Book of his portion of *De Regimine Principum* discusses the proper site for a city at great length, in order to insure a climate favorable for the good life. But the continuator of St. Thomas' *Commentary on the Politics* attempted to resolve the evident difficulty which a European felt in agreeing that Europeans are so debased by nature.¹³ His views are probably those of St. Thomas in this respect since they agree very well with St. Thomas' remarks on the effects of the stars on temperament.¹⁴ The continuator points out that it is hard to see how the Greeks are the only natural rulers since the Persians and the Chaldeans, although Asiatics, had very great Empires, and the Romans, although Europeans, ruled much longer than the Greeks. Consequently he makes three qualifications to Aristotle's observation:

(1) Climates and their effects are dependent on celestial or astrological influences and these change from age to age, so that a region once favorable may become unfavorable for virtue, and vice versa.

(2) A region which is naturally cold or hot because of the zone in which it lies, may have its climate much modified by the presence of mountains or the sea.

(3) Although geographical conditions undoubtedly have a dispositive effect on the body and senses, and hence on temperament, nevertheless the will and

(Footnote continued) effect of regime and exercise on the body, temperament, and the virtues. In his treatise "On Airs, Waters, and Places" Hippocrates explains that Asiatics have soft and servile temperaments because of the climate, and their habitual occupations.

12. In *Polit.*, VII, c.5; also I, c.3.

13. In *Polit.*, VII, lectio 5.

14. *S.Th.*, I-II, q.9, a.5, c; and the opusculum *De iudiciis astrorum* and *Fratrem Reginaldum*.

intellect remain free, so that a people that cultivate virtue may overcome every handicap, while those who cultivate vice, like the Romans may lose their power. These sensible medieval objections are quite sufficient as a criticism of Aristotle's view, and the third of them wholly adequate as a criticism of determinism and racialism. It may be asked however whether the destruction of his geo-political argument destroys the theory of natural slavery. It certainly largely removes Aristotle's practical solution, but it does not alter the general analysis. Moreover he might have defended himself as Imperialists have done by arguing that even if the primitive peoples are not innately servile, they are in fact fit only for enslavement until such time as education and civilization have raised them to a position where they can be freed. This argument was strengthened for Aristotle by the fact that primarily he had in mind the adult slave, since, as we have seen, there was little trade in child slaves.

It might be charged moreover that Aristotle is inconsistent here in calling the Asiatics "intelligent" and then enslaving them. But as Professor Schlaifer has pointed out, Aristotle intended to attribute to them simply an artistic cleverness, not the prudential wisdom which is the main mark of the free man.¹⁵ They are perhaps Aristotle's ideal slaves since the northern ones are too wild and fierce to be either safe or useful.

In any case, however, his practical theory depended also on his interpretation of conventional slavery. Was there any justice in first enslaving men before it was certain that they were naturally slaves? The objections which he was trying to answer were based precisely on the fact that enslavement in war as it was practiced seemed often to lead to gross injustices. Aristotle's answers to these objections are very obscure, partly because of textual difficulties.¹⁶ These objections were principally three: (1) enslavement by force is just because justice is the will of the stronger, (2) slavery is unjust because it is the mere rule.

15. R. Schlaifer, *loc. cit.*, 193, note 7.

16. *Politics*, I, 11, 1255a-55b. R. Schlaifer, *loc. cit.*, Appendix, 202-204.

of force, (3) slavery is just because it is prescribed by the laws of war. Modern editors and translators such as Newman, Jowett, and Rackham¹⁷, though they differ in details, take the general sense of the passage to be as follows: Aristotle finds some truth in all these positions. It is true that the law of war which enslaves the conquered means the rule of the stronger, and that in this way servitude arises by force rather than from the mutual interests of master and slave. On the other hand he argues that the use of force is entirely compatible with virtue since power itself is a kind of virtue. Consequently the mere fact that a man has been enslaved by force does not prove that he is not rightly a slave. Thus far the interpretation agrees fairly well with that of St. Albert and St. Thomas. The modern editors however indicate that Aristotle concludes by saying that conventional slavery is thus in the final analysis just only when it results in the enslavement of him who is naturally a slave, although this may take place according to the law of war, i.e., by force, as well as for mutual advantage. The problem however was simplified for Aristotle because for him a war of Greek against Barbarian was just, and the Barbarian captives almost all natural slaves, while war of Greek against Greek was unjust, and the victims were naturally free and unjustly enslaved.¹⁸

St. Albert and St. Thomas however regard this passage as a more abstract attempt to give a qualified justification to the law of war as such, to justify this form of conventional slavery apart from the question of the natural slave altogether. They suppose that when Aristotle begins by saying that those who oppose his theory of natural slavery have some right on their side, he intends to agree in some way that not all slaves are naturally slaves, and then to prove that they can rightfully be held by another title. St. Thomas writes:

17. See the translations and notes of the two latter, and Newman's The Politics of Aristotle, 139f.

18. On Aristotle's concern for peace among the Greeks see Defourny, Aristote; Etude sur la politique, Chapter V.

Since it is not just according to nature that certain ones conquered by an enemy should be slaves, for very often it happens that wise men are conquered by the stupid, he says that this is not absolutely just; but it is for the convenience of human life. For this is beneficial both to the conquered because due to this they are spared and they may at least live as subjects, hence from their having been spared they are called *servi*. And it is beneficial too, to those who conquer, because due to this, men are aroused to fight more bravely. The fact that there are some courageous fighters is a benefit to human relations for holding in check the malice of many. But if human law had been able to determine efficiently who were better in mind and determine them without a doubt following nature, it would have established them as masters, but because this could not be done, the law accepted that sign of preeminence, namely, the victory itself which comes from a certain superiority of bravery, and therefore it decided that victors should be masters of those who are conquered. And so this is said to be just relatively as it was possible for the law to be established; but it is not absolutely just. And yet the virtuous man must serve according to his mental ability; because since the common good is better than the private good of one along, that which agrees with the public good must not be infringed even though it may not be agreeable to some private person.¹⁹

St. Thomas thus understood Aristotle to defend the law of war as such, apart from the question of Greek and Barbarian. But this, valuable as it is in helping us to understand the medieval theory, is probably an adaptation of Aristotle to a time when the opposition of Greek and Barbarian no longer existed. What was familiar to St. Thomas was rather the Roman lawyer's idea of the laws of war. The idea that the slave who is too good for his position must serve as well as possible for the common good is undoubtedly a reflection of Christian and Stoic ideas, rather than those of Aristotle. St. Thomas himself believed, as will be seen later, that only the victims who were guilty in the war could be justly enslaved.

19. In Polit., I, Lectio 4.

Aristotle also believed that wars might be carried on against Barbarians for the specific purpose of making slaves; he says:

The science of acquiring slaves is different both from their ownership and their direction--that is, the just acquiring of slaves, which is akin to the art of war or that of the chase.²⁰

If therefore nature makes nothing without purpose or in vain it follows that nature has made all animals for the sake of men. Hence even the art of war will by nature be in a manner an art of acquisition (for the art of hunting is part of it) that is properly employed both against wild animals and against such of mankind as though designed for subjection by nature refuse to submit to it, inasmuch as this warfare is by nature just.²¹

In these passages so inhuman in tone, Aristotle departs from the opinion of Plato who forbade the reduction of freemen to slavery by kidnapping, because he feared it would be turned against Greeks, and that in any case the trade would be debasing.²² St. Thomas in commenting on this passage does not seem to comprehend that enslaving expeditions are probably meant, but takes it simply as a further reference to the law of war.²³ It was not until the time of La Casas and Vittoria that theologians girded themselves to expose the hypocrisy of military marauders who pretended that their victims were better off enslaved.²⁴

From the Politics we gather no special information about enslavement as a civil punishment or for debt. Presumably Aristotle agreed with the Solonic law forbidding enslavement for debt²⁵ and with Plato in not using it as a punishment for free Greeks.²⁶

20. Politics, I, 11, 1255b.

21. Ibid., I, 111, 1256b.

22. Laws, VII, 823c. See G. Morrow's Plato's Law of Slavery, 23.

23. In Polit., I, Lectio 6.

24. See J. Eppstein, The Catholic Tradition of the Law of Nations, passim, especially the translations of portions of Vittoria's De Indis, 435f.

25. See Aristotle's Atheniensium Respublica, vi.

26. G. Morrow, op. cit., 23.

THE REGULATION OF THE SLAVE CLASS

Aristotle's special remarks about the regulation of the slaves and their place in the state as one of its classes are readily intelligible in light of the general theory which has been discussed. He disapproves of the admission of any part of the working class to citizenship.²⁷ If they are naturally fitted for their tasks then they are unfit for liberal duties.²⁸ In his ideal state he wishes the farm work to be done by serfs who are if that is not possible then at least by serfs who are aliens.²⁹ He sees in license for the slaves and the working class a mark of the disorder produced by tyrannies. The disenfranchisement of slave or of the children of slaves he regards as a natural sign of improvement in the condition of a state.³⁰ All these details are in agreement with his basic position that the state is best ordered when the functions and the people fitted for the functions are sharply distinguished.

Moreover since the working population is to be guided by the ruling class it is essential that they be prevented from disorders. For this reason he is strongly against the Spartan and Thessalian system of helots, or publicly owned native serfs who can conspire with other countries, to overthrow their masters.³¹ He is also significantly opposed to the proposal found in Plato's Republic that farmers should be made owners of their land, since this removes them from the control of masters.³²

In spite of his belief that slaves are to be made virtuous after their capacity, he wishes free children to be kept free of contamination by servants³³ and believes that too great familiarity with them is a bad thing.³⁴ From the pseudo-Aristotelian Economics we

27. Politics, III, 11, 1277b; 111, 1278a.

28. Ibid., II, 11, 1265b.

29. Ibid., VI, 11, 1319b; V, 1x, 1315b.

30. Ibid., III, 11, 1278a.

31. Ibid., II, v, 1269a.

32. Ibid., II, 11, 1264a; Republic, III, 416D, 417B.

33. Ibid., VII, xv, 1336b.

34. Ibid., II, 11, 1263a.

gather that the master is to be very prudent about feeding and caring for his slaves, distributing benefits and punishments in such a way as to improve their work and keep them contented. He is to allow them to marry and have children as an incentive to contentment, and the better class of slaves are to be given some recognition for their work as well as a promise of freedom.³⁵

Aristotle finishes his discussion of the slave by indicating his place in the ideal state. Some have seen a difficulty in that the First Book of the *Politics* treats the slave as purely domestic and useful for consumption, while in his discussion of the ideal state, Aristotle makes the most productive class, the farmers, all slaves, and he admits public slaves.³⁶

It is necessary therefore for the land to be divided into two parts, of which one must be common and the other the private property of individuals; and each of these two divisions must be divided into two. Of the common land one portion should be assigned to the services of religion, and the other to defray the cost of the common meals. Those who are to cultivate the soil should be best of all, if the ideal system is to be stated, be slaves, not drawn from people all of one tribe nor of a spirited character (for thus they would be both serviceable for their work and safe to abstain from insurrection) but as a second best they should be alien serfs of a similar nature. Of these labourers those in private employment must be among the private possessions of the estates, and those working on the common land, common property.³⁷

In the VII-th Book the discussion of the classes of the ideal state makes it clear that the farmers are to be slaves,³⁸ but the position of the artisans is very ill-defined. It is only said that they will not possess property.³⁹ I believe that it is not unreasonable to

35. *Economics*, I, iv, 1134a.

36. R. Schlaifer, *loc. cit.*, 192 note 2.

37. *Politics*, VII, ix, 1330a.

38. *Politics*, VII, ix, 1330a. Also the arguments against Plato's opposite arrangements, *Politics*, II, 11, 1264a.

39. *Ibid.*, VII, viii, 1329a.

think that Aristotle believed that the best arrangement would be to reduce all servile workers to slavery. It seems the logical conclusion of the First Book. Aristotle does not agree with Plato's allowing freedom to the farmers and there is no reason he should agree in allowing freedom to the higher artisans. It is not contradictory to believe that the slave is to be a producer on the farm and an artisan because, although he is a "tool of doing" not a "tool of making," nevertheless, as we have seen, he can exercise the productive arts as long as he remains an instrument with respect to action, i.e., his life.⁴⁰ He is a maker in the artistic order, but he is an instrument of doing with regard to the life of the household. In this way every worker would be either public or domestic, i.e., inside the household units which would not be very large in Aristotle's temperate state. As for the public slaves they will be by turns under the citizens who are ruling and these citizens necessarily possess the household art. Hence the slave will receive the same advantages as if he were in the household. Moreover these public services probably had a more liberal character than many of the other tasks, since they included the service of the temple, and the games, etc.⁴¹

Thus we have Aristotle's practical conclusion from his theoretical analysis, the servile worker is to live under a household management, as a part of his master incidentally sharing in the household life. The public slave is in the same position except that he works on public land under changing masters. In all this we see one interest predominating, to divide the tasks of the state in such a way, that the highest can be that of the entirely liberal life of governance and contemplation. Aristotle's thought itself is wholly noble in this ideal of the perfect citizen, but is there any nobility in seeing in the worker a being of little interest for the science of society, and of little account in the truly human life?

40. See Chapter V, *ante*.

41. See the discussion of the public slaves of Athens and references in Chapter II, *ante*.

Chapter IX

ST. THOMAS AND SLAVERY AS A CONSEQUENCE OF SIN

Did St. Thomas fundamentally alter the Aristotelian theory of natural slavery?¹ We have seen that he makes many references throughout his work to it and without special criticism. We must now examine his ex professo treatment of the question. This is contained in his answers to two theological questions: (1) "Whether in the state of innocence man had dominion over man," which is discussed both in the Commentary on the Second Book of the Sentences, d.44, q.1, a.3, and in the later Summa Theologica, q.96, a.4, and (2) the questions concerning slavery as an impediment in receiving the Sacraments of Holy Orders and of Matrimony in the Commentary on the Fourth Book of the Sentences, d.25, q.1, a.2 and d.36, q.1, a.1, etc. The character of these two questions makes very evident the sort of difficulty with which St. Thomas was faced. The institution of slavery and serfdom was a social fact whose legality was recognized by Church and State. But Aristotle's theory taken as an analysis of that institution made two very direct conflicts with theology. First there was the fact that the Fathers had universally held that slavery was the result of sin, while Aristotle said it was natural.² Secondly Christian doctrine and practice recognized in every human being not only a personal dignity but certain absolute rights, conferred on him by both the divine and the natural law.

1. For references to authors who hold that St. Thomas was in fundamental disagreement with Aristotle see ante, Chapter IV, note 1. For the opposite view see George O'Brien, An Essay on Medieval Economic Teaching, c.2, sec.3, 88ff.

2. See S. Talamo, Il Concetto della Schiavitù, C.V.

ST. THOMAS AND SLAVERY AS A CONSEQUENCE OF SIN 103

St. Thomas' answer to the first problem cannot be understood without reference to his general view of the Fall and the character of "human nature." Theologians since the scholastics distinguish four different states of human nature.³ First they speak of mere nature (status naturae purae) which is an abstraction referring to rational animality as such without reference to supernatural grace. If God had chosen to create man as a purely natural being without special graces then human nature would have been mere human nature. In fact, however, God created man in grace, having supernatural gifts of two sorts: (1) strictly supernatural gifts, the theological and infused virtues, and (2) preternatural gifts which prevented death, sickness, ignorance and all those failings to which man as a corporeal creature was liable by mere nature. This happy condition was an historical reality before the fall of man, and is called the state of innocence (status naturae integrae). The third state like the second one is historical, the condition of man after his fall (status naturae lapsae). Lapsed human nature has suffered a double misfortune. The fallen man has lost all his strictly supernatural gifts, the theological and infused virtues, and incurred in their place guilt before God, and he has lost as well all the fortifying preternatural gifts. He has become homo nudatus, stripped of the perfection of his integral nature, and liable to death and disease and ignorance. He is thus reduced to a condition of mere nature. But more than this, according to Thomist theology, the tearing away, so to speak, of his supernature has wounded his mere nature:

Therefore insofar as reason is deprived of its order to the truth there is the wound of ignorance; insofar as the will is deprived of its order to the good, there is

3. It would be hopeless to give all the Thomistic texts on these points. I have followed John of St. Thomas, Cursus Theol., q.109, d.19, a.1, n.10 in my terminology. The whole question is discussed in J. B. Kors, O.P., La Justice primitive et le péché originel d'après S. Thomas. For a discussion and application of this problem to painful servitude, see also a consequence of the Fall, see Yves Simon, "Work and the Workman," The Review of Politics, 2 (1959), 63-85, especially 76-80.

the wound of malice; insofar as the irascible is deprived of its order to the arduous, there is the wound of weakness; and insofar as the concupiscible is deprived of its order to the delectable moderated by reason, there is the wound of concupiscence.⁴

Thus fallen man has suffered evils as a result of his fall in two ways, and we can speak of two kinds of "evil consequences of the Fall." First there are de jure consequences which are essentially connected with the historical fact that man once had a supernature, these are the guilt and the wounds which he has suffered. Secondly there are the evils which have in fact come upon him because of his fall, but which flow from his mere nature. They are consequences in the way that being cold is a consequence of taking off one's clothes in the winter.

Finally there is the state of the redeemed man (status naturae reparatae) in which man receives again the strictly supernatural gifts but is without the preternatural ones. He has charity but he is still liable to death. In this state the effects of the wounds are in the process of being healed. Ultimately he may reach the status gloriae in which man's integral nature is restored but still further perfected.

St. Thomas, in view of this doctrine, had to answer the question: Is slavery a de jure or a de facto consequence of the Fall? The texts of the Fathers leave this quite obscure, because they did not write with these distinctions explicitly formulated. There are several possibilities of interpreting the statement "slavery is a consequence of the Fall" and it is necessary to set them down before attempting to discover which St. Thomas favored. First there was the possibility of saying that slavery was strictly a de jure consequence, that is a special curse consequent on original sin, to which man would not have been liable if he had been created a merely natural being instead of in grace.⁵

4. S.Th., I-II, q. 87, a. 3: c. also qq. 82, 85, and 87.

5. An ambiguity concerning the term "state of mere nature" must be noted. It may mean a pure abstraction, the human faculties considered apart from whether they are ordered by grace to a supernatural end, and apart from the wounds of nature. Or it may be

To accept this it is necessary to show that slavery came into existence because of the wounds of sin, an extremely difficult position to prove since it raises such questions as to whether the wounds are equal in all.⁶ Secondly it was possible to hold that slavery was only de facto a result of the Fall, that is the human race would have been liable to slavery even if it had been created in a merely natural state, as non-Christians suppose. But if this position is taken a three-fold possibility remains. First that man is liable to slavery, although it is an unjust act to enslave another, because merely natural man would have committed many injustices. Slavery thus comes about as a sin of the strong against the weak. Aristotle and the theologians alike admit that this is one source of slavery; the Greeks considered the enslavement of the Greeks unjust. A second possibility is that slavery belongs to mere nature as a just penalty to be used by men in punishing men who have committed actual, personal sins, rather than the original sin, for example by waging wars that are unjust. A third possibility is that slavery is under some conditions a just institution not as a punishment but as socially useful. Of course a great many further questions arise about these last two possibilities, e.g., can enslavement as a punishment extend to the children? About the third possibility it can be asked if this sort of slavery must always be voluntary on the part of the slave in order to be just, etc.

Which possibilities, since they are not all mutually exclusive, did St. Thomas admit? That he did not consider slavery specifically a de jure consequence becomes clear if we consider his treatment of some other

(Footnote continued) taken in a concrete sense, man as he would have been if God had chosen to create him as a purely natural creature without supernatural graces. Here the concrete sense is intended.

6. St. Thomas says they are equal, S.Th., I-II, q. 82, a. 1, c, et ad 1. Of course the essential effect of sin, the deprivation of sanctifying grace is equal in all men, since all died in Adam.

7. My discussion is largely dependent on the interesting treatment of work and the effects of original sin in the article of Yves Simon, loc. cit., 78-80.

results of the original sin. The Third Chapter of Genesis relates how man was condemned by God as a punishment for his fall to toil painfully, and the woman to bear children in pain, and to be subject to her husband. Yet it is clear that mankind merely as "rational animals," intellectual beings with corruptible bodies, would have been liable to suffer work and even pain in childbirth, as the animals suffer. St. Thomas says concerning the subjection of woman,

The subjection of the woman to her husband is to be understood as inflicted in punishment of the woman, not as to his headship (since even before sin the man was the head and governor of the woman) but as to her having now to obey her husband's will against her own.⁸

The pain of this obedience is wholly natural since in mere nature it is unpleasant to give up one's own judgment and will to another. The wounds of original sin, the de jure consequences simply intensify the pains to which a corporeal rational thing is naturally subject. Similarly slavery need not be assumed to be a special curse on man, if its origin can be shown to be compatible with man as he would have been if he was not created in grace. On all this St. Thomas does not speak explicitly, but no evidence is to be found in his works that he considered slavery a de jure consequence of sin except as it is made more painful by the wounds of sin. Since there is no evidence to the contrary we may assume that St. Thomas believed that slavery was not purely and simply a de jure consequence. Which of the three possible ways in which it could be a de facto consequence did St. Thomas accept? Did he consider it (1) essentially unjust, (2) just as a punishment for crime, (3) just as a useful non-penal dominion?

St. Thomas had as his beloved guide in this, as in most matters, St. Augustine, who said in a famous passage:

(God) did not intend that his rational creature, who was made in His image, should have dominion over anything but the irrational creation, --not man over man, but

8. S.Th., II-II, q.164, a.2, 1m.

man over beasts. And hence the righteous men in primitive times were made shepherds of cattle rather than kings of men. God intending thus to teach us what the relative position of creatures is, and what the desert of sin; for it is with justice, we believe that the condition of slavery is the result of sin. And this is why we do not find the words "slave" in any part of Scripture until righteous Noah branded the sin of his son with this name. It is a name, therefore, introduced by sin and not by nature. The origin of the Latin word for slave is supposed to be found in the circumstance that those who by the law of war were liable to be killed were sometimes preserved by their victors, and were hence called slaves (*servi*). For even when we wage a just war, our adversaries must be sinning....The prime cause, of slavery is sin, which brings man under the dominion of his fellow, --that which does not happen save by the judgment of God....But our Master in heaven says, "Everyone who doeth sin is the servant of sin." And thus there are many wicked men who have religious men as their slaves, and who are yet themselves in bondage; "for of whom a man is overcome, of the same is he brought into bondage."⁹

This is both profound and ambiguous; several ideas which are quite distinct are expressed, as it were, all at once. But it is quite clear that Augustine does not accept the first position mentioned as an exclusive one; he believes that slavery is not always unjust, nor simply a consequence of the Fall in the way murder is.¹⁰

9. De Civitate Dei, XIX, 15. This is paralleled by Quaestiones in Genesis, 153, P.L., T. xxxiv, col. 589-90. The first sentences of the passage quoted seem to imply that Augustine was an anarchist believing that there was not even a political subordination of man to man in Eden. The passage in Quaestiones in Genesis as well as the whole argument of the De Civitate Dei prove that this is not the case. He means that there would be no coercive subordination in Eden. This is the sense in which St. Thomas takes this passage in Sent. IV, d. 44, q. 1, a. 3 ad 2.

10. The view that slavery is a consequence of the Fall because it is essentially unjust has been lately taken by M. J. Adler in his paper "The Demonstration of Democracy," Proceedings of the Catholic Philosophical Association, 25 (1939), 122-165, 128 and not 17, 150. In Chapter XII, post, it will be asked if Leo XIII

Augustine accepts the second possibility fully; enslavement can be an act of justice when done by just men against their criminal opponents in a war. He also seems to admit slavery as a traditional institution in the latter part of the passage, but not very clearly. The third possibility, that slavery is a useful institution for slave and master, whether the slave is criminal or not, is not mentioned at all. Only if this possibility is admitted is there any room for Aristotle's view, though of course it does not automatically follow upon the acceptance of this possibility. In a parallel passage in another work St. Augustine does say:

For it is the natural order among men, that the women should serve their husbands and the sons their parents; since it is indeed just that the weaker in reason should serve the stronger. This is therefore clearly just in dominations and servitudes, that those who excel in reason should excel in domination.¹¹

But, although he has been speaking of slavery, this passage does not clearly bear on real servitude, but simply on any subjection whatsoever. St. Augustine's tone in the passage from *De Civitate Dei* is noticeably unfavorable to slavery as such. St. Thomas in his earlier answer to the question "Was there dominion of man over man in the state of innocence?" writes as follows:

A king regulates his rule (praelationem) to the good of the people over whom he rules....a tyrant however regulates his rule for his own proper utility; and therefore the two modes of rule mentioned differ in this: in the first the good of the subjects is sought, in the second the proper good of the ruler; and therefore the second kind of rule could not have existed in the state of innocence (*in statu naturae integrae*), except in regard

(Footnote continued) in his Encyclical "In plurimis" (1888) took this view. He seems however to have followed in the main point the view of St. Augustine. This position seems clearly to be that of Duns Scotus, *In IV Sent.*, d.36, q.1, "patet magna crudelitas fuisse in prima inductione servitutis quia hominem arbitrio liberum et dominum suorum actuum facit quasi brutum."
11. *Quaestiones in Genesim*, 153, P.L., T.XXIV, col. 589-90.

to those things which are ordered to man as to an end. These however are irrational creatures, over all of which he ruled much more to his advantage than he does now. But the rational creature, since it is of itself (*de se*) is not ordered to another as to an end, as a man to a man; but if this be done, it will not be except insofar as man, because of his sin, is compared to irrational creatures; whence also the Philosopher compares the slave to an instrument, saying that the slave is an animate instrument and the instrument an animate servant. And therefore such rule of man over man did not exist before sin.¹²

Here St. Thomas gives a possible justification of slavery. It was excluded from the state of innocence because it is contrary to the dignity of man, but once man has lost his own dignity by sin, it becomes a fitting punishment. Man, however, does not thus lose his dignity by original sin, or every unbaptized person could be put to death, a theological absurdity. The sin meant is actual sin of an individual for which he can be punished by enslavement. In other parts of the *Summa* is a parallel passage:

Q: Whether it is lawful to kill sinners:

A:By sinning man departs from the order of his reason, and consequently falls away from the dignity of his manhood, insofar as he is naturally free, and exists for himself, and he falls into the slavish state of the beasts, by being disposed of according as he is useful to others. Hence, although it be evil in itself to kill a man so long as he preserves his dignity, yet it may be good to kill a man who has sinned, even as it is to kill a beast. For a bad man is worse than a beast, and is more harmful as the Philosopher states (*Politica* I and *Ethica* VIII).¹³

These passages taken together with the passage from St. Augustine, which St. Thomas had before him,¹⁴ are quite clear. St. Thomas holds that slavery when used as a commutation of punishment for the unjust losers in a war is

12. *Sent.* II, d.44, q.1, a.3, c. The *Commentaries on the Sentences* were finished in 1256. See P. G. M. Manser, *Das Wesen des Thomismus*, 18.
13. *S.Th.*, II-II, q.64, a.2 ad 3m.
14. See Objection 2 of the article quoted from the *Commentary on the Sentences*.

justified.¹⁵ This punishment could not have existed in Eden of course, since there man had his full dignity. Nothing more can be gathered from this question of the Sentences. It certainly does not favor the third, or Aristotelian position, that slavery is a useful institution apart from punishment, since the stupidity of "the natural slave" cannot be called a degradation of man to the beast in the moral sense intended here. The wicked man is like a beast in having his reason dominated by his passions, but the stupid man may have perfect control over the passions (thus, as Aristotle says, he may have temperance and fortitude) thought he may be incapable of the highest natural virtues.

The second answer of St. Thomas is found in the later Summa Theologica:¹⁶

In one way dominion is taken as it is commonly referred to any kind of subject; and thus even he who has the duty of governing and directing free men can be called a master. In the first acceptance of dominion man did not dominate man in the state of innocence. The reason for this is that the slave in this differs from the free man that the latter is his own cause (cause sui¹⁷), a slave however is ordered to another. So that one man is master of another as his slave when he refers the one whose master he is, to his own--namely the master's use. And since every man's proper good is desirable to himself, and consequently it is a grievous matter to anyone to

15. Catholic theologians of course no longer admit this law of war. The change of view on this subject will be touched on in Chapter XII post.
16. S.Th., I, q.96, a.4. The Summa Theologica was begun in 1266 and worked on until 1273. See Manser, op. cit., 18.
17. The Editor of the Marietti edition of the Summa notes that this phrase is grammatically ambiguous and might mean either that the slave exists for the sake of another or merely that he does not direct his own affairs. I think it clear that the former meaning is more probable since it accords with the Aristotelian discussion of the slave, which St. Thomas evidently had in mind, as well as with the remainder of the passage. Cajetan paraphrases as follows "liberum est propter se, servus propter aliud, idest dominum."

yield to another what ought to be his own, therefore such dominion implies of necessity a pain (poena) on the part of the subject; and consequently in the state of innocence such a mastership could not have existed between man and man. But anyone is directed by another as a free man, when he directs him to the proper good of him who is directed, or to the common good.

It is very notable that here St. Thomas has answered his question much more economically. There is no reference to original sin or the degradation of man's nature. The phrase poena subjectorum (translated "pain on the part of the subject") implies punishment as well as pain, but it need be no more than punishment in the sense that all pain is at least a de facto consequence of the Fall. What is emphasized is that to work for another's good instead of one's own (or for the common good which is also in a sense one's own) has an essentially painful character.¹⁸ To work for one's own good or the common good is often painful, but only accidentally, because of various mischances, but to work for another's private good instead of one's own is essentially painful. Hence the state of innocence could have removed the accidental pains of work for one's own good or the common good, but not the essential pain of working for another's private good. The full consequences of this cannot be grasped until we consider St. Thomas' views as to the relation of slavery and natural right. It is very evident however that this passage goes a step beyond Augustine. By its argument St. Thomas is not committed to any of the three possibilities we have been discussing. Slavery, if defined as a frustration of man's natural tendency to seek his own good or the common good in the interest of his master, is essentially painful and therefore excluded from Eden; but this does not say whether such servitude is (1) essentially unjust, (2) just as a punishment of actual sin, or (3) a useful institution for master and slave. At least superficially all three are compatible with this distinction between the dominion of freedom and of servitude. We may, however, for the reasons

18. Also see Sent. IV, d.44, q.1, a.3 ad 1m. It is essentially painful because opposed to a natural instinct.

X already given, eliminate the first as the only correct explanation. St. Thomas gives sufficient evidence in the Summa itself that he considers slavery sometimes just. He agrees with both Aristotle and Augustine that the law of war enslaving the unjust side is permissible.

We are thus returned to asking about the third possibility. Is the idea that slavery is essentially painful compatible with the Aristotelian theory of "natural slavery?" St. Thomas says nothing of this here, but we must ask if he has silently eliminated the Aristotelian theory. The answer is very difficult to make. On the one hand it cannot be denied that St. Thomas is correct in holding that there is always a painful check in being compelled to seek another's good in place of one's own. As St. Thomas says "servitude is an impediment to the good use of power, and therefore men naturally flee from it."¹⁹ On the other hand, as we have seen, Aristotle believes that when the conditions of natural servitude are realized there is a "friendship" between master and slave so that the slave ought to be contented with a position that is to his profit. But if the position of the natural slave is not painful, then in St. Thomas' sense it cannot be servitude at all!

This logical difficulty is removed however if we consider Aristotle's "natural slave" again. It is true that his enslavement is to his advantage, but it is so in an indirect fashion, the master does not order him to do things which are evidently for his own good, nor for the common good of the household in the precise sense in which he belongs to that household. His action is one of doing another's will for the other's good first, his profit comes indirectly from that action. Moreover the slave cannot be expected to understand fully the advantages which he receives; he lives blindly. Consequently the relation remains essentially painful, though it is advantageous, according to Aristotle. In ideal cases the slave and master are truly friends. The slave acts not only because he must, but also out of love of the master, and the master makes it evident to the slave that he has the interests of the slave at heart. In this

19. S.Th., I-II, q.2, a.4, 3m.

case the servitude is pleasant, but only accidentally, since the essential check on the slave's pursuit of his own good remains. Aristotelian servitude of the "natural" sort, thus remains true servitude in St. Thomas' sense. Its naturalness however is evidently somehow secondary to the naturalness of man's impulse to seek his own or the common good first.

These conclusions can now be drawn:

(1) St. Thomas does not consider slavery as only a de jure consequence of original sin, i.e., a special evil consequent on man's spiritual history to which he would not have been liable if man had been created a merely natural being.

(2) He admits that slavery, though often unjust, X may be justly used as a punishment for actual sins or crimes.

(3) He considers servitude as essentially painful because he defines it as a status in which a man works first for another man's private good rather than following his natural impulse to seek his own private good or the common good.

(4) Aristotelian servitude, natural slavery, is true servitude according to this definition, although it aims to remove the essential pain by finding a master and slave between whom the greatest friendship of interest can exist without removing the dominion.

(5) Although St. Thomas clearly has Aristotle's theory in view in his ex professo treatment of slavery, he neither accepts nor excludes the possibility that "natural slavery" exists.

Chapter X

ST. THOMAS AND THE RIGHTS OF THE "SLAVE"

In speaking of St. Thomas' more concrete views on slavery, it is necessary to remember that he has in mind the medieval institution rather than antique slavery. In the last chapter it has been shown that the two great texts about man's dominion over man do not permit us to draw any certain conclusion about St. Thomas' attitude toward "natural slavery." A text of the most capital importance found in the Summa Theologica remains to be considered.

As we have seen above in Chapter III St. Isidore is continually quoted by the scholastics because he held that slavery belonged to the jus gentium. St. Thomas in his own discussion of that species of right states and answers the following objection:

Objection: Slavery among men is natural, for some are naturally slaves according to the Philosopher (Polit. 1). Now slavery belongs to the jus gentium as Isidore states (Etym. v). Therefore the jus gentium is the same as jus naturale.

Answer: Considered absolutely, the fact that this particular man should be a slave rather than another man does not have a natural reason (non habet rationem naturalem), but is based only on a resultant utility, in that it is useful to this man to be ruled by a wiser man, and to the latter to be helped by the former, as the Philosopher states (Polit. I). Wherefore slavery which belongs to the jus gentium is natural in the second way, but not in the first.¹

This text seems like a simple admission that "natural slavery" as described by Aristotle belongs to the jus gentium, the right of nations. It is necessary however

1. S.Th., q.57, a.3, 2m.

to make two qualifications. First is the fact that in this passage a citation of authority is being parried by a counter citation, and hence nothing is intended to be asserted as to the truth of the authority. It must be admitted however that St. Thomas does not commonly follow the method of answering objections with answers untrue in themselves. A more important objection is that slavery is here defined simply as a mutually advantageous rule of the wise over the stupid, and nothing is said about the lesser being "alterius," the crucial point in Aristotle's view. This text is undoubtedly the most favorable statement which St. Thomas makes outside the Politics for the Aristotelian position.

In order to understand the import of his answer the Thomistic theory of the jus gentium must be considered. St. Thomas holds that a thing can be just in three ways. First an act can be just or due to something because it is demanded by the very nature of the thing concerned (this is just by nature strictly speaking, jus naturale), or because it is consequent to nature but useful to attain the ends of nature, (this is just by immediate institution of human reason, by jus gentium), and finally simply because it is in accordance with rules enacted by human prudence with the common good in view (this is by jus positivum in the strictest sense). St. Thomas gives as an example of the first kind of right the union of the sexes, of the second private property and slavery, and third any positive institution which is for the common good.² St. Thomas' great contribution to the theory of law is the elucidation of the second sort of jus, jus gentium.³ The Roman lawyers, as we have seen,⁴ developed the theory of jus gentium, because they found an existing body of rules which were not enacted by any man and yet not simply natural. They defined jus naturale as a right which is common to men and animals, while jus gentium was proper to man. This

2. S.Th., II-II, q.57, a.3 and I-II, qq.94 and 95.

3. St. Thomas' contribution is brilliantly developed in O. Lottin, Le Droit Naturel chez St. Thomas d'Aquin et ses prédécesseurs.

4. Chapter III, ante.

was the view of Ulpian. As Lottin has shown⁵ St. Thomas revived this view which had fallen in some disrepute with Christian thinkers. When we compare several texts from his works which touch on slavery itself, we discover the subtlety of this theory. On the one hand he says that while marriage is by jus naturale, slavery is by jus positivum:

...since jus positivum...proceeds from jus naturale; therefore servitude, which is of the jus positivum, cannot prejudice those (rights) which are of the natural law, e.g.,...the appetite to conserve the species through generation.⁶

Here he takes jus naturale in the strict Roman sense: only that is natural which follows immediately from nature. Just as the sexual union is due to natural animal powers, so it is due to natural human powers. Since both jus positivum and jus gentium require a deduction by human reason which seeks for something to satisfy human ends, they can both be called positive as being subsequent to human reason and will. In this sense slavery is only based on jus positivum. On the other hand St. Thomas speaks of slavery as of the jus naturale as against jus positivum (i.e., jus civile).⁷ This is because both jus gentium and jus naturale can be called natural since neither requires enactment by a legislative authority. One is strictly natural, the other immediately consequent to nature:

The law of nations is indeed, in some way natural to man, insofar as he is a reasonable being, because it is derived from the natural law by way of a conclusion that is not very remote from its premises. Wherefore men easily agreed thereto. Nevertheless it is distinct from the natural law, especially from the natural law which is common to all animals.⁸

A man can appropriate unowned land for his own use and possession without the enactment of any law, but he can

5. O. Lottin, op.cit., 61-67.

6. Sent. IV, d.36, q.1, a.2, c.

7. S.Th., II-II, q.57, a.3, ad 2.

8. S.Th., I-II, q.95, a.4, ad 1.

see that this is right only by a process of deduction, while the rightness of sexual union is immediately evident to him as suitable to his natural desires.⁹ Slavery is thus opposed to the natural law in the strictest sense (in its "first intention"¹⁰) since it is not immediately evident that enslavement is the proper treatment of a given man; in this way no man is "by nature a slave" any more than any piece of land is by nature owed to this particular man. It cannot belong to any man simply to be a slave or master.¹¹

Thus we can distinguish three conditions. There is the case of the head of the family whose dominion is immediately demanded by nature both as to the dominion itself and the person who holds it. There must be a ruler in a family and he must be the father. Secondly there is the head of the state. There must be a head; this is by jus naturale, but that it should be this man or that is ordinarily a matter of the will of the community, jus positivum.¹² Finally there is slavery, which is not of the jus naturale, but of the jus gentium, both as an institution and as to person. This is quite evident from our crucial text: "Considered absolutely, the fact that this particular man should be a slave rather than another man, does not have a natural reason, but it is based only on a resultant utility."¹³ St. Thomas' fundamental contention then is that slavery cannot be called natural as the state is natural or the family,¹⁴ but because human reason immediately

9. It must be noted that though St. Thomas speaks of jus naturale as common to men and animals, it is common only in being due simply to a faculty, and known to be due by natural appetite rather than by a ratiocinative process. The animals have no moral rights since their good is wholly ordered to man.

10. Sent. IV, d.36, q.1, a.1, ad 2m.

11. S.Th., II-II, q.57, a.3.

12. There is no need to prove a point over which such famous controversies have been waged. Without doubt Bellarmine's theory of the passage of "authority" from God through the people is Thomistic in principle.

13. S.Th., I-II, q.95, a.4, ad 1.

14. "...mulier autem ex natura habet subjectionem, et non servus; et ideo non est simile." Sent. IV, d.25, q.1, a.2.

sees a utility in it, without the enactment of positive law. What is this utility? St. Thomas names two different reasons because of which slavery may be right and just. The first is, as we have seen, as a punishment:

....jus naturale dictates that a punishment may be inflicted for a crime, and that no one ought to be punished without crime; but to determine a punishment according to the condition of person and crime is of the jus positivum; and therefore servitude which is a certain determinate punishment is of the jus positivum; and therefore servitude which is a certain determinate punishment is of the jus positivum and proceeds from the jus naturale, as a determination from an indeterminate.¹⁵

Here St. Thomas speaks of jus positivum, but as we have seen this is only in contrast with jus naturale. He means that slavery as a punishment is a positive addition to the natural law, not positive as being a civil enactment, but rather as belonging to the jus gentium.
* Enslavement as a punishment in war is thus just and acceptable to St. Thomas, who here simply agrees with the common opinion of his day.¹⁶

What is the other reason given for slavery belonging to the jus gentium? It is the one mentioned in a single text which we have already cited:

....[Slavery] is based on a resultant utility, in that it is useful to this man to be ruled by a wiser man, and to the latter to be helped by the former as the Philosopher states (Polit. I). Wherefore slavery which belongs to jus gentium is natural in the second way, and not in the first.¹⁷

15. Sent. IV., d.36, q.1, a.1.

16. Since the justice of such slavery arises from its evident "utility" for attaining to natural ends, a change in the nature of war or in what may be called "the collective conscience" may make such an institution unsuitable to attain those ends, and hence unjust. In St. Thomas' own conception rights arising from jus gentium necessarily vary with circumstances, while those of the jus naturale cannot so vary. On the change in the moral attitude toward war, see Chapter XII, post.

17. S.Th., q.57, a.3, 2a.

What are we justified in concluding? Probably that St. Thomas believed that the servitude of a less intelligent man to a wiser for mutual advantages was natural in the sense of being an immediate conclusion of reason from their natural fitness to each other. Can we go further and say that this is equivalent to Aristotle's theory of "natural slavery?" We cannot do so safely for two reasons. First because it is a single, isolated text. Second because it does not explicitly indicate that the slave is "alterius," but simply refers to him as a stupid man who can be aided by a wiser. This is little more than the remark of St. Augustine quoted in the last chapter:

....it is indeed just that the weaker in reason should serve the stronger. This is therefore clearly just that the weaker in reason should serve the stronger. This is therefore clearly just in dominations and servitudes, that those who excel in reason should excel in dominations.¹⁸

The only argument that could be brought to bear is that St. Thomas defines the status of slavery as one in which the slave serves first the private interests of the master. If the slavery mentioned in the text just quoted fits this definition, then St. Thomas holds Aristotle's view that slavery involving this "alterius" condition can be advantageous to the slave and therefore just, but if we are more cautious and recognize the somewhat different view points in the two passages, then we must conclude that St. Thomas nowhere espouses the Aristotelian theory, since this is only text directly in its favor. *

The first of these alternatives is favored by the fact that St. Thomas has Aristotle in mind in all these passages and never criticizes him, but the second is favored by his great insistence on the rights of the slave.

What does this Thomistic theory of jus gentium and the limitations on the master's power over the slave

18. Quaestiones in Genesim, 153, P.L., t.xxxiv, cols.589-90.

have to do with Aristotle's own views? St. Thomas drew the theory of the jus gentium from the Roman jurists and not from Aristotle, but as Lottin shows¹⁹ he harmonizes this theory with the Philosopher in his Commentary on the Ethics. Aristotle distinguishes only natural right and positive right. How is the jus gentium to be inserted? St. Thomas says:²⁰

It must however be considered that jus naturale is that to which a man is inclined by nature....The Jurists however call only that jus naturale, which is consequent on an inclination of nature common to men and to other animals, as the conjunction of man and woman, the education of children, and other things of this sort. That jus however which is consequent upon an inclination proper to human nature, insofar as man is a rational animal, the jurists call jus gentium, since all nations use it, e.g., pacta sint servanda, and that ambassadors are safe between enemies, and other things of this sort. Both of which however are comprehended under the jus natural, as the term is used by the Philosopher.

It is immediately evident how much clearer the first chapter of the Politics, which we have studied, would be if Aristotle had used this distinction in discussing the way in which slavery is "natural."

If Aristotle had concluded that slavery is natural in a secondary and different sense than the family, for example, then the chief moral difficulty of his theory would be cleared up. Then it would be evident that slavery is not an institution required under every circumstance, and, more important, Aristotle would have had to admit that the slave has personal rights consequent on a prior natural law. Aristotle indicates that he sees a difference in the naturalness of the two institutions when he writes as follows:

The first coupling together of persons then to which necessity gives rise is that between those who are unable to exist without one another; for instance the union of female and male for the continuance of the species (and

19. O. Lottin, Le droit naturel chez St. Thomas, 62.

20. In Ethic., Lib.V, 1135a, Lectio 12.

this is not of deliberate purpose, but with man as with the other animals and with plants there is a natural instinct to desire to leave behind one another being of the same sort as oneself): and the natural ruler and natural subject for the sake of security.²¹

Here he indicates that the union of male and female is natural as based on instinct rather than on a reasoned deduction, but in the second part of the passage he is ambiguous. In one sense the union of wiser and stupider is natural if we mean simply that they enter into society for their common good, since to live in society is strictly natural for man and follows a natural instinct. But it is clearly not possible to say that the stupid man has an instinctive inclination to enslave himself to a wise man, or vice versa. This comes about because one or both recognize a "utility consequent" on their naturally complementary abilities. St. Thomas has the great merit to have accepted the common sense of the Roman Jurists in making slavery an institution established by men, though having a certain basis in natural conditions.

St. Thomas' main modification of Aristotle's reasoning was to insist that all just slavery whether a punishment or a social institution belongs to the jus gentium and that hence the rights of the master over his slave are limited by the natural law. X

THE SPECIFIC RIGHTS OF THE SLAVE AND THE SERF

St. Thomas gives us very little light on the concrete economic or social institutions of his day. So many of his political remarks are based simply on the observations of Aristotle, that we can gain only glimpses of St. Thomas' special qualifications of the dominion over slaves and serfs. Two of his works however permit us to see his views in practice. One is his little epistle De Regimine Judaeorum ad Ducissam Brabantiae which contains his advice as a moral theologian on the treatment of the Jews, who were considered to be the

21. Politics, I, 1, 1252b.

slaves of the Christian princes whose territory they inhabited.²² The other source is his treatment of certain standard casuistical problems on the administration of the sacraments and the slave status. Neither of these permit us to see if St. Thomas distinguished between serfdom and slavery. It would have been interesting to see the principles of Aristotle explicitly applied to the manorial society, but St. Thomas does not give us such an analysis.

St. Thomas in speaking of the Jews was considering the nearest analogue to Aristotle's distinction between Greek and barbarian, since the Jews were aliens and non-partners in the very life of Christendom. But how different a situation, since, as St. Thomas says in his little letter, our action toward the Jews must be that which will hasten their conversion and soften their hearts. It has nothing in common with modern racism, which, like Aristotle's view, is based on a belief in a natural rather than a moral difference between the "Greek" and the "Barbarian." St. Thomas writes that the Jew is justly held in servitude as a punishment for his infidelity, and that his property therefore belongs to the prince, but that the prince must rule him in "a moderate servitude, in order that the necessities of life shall not be taken away," lest the master's severity lead to bad feeling which will be a stumbling block to the Jew's conversion. This moderation is best secured by following traditional exactions. Since however the Jews have gained most of their property immorally by usury, they ought to be punished for it, and the most appropriate punishment is a monetary one. He warns the Duchess not to accept bribes from the Jews since their money was unjustly obtained. Finally he advises that the best solution is to get the Jews to leave off usury and take up some kind of honest employment, farming for example, as "is done in some parts of Italy." To this account we may add his answer to the question in Quodlibet. II, a.6, 3m as to whether the children of Jews should be baptized against their parents' wishes. The objection argues thus:

22. Quodlib. II, a.7, 3m.

Quod. II a7, 3m

...the children of slaves (servi) are slaves, and in the power of their lord. But the Jews are slaves of the king and the prince. Therefore kings and princes have power over the children of Jews to do as they please. It is no injury therefore, if they are baptized against the wishes of their parents.

And St. Thomas answers:

...this is contrary to natural justice. For the child is naturally something of his father; and at first he is not distinguished bodily from his parent as long as he is in his mother's womb; but afterwards, after he has come out of the womb, before he has the use of free will, he belongs under his parents' care as in a spiritual womb. For as long as he does not have the use of reason a child does not differ in what he does from an irrational animal. Whence just as the ox and horse belong by jus gentium and jus civile to his possessor, that he may use them as he pleases as his proper instrument; so it is by the jus naturale that the child before he attains the use of reason is under the care of his father; whence it would be against natural justice if a child before he has reached the age of reason should be taken from the care of his parents or anything done concerning him without their consent....The Jews are servants of the princes by civil law which does not exclude divine or natural right.

We have here an especially characteristic example of how the distinction of the kinds and levels of law acts in practice to limit the control of the master over his slaves.

In the Commentary on the Sentences St. Thomas gives a great many answers to practical questions in Sacramental theology. His answers are in no way original, agreeing very closely with those of St. Albert and St. Bonaventura, but the principles which he uses in determining his answers are of interest.

It has already been mentioned that he teaches that baptism does not loose the slave from his servitude since its action is spiritual and does not remove duties which are not sinful.²³ In the same article he develops

23. Sent. II, d.44, q.2, a.2, also S.Th. II-II, q.104, a.1 et a.6.

the general theory of the inviolability of the human conscience, by asking whether a subordinate is bound to obey a just authority as a moral obligation. He answers yes, but hastens to add that no one is bound to obey an authority which (1) steps beyond its proper bounds, "so that if a master exacts tribute which the servant is not bound (non tenetur) to give, or anything of this sort, then the subject is neither bound to obey or bound not to obey," or (2) which commands something sinful and contrary to the end for which he was made ruler, then the subject is "not only not bound to obey, but even bound to not obey, as the holy martyrs suffered death rather than obey the unjust commands of a tyrant." The phrase "if the lord demands a tribute which is the servant is not bound to give," is perhaps the best indication anywhere that S. Thomas was acquainted primarily with serfdom. The idea that a master's exactions from the slave are of a defined and limited sort, so that the slave can say, "I am not held to do this," is exactly the essence of feudalism which attempted to reduce every relation of superior and inferior to a set of defined exactions. With Aristotle the master's power can have no other limitation than his own virtue and justice toward the slave, or a sense of expediency. By giving the slave a legal limitation with respect not only of life but with the kind and amount of services demanded, St. Thomas betrays his feudalism; but further than this he insists on the slave's moral right of resistance. This view however does not at all prevent St. Thomas from holding that the slave is a part of his master. He says:

But nevertheless it must be understood that special justice can be taken in two ways: for it is taken properly and commonly. Special justice most properly taken, as the Philosopher says in Ethic. V, Cap. 6 is only between those who have a certain equality in this regard, that they can stand before the prince, before whom one is able to require from the other what is his, in which way there cannot be said to be justice between father or son, nor between master and slave, since whatever is the slave's is the master's and whatever is the son's is the father's. Special justice however is commonly applied even to this that the master renders his servant that which is his, or conversely, and so of

the others, since in this way the equality mentioned is not required; and if special justice is taken in this way, obedience pertains to justice, since through obedience the inferior renders the superior what is due.²⁴

This same doctrine is emphasized elsewhere²⁵ when it is said that neither wife, son, nor servant may give alms without the consent of the head of the family, except in emergencies. St. Thomas is thus especially insistent on the rights of the head of the household.

Again in Sent. IV, d.22, q.1, a.1, 4m he shows that crime does not itself destroy emancipation, but the freeman is returned only as a punishment for a new crime.

However the two most important problems concerning the slave discussed by St. Thomas are whether a man of slave status can receive the sacraments of Holy Matrimony and Holy Orders. As to the first the position of the Church was absolute. The slave could contract a sacramental marriage without the consent of the master and this marriage was binding in every respect. The reason given by St. Thomas is as follows:

Since the jus positivum...proceeds from the jus naturale, servitude which is of the jus positivum,²⁶ is not able to prejudice that which is of the natural law. Such however is the appetite of nature for the conservation of the species through generation. Whence as the slave is not subjected to the master inasmuch as he is able to eat freely and to sleep, and to do other things of this sort which pertain to the necessity of the body, without which nature cannot be conserved; so he is not subjected insofar that he is not able to contract a marriage even though the master does not know it or forbids it.²⁷

24. Sent. II, d.44, q.2, a.2 e.

25. Sent. IV, d.15, q.2, a.5.

26. That is jus gentium, since jus gentium is positive with respect to jus naturale, as we have seen supra.

27. Sent. IV, d.36, q.1, a.2 c.

The answers to objections in this question are also of great importance. The first objection argues that the slave is "alterius" and St. Thomas answers:

...the slave is a thing of his master's with respect to those things which are superadded to natural things; but with respect to natural things men are equal: whence in those things which pertain to natural acts, the servant is not able to be of another, thus the master unwilling, he is still able to give his bodily powers to matrimony.

Here the "naturalia" in which all men are equal are the things which belong to jus naturale, and are common with animals, but this reasserts strongly St. Thomas' fundamental assignment of slavery to the jus gentium. This question also insists that the master has a duty not to separate families, and that he cannot prevent the performance of the conjugal debt. If a freeman desires to sell himself into slavery, St. Thomas says his marriage holds, but a woman cannot so sell herself.²⁸ St. Thomas permits voluntary enslavement since a man can give to another what is his own, and the free man is sui juris with respect to his liberty, consequently he can surrender his liberty to another man.

This recalls the famous argument of Locke that no man is able to sell himself into slavery, a point which Locke felt it necessary to prove against Hobbes who held that the social contract was such a voluntary enslavement, or absolute subjection to the sovereign:

For a man, not having the power of his own life cannot by compact or his own consent enslave himself to any one, nor put himself under the absolute arbitrary power of another to take away his life when he pleases. Nobody can give more power than he has himself, and he that cannot take away his own life cannot give another power over it.²⁹

St. Thomas of course would agree with Locke that man has no power over his own life, but that his right over himself is limited by God's dominion, by the jus natu-

28. Sent. IV, d.15, q.1, a.3.

29. Second Essay on Civil Government, c.1v.

rale. St. Thomas thus must mean that when the slave gives himself to the master he gives only what is his to give, his liberty, but not his natural rights, the natural things in which all men are equal. These, as Locke says, he cannot give away because he has no right to them.

That these rights do not remove the special character of servitude however, is evident from the way in which slavery acts as an impediment to marriage. If a person marries a slave who has concealed his servitude after marriage is void. This is because slavery can be a serious obstacle to the essential acts of marriage; in this respect, says St. Thomas, it is worse than leprosy.³⁰ Since he has already said that when the master treats his slaves justly the marriage act is not impeded, this implies that the actual institution of slavery commonly fell far short of what was morally required.

St. Thomas in all this in no respect departs from the ordinary theological opinions of his day. He does not intend to alter the institution as it exists, except to remind men of their duties with regard to it. He discusses the question of the inheritance of the serf status without questioning whether inheritance of such a condition is just. He himself prefers that the children follow the condition of their mother, but admits that since the system of "the worsser condition" is followed widely it must have some reason to recommend it. Perhaps there is some mitigation for these views in the fact that St. Thomas' rule meant the preservation of the slave family with the mother, under the same lord, and on the same estate.³¹

The other chief sacramental problem was whether the slave could receive Holy Orders. The early Church had caused an enormous change in the social attitude toward the inferior classes by ordaining slaves. Pope Calixtus was a former slave. This was absolutely necessary in the early days of the Church, but once the society had become at least nominally Christian at

30. Sent. IV, d.36, q.1, a.1.

31. Sent. IV, d.36, q.1, a.4.

SLAVE
NOT
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XXX
SOMETIME

every level, the sociological implications of this policy had to be reconsidered. If the clergy was to any considerable extent drawn from the servile classes it could not possibly have had any great influence with the aristocracy which the Christianization of the war lords had produced. Moreover the Church would have become a camp of runaways from the social order. The Church's policy consequently became less favorable to the slave candidate for ordination and more favorable to those groups which could readily supply a cultivated and easily educable priesthood. If the slave was to be ordained, then he must first be freed. St. Thomas says:

In the reception of Orders a man is freed for divine duties. And since no one is able to give what is not his, the slave who does not have power over himself, is not able to apply for Orders. If he does apply however, he receives Orders, since liberty is not of the necessity of the sacrament, granted that it is necessary by precept; since it does not impede the power, but the act only.... If one applies with the knowledge of his master, and is not recalled, by this he is made free by his master. If however the master is ignorant, then the Bishop, and he who has presented the slave, owe the master double the price of the slave, if they knew him to be a slave; otherwise if the slave has a peculium he ought to redeem himself; otherwise he is returned to the service of his master, notwithstanding that his Orders cannot be exercised.³²

This is about all that we can learn from St. Thomas on his views concerning slavery and serfdom as it existed in his time. His views insist on the moral character of the slave and the limitations of his master, but they show no special insight into the social problem of slavery. We must remember however that in all St. Thomas' writings there is not a grain of Aristotle's contempt for the humble. Rather it is St. Thomas who once said in a sermon that since the Incarnation "any old woman knows more of God than Aristotle did."

32. Sent. IV, d. 25, q. 1, a. 2.

Chapter XI

THE DOMINION OF SERVITUDE AND TYRANNY

If St. Thomas is right in placing natural slavery as an immediate conclusion from jus naturale, then the dominion of servitude is a limited one, formally distinct from the dominion of man over sub-human things. However the second aspect of the question remains to be explored: What is the systematic importance of the master-slave dominion? What does it have in common with other dominions of man over man? Which is it most like? Dr. Yves Simon has recently made some interesting observations with regard to these problems:¹

It should be noticed that the set of opposite notions, dominion of servitude, dominion of freedom, is often erroneously thought to be equivalent to two other sets of opposite notions. Some might think that the opposition made between the dominion of servitude and the dominion of freedom fully coincides with the opposition between regimen politicum and regimen despoticum. We are touching one of the most equivocal aspects of the social philosophy of Aristotle. On close examination, it seems that there are in Aristotle two definitions of the slave, which can be easily mistaken as equivalent (and possibly were mistaken as such by Aristotle himself), and which in fact do not cover the same object, either in comprehension or in extension. From the point of view of final causality, the slave is one whose activity undergoes alienation, while a free man is one who is endowed with some power of resisting the orders he receives (regimen politicum or statutory regime), while a slave is one who is not given such a power of resistance (regimen despoticum). It is clear that those definitions are not equivalent in comprehension, since the point of view from which they proceed is not the same; nor are

1. Nature and Functions of Authority, 34ff.

they equivalent in extension, since one who does not enjoy any power of resisting the orders he receives is not thereby necessarily bound to serve the private welfare of his superior.

Dr. Simon clearly distinguishes two quite different kinds of domination which are frequently confused by the liberal. Afraid to admit true superiority and inferiority among men lest this commit him to an objective evaluation, the thorough-going liberal insists that to be ruled absolutely is the same as to be ruled for the interests of another. Granted however that there are superiors and inferiors, Aristotle's great proposition remains true: "Authority and subordination are conditions not only inevitable but also expedient."² When this inferiority is very great the only way in which authority can be exercised certainly is by guiding the subject "inflexibly," without allowing him power to modify directions but only to execute them, as a father guides a disobedient child. This absolute rule may be required just because the ruler wishes to insure the good of his subject, the father's love makes him sometimes stern. Absolute rule and rule for the ruler's own interest are not the same.

Admitting the great importance of this distinction, we may hesitate to accuse Aristotle of ambiguity in this regard. The slave is certainly under both sorts of rule. Since he is lacking in prudence by nature he requires to be ruled absolutely, as does a child. But the only inducement for the master to admit the slave to the household is as an instrument to be used for the master's own good, therefore he must also be ruled as "alterius." Or looking at it in a different way we may say that since the slave is naturally "alterius" he is only susceptible of rule for the ultimate good of a free man. In either case absolute rule and rule directed to the master's good are involved with each other in the slave's case, but Aristotle does not say that therefore they must always be connected. He says clearly:

2. *Politics*, I, 11, 1254a.

....for it is a part of the household science to rule over wife and children (over both as over freemen, yet not with the same mode of government, but over the wife to exercise republican government and over the children monarchical.The rule of the father over the children....is that of a king; for the male parent is the ruler in virtue both of affection and seniority, which is characteristic of the father in relation to the child.³

We have thus three kinds of dominions. ^① First there is a division between free and slave, and this is based on the status of being "alterius," "one who is by nature not his own but of another."⁴ Among the free members of the household there is again a distinction between those who are ruled regally, that is absolutely or without any share in the decisions; these are the children; and those who are ruled politically with a share in the deliberations; this is the wife. Only the slave is ruled for the master's benefit first, and his own second; but both he and the children are ruled absolutely. The diagram (Table II on the following page) illustrates the way in which absolute dominions can differ from each other. Aristotle and St. Thomas describe varieties 1 to 5, and the sixth dominion that of "wage-slavery" is added to emphasize the character of the other two dominions (4 and 5) over servile workers. The comparison of the master-slave (4) and the paternal dominion (3) is most enlightening. In both cases the head of the house rules his subject as a part of the household and with the good of the household in mind; but in the case of the child this household life is, as it were, a means for his private good, education, while in the case of the slave it is a means not to his own private good but to that of the master's, who is set free for life beyond the household. In a very strict sense, neither the child as a child nor the slave a perfect private good, since they are relatively rather than independently virtuous beings, but the child will some day have such an independent life, while the slave will never rise above the dependent life.⁵

3. *Politics*, I, v, 1259b; also *Ethics*, VIII, x11, 1160b.

4. *Ibid.*, I, 11, 1254a.

5. *Ibid.*, I, v, 1260a.

	(1)	(2)	(3)	(4)	(5)	(6)
	ABSOLUTE MONARCHY	TYRANNY	PATERNAL RULE	MASTER-SLAVE	CRAFTSMAN-ASSISTANTS	WAGE-SLAVE
RULER	Naturally superior in virtue, esp. regnitive prudence.	Vicious. "no natural tyrant."	Adult man. Domestic prudence.	Naturally intelligent. Domestic prudence.	Has an art by knowledge as well as by habit.	Owner of capital, tools.
SUBJECT	Freemen of naturally inferior virtues.	Perhaps better than their ruler.	Freemen, but undeveloped prudence.	Naturally incapable of prudence. Has servile art.	Requires direction for his art.	Has some art but no tools.
COMMUNITY	Perfect life of the state.	None except accidentally.	Daily life of household.	Daily life of household.	Artistic process only.	None.
END	Common good of state.	Private good of tyrant.	Good of child, indently of house.	Good of master, indently of slave.	Good of work.	Part of worker's pay taken by Owner.
MODE	Absolute	Absolute	Absolute	Absolute	Absolute in regard to work.	Absolute within contractual limits.

Some color is given to the charge that Aristotle did not always keep absolute rule and rule for the master's own good distinct by certain passages in which the term "despotic" is applied to tyrannical political rule rather than to the domestic relation. In Book I of the *Politics* "despotic rule" is never applied to any other relation than that of the master to the slave. Moerbeke's Latin translation and St. Thomas' commentary preserve this usage faithfully. In later Books however we find the following interesting association of "despotic" with state governments:

It is clear then that those constitutions that aim at the common advantage are in effect rightly framed in accordance with absolute justice, while those that aim at the rulers' own advantage only are faulty, and are all of them deviations from the right constitutions; for they have an element of despotism, whereas a city is a partnership of free men.⁶

Now tyranny....is monarchy exerting despotic power over the political community; oligarchy is when the control of the government is in the hands of those that own the properties; democracy is when on the contrary it is in the hands of those that do not possess much property, but are poor.⁷

There is a....monarchy examples of which are kingships existing among some of the barbarians. The power possessed by all of these resembles that of tyrannies, but they govern according to law and are hereditary; for because the barbarians are more servile in their natures than the Greeks, and the Asiatics than the Europeans, they endure despotic rule without resentment.⁸

A....kind of kingship is when a single ruler is sovereign over all matters in the way in which each race and each city is sovereign over its common affairs; this monarchy ranges with the rule of a master over a household, for just as the master's rule is a sort of monarchy

6. *Ibid.*, III,iv, 1279a.

7. *Ibid.*, III,v, 1279b.

8. *Ibid.*, III,ix, 1285a. The words underlined indicate that tyrannical leaders are not always absolute.

in the home, so absolute monarchy is domestic mastership over a city, or over a race or several races.⁹

In speaking of certain tyrannies which had an elective character, Aristotle remarks:

....they were on the one hand of the nature of royalty because they were in accordance with law and because they exercised monarchic rule over willing subjects, and on the other hand of the nature of a tyranny because they ruled despotically and according to their own judgment.¹⁰

To these passages we may add the following in which Aristotle describes the characteristics of a state in which the rich are too rich, and the poor too poor:

....the latter class do not know how to govern but know how to submit to government of a servile kind, while the former class do not know how to submit to any government, and only know how to govern in the manner of a master. The result is a state consisting of slaves and masters, not of free men, and of one class envious and another contemptuous of their fellows.¹¹

Taking all these texts together, we cannot but conclude that Aristotle does not concur in the modern use of "despotic" simply to mean absolute rule. In all these cases outside of Book I he uses it to describe a form of rule which he regards as perverted because it extended a principle of rule proper only to the household to the governance of the state, and in each case he indicates that while despotic rule is natural in the household it is tyrannical in the state. But not every absolute rule is tyrannical. When he speaks above of the *κατασλαβία* or absolute monarchy he calls it a "domestic (economic) mastership," not a despotic one, because it is rather like the rule of the father over his children.¹² Regal

9. Ibid., III, x, 1285a.

10. Ibid., IV, viii, 1295a. This perhaps shows some confusion of the different characteristics of which we are speaking, but Aristotle is not so much stressing the absolute character of the rule as its arbitrary character. The tyrant, once elected, did what he pleased regardless of his subjects' good.

11. Ibid., IV, ix, 1295b.

12. Ibid., III, x, 1285a.

dominion is thus absolute but for the good of the subjects, tyrannical dominion may be absolute and is for the good of the ruler not his subjects, despotic rule is within the household and is both absolute and for the good of the master. McIlwain has pointed out that the parts of the De Regimine which are by St. Thomas never confuse absolute monarchy with rule for the monarch's sake, nor apply the term regimen despoticum to anything except the household relation of master over slave.¹³ Neither in that work nor in the Politics nor in the Commentary of St. Thomas is it applied to the relation of father and son, or husband and wife. The continuator of the De Regimine, Ptolomy of Lucca, however, seems to have had much more sympathy for republican rule than St. Thomas. In Chapters 8 and 9 of Book II of the De Regimine¹⁴ he opposes regimen despoticum and regimen politicum in regard to forms of state government and proceeds to treat absolute monarchy as a despotic, tyrannical, and arbitrary form of government. The Aristotelian passages which we have quoted provide him with material for this view, but it is clear that though perhaps he is historically correct about the evils of absolute rule he has confused distinctions carefully preserved by St. Thomas.

Neither Aristotle nor St. Thomas, therefore can justly be accused of failing to see that to be ruled absolutely and to be ruled for another's good are different things, but a puzzle remains. Both these conditions exist in only two rules, the tyranny, and the rule over slaves. Aristotle, after condemning the Persians for treating their sons as slaves, says:

Tyrannical too is the rule of a master over slaves; for it is the advantage of the master that is brought about in it. Now this seems to be a correct form of government, but the Persian type is perverted; for the mode of rule appropriate to different relations is diverse.¹⁵

13. C. H. McIlwain, The Growth of Political Thought in the West, 329ff. An excellent discussion indeed.

14. St. Thomas' portion probably ends with II, c.4. For references to Grabmann and Mandonnet see Phelan's translation, page 1.

15. Ethics, VIII, xii, 1160b.

How can it be that a mode of government which is unnatural for the state or for the free members of the household is natural for the slave?

For there is such a thing as being naturally fitted to be controlled by a master ("a despot"), and in another case, to be governed by a king, and in another, for citizenship, and this is just and expedient; but there is no such thing as natural fitness for tyranny, nor for any other of the forms of government that are divergences, for these come about against nature.¹⁶

The difference between tyranny and slave rule is clearly in the nature of the subject and the end which belongs to that nature. The tyrant in the state or the tyrannical father rules over men who are potentially or actually capable of the common good of free men in such a way that the common good is sacrificed to the tyrant's own private good. The slave, on the other hand, is at best capable only of the common good of the household and a private good which is imperfect and relative. Aristotle has tried to prove that these are insured by the master's rule not sacrificed. In the tyranny both the final and efficient aspects of the rule are unnatural, the subjects lose the life due them and they are ruled absolutely when they are capable of sharing in rule. Sometimes, as Aristotle says,¹⁷ the subjects are so inferior as to require the last, but they are never so inferior as to justify the first unless, like Barbarians, they are actually servile in character: "for because the Barbarians are more servile in their nature than the Greeks....they endure despotic rule without resentment."¹⁸

A question might be asked which is not directly treated by Aristotle. Is there a perfect analogue in the state to the slave, a person who is not necessarily a part of the state, (as the slave is not necessary to

16. *Politics*, III, xi, 1287b. Here we have the despotic rule, the rule of absolute monarchy, and the rule over citizens having the power of resistance.

17. *Ibid.*, III, x, 1285b. He is speaking of an absolute monarchy based on the superiority of the ruler.

18. *Ibid.*, III, ix, 1285a.

the family like wife, child, or husband), and whose proper good is sought only incidentally by the state, (as the slave's is sought as incidental to the household's welfare)? The closest analogue would be the metics or alien residents who from the Greek point of view were not really sui juris.¹⁹ They were incidentally prosperous because the Greeks allowed them to participate in the benefits of the life of the city, but not for their good but only for the good of the city. In the same way the slave was allowed to participate in the benefits of the daily life of the family but for the family's sake first, for his own only incidentally. Is this not to say that the metic and the slave worked for a common good in which they were members? No, because the common good for which each worked was not the one in which they shared. The metic did not share in the liberal life of the state, since he was not a citizen, though he reaped advantages because of the life and order of that state. The slave did not share in the liberal life of the free members of the family, but like the animal he reaped security, and like the wife and child he gained a human life of relative virtue.²⁰ In this last respect, as we have seen, he was in a better position, according to Aristotle, than the metics (who were commonly artisans) since the free worker was not even a partner in his master's life.²¹

The relation of the despotic dominion to the whole state becomes still clearer when we consider the relation of the various classes in the ideal Aristotelian state to the common good. Only the military and political classes are truly free since only these perform liberal functions, only these have the higher virtues in perfection since political activity requires justice and prudence, and military life a special prudence. These same men are the heads of households,

19. *Politics*, III, i, 1275a. Slaves and aliens live in the state without being properly part of it.

20. *Ibid.*, v, 1259a-1260b.

21. *Ibid.*, I, v, 1260b. "For the slave is a partner in his master's life, but the artisan is more remote and only so much of virtue falls to his share as slavery."

particularly the older men who have full political prudence. The wealth and land of the state is also to belong to them as heads of the households.²² Of the two lower classes Aristotle says:

We have therefore stated the things indispensable for the constitution of a state, and the things that are parts of a state: tillers of the soil, craftsmen and the labouring class generally are a necessary appurtenance of states, but the military and deliberative classes are parts of the state: and moreover each of these divisions is separate from the others, either permanently or by turn.²³

It is clear that it is the laboring classes which are permanently separated, the other classes are occupied by the citizens in turn, first they are soldiers (and hence own land²⁴), then they are politicians, and then priests. These lower classes are to be slaves.²⁵ The servile life is incompatible with the free life, those who are to perform it must be men capable of nothing better than household life, therefore their position is permanent.

As a human being the slave should be a "political animal," but as in the wife and child this political nature lacks its full development, in the slave it is so permanently imperfect as to permit him only to share in the material conditions which he provides for the state and in its virtues as an instrument of the master's prudential life, "a partner of his master's life."

22. The various classes of the ideal state are discussed in the VIIIth Book of the Politics, vii, 1328a-1330a. On the virtues required in the upper classes see the Ethics, V, passim and VI, viii-ix, 1141b-1142a. St. Thomas develops this discussion elaborately in S.Th. II-II, qq.47-79 passim. See especially the discussion of the kinds of prudence in q.47 and q.48. He distinguishes regnative, political, and domestic prudence in q.50, as well as military prudence.

23. Politics, VII, ix, 1329a.

24. Ibid., VII, ix, 1329b.

25. Ibid., VII, ix, 1330a. Artisans are perhaps free. See VII, viii, 1329a.

We may add as a final text to this discussion the words in which Aristotle explains that the life of the state is not merely for material advantages or for security:

But a state exists for the sake of a good life, and not for the sake of life only: if life only were the object, slaves and brute animals might form a state, but they cannot, for they have no share in happiness or in a life of free choice.²⁶

This text, which somewhat exaggerates the lowness of the slave to emphasize the point at hand, makes clear the reason why Aristotle will not admit the slave class to citizenship.²⁷ They are like animals in falling short of the good life which is supreme in the state, happiness which is the life of perfect virtue, and free choice which is the power of self-direction fortified by prudence. We might justly say that the whole Politics has as its theme the essential difference between the good life of the state, its rulers, and its subjects, and the life of the household, its master, his wife, his children, and his slaves.

26. Politics, III, ix, 1279b. I have here followed the Jowett-Ross translation.

27. This quotation can be corrected by the parallel one in Ethics, I, vii, 1176a: "And any chance person--even a slave--can enjoy bodily pleasures no less than the best man; but no one assigns a slave a share in happiness--unless he assigns to him also a share in human life. For happiness does not lie in such occupations, but, as we have said before, in virtuous activities."

Chapter XII

CONCLUSION

Jacques Maritain has recently written a bitter description of the views of those who wish to divide the human race in order to excuse their hunger for power:

...the race which calls itself the master-race concentrates in itself all the privileges and all the dignity of our common human nature. The inferior categories are treated as a sub-human species, barely on the threshold of humanity. They hold an intermediate place between man and beast. They are intended by Nature to serve the master race. As this is the aim and purpose assigned to them by nature, they find their happiness the fulfillment of it. Let them obey their masters, let them work for their masters, so that through their labors and suffering the masters may enjoy the fruits of supreme human knowledge and power, and thus attain the full life of the free and strong. In their turn the master-race will make their inferiors happy. They will chastise them for their own good, and for the same reason they will keep them in a state of servitude, refusing them for their own benefit the rights and liberty of which they are not worthy, distributing among them the nourishment and semi-animal, semi-human pleasures such as are suited to their capacities and without which they might give a bad return or run the risk of joining in the hideous revolt of the slaves. The highest benefit that can be bestowed on them and understood by them is to be found in the happiness of those to whose pleasure they administer; and that is the last recompense of their fidelity.¹

This picture of the division of the human race is at once revolting in itself, and terrifying when we realize

1. "Christian Equality," *The Dublin Review*, No. 415, (1940) 163f.

CONCLUSION

that racialism, the "class-struggle," and extreme nationalism cannot but lead to such a division as a political reality. Maritain does not mention Aristotle, but it is quite evident that his words are a mordant picture of a modern application of the Aristotelian theory. What are we to say then in judgment on such a view? What is to be said about the practical meaning of "natural slavery"?

The history of Christian culture, as Mr. Belloc has said, is the history of the slow abolition of the servile status.² The mode in which this was done, he says, was by the distribution of land. The peasant, because he owns the necessary means of subsistence, necessarily has an independent life of his own. Even if he is not capable of much more than a life of toil, nevertheless, fortified by traditional habits, he is able to live as a free man in charge of his own family.

Maritain himself has stated a still deeper reason why ancient slavery is contrary to the whole tenor of Christian life, the fact that it was based on the premise that the man whose function is to do servile work cannot share in the life of contemplation:

For Christian conscience, as I have just pointed out, there do not exist two categories in humanity, *homo faber* whose task is to work, and *homo sapiens* whose task is the contemplation of truth. The same man is both *faber* and *sapiens*, and wisdom calls us all to the freedom of the Children of God.³

The authoritative voice of the Church itself spoke when in 1888 Leo XIII issued his Encyclical "In plurimis" to the Bishops of Brazil urging the completion of the abolition of slavery in that country. His condemnation did not depart from the reasoning of St. Augustine, nor did he lay down any new doctrinal views, but he spoke clearly on the Church's abhorrence of the manifold evils which the institution had spawned.⁴

2. *The Servile State*, Section 3, 41-54. //

3. *Scholasticism and Politics*, 178.

4. J. Dutilleul, "Esclavage," *Dictionnaire de Theologie Catholique*, vol. 5, part 1, cols. 503-516, gives an exhaustive treatment of the complicated history of theological opinion on this question after St. Thomas.

If slavery is an institution opposed to the spirit of Christianity and leading to the most dangerous divisions of the human race in its natural and supernatural oneness, how are we to answer these two questions: Why does St. Thomas to some extent justify slavery? Is there any permanent practical truth in the Aristotelian tradition on this point?

As to the first question our analysis has shown how in the hands of St. Thomas the elements drawn from Aristotle, the Stoics, and the Roman Jurists took on an essentially Christian form. If slavery is an institution of the jus gentium, the slave remains truly human, possessed of the fundamental human rights, and slavery itself becomes an institution of relative value. St. Thomas, as we have seen, did not adopt the Aristotelian idea of the slave as "alterius" as a principle in deciding practical ethical problems. Concretely speaking he recognized only two forms of slavery as justified, first ^{*} enslavement of the offenders in war, and second slavery as a traditional institution which could not be uprooted without upsetting the hard won social order of his times. He was not acquainted with the horrors of the later slave-trade and slaving expeditions, but only with a traditional servitude to which no free man was reduced except voluntarily or in punishment for crime. These institutions had their place in the hierarchy of a society of Christians, and did not imply any spiritual division of men, except the one between Christians and non-Christians, which the Church longed to remove by preaching Her Gospel.

Nevertheless we must admit that these institutions were replete with evils. Christianity has a moral development just as it has a doctrinal development. Charity, the principle of its moral life is eternally the same and proceeds from an Eternal Source, but the refinement of the human conscience under the impulse of that charity is a gradual process both in the life of the individual and in the life of the Mystical Body, the history of Christendom. The very knowledge of our own weakness has come to us slowly and painfully. The law of war in St. Thomas day permitted the victor to kill or enslave his victims on the ground that they were

waging an unjust war. The growth of Christian understanding (side by side with the increasing inhumanness of war fed by anti-Christian currents) has made us realize how often soldiers on the unjust side of a war are personally innocent of any guilt. St. Thomas was himself an angel of charity and yet he was a member of a collective conscience which was imperfectly Christianized. It is quite possible that the practical rules laid down by such a theologian may be wholly sound and scientific relative to the institutions and the moral conscience of the society of his time, and yet be inapplicable now without the greatest qualification. This does not reduce moral theology or ethics to mere relativism, but only emphasizes the fact that practical wisdom has to do with concrete conditions. St. Thomas is wholly right and eternally right in laying down the principle that a sinner can justly be killed for the common good, but he is not right if we take his conclusion to be practical wisdom for us today in our wars, if we conclude that all soldiers on the unjust side ought to be killed or enslaved.

With this caution in mind, what can we say to our second question, what is the permanent content of the Aristotelico-Thomistic discussion of slavery? The expediency of slavery as a part of the law of war is eliminated by the nature of modern war which involves the most innocent, and produces an almost universal invincible ignorance in its armies. It could be justified perhaps as a punishment for certain crimes; in fact much imprisonment is a kind of slavery, but modern society seeks to return the criminal to his normal place as soon as possible, and for this servitude is not very well adapted.

What if by slavery we mean the condition mentioned by St. Thomas, where the subject has full rights but requires to be guided by a wiser person for his own good, presumably as a member of the household? Such a person labors simply for his living. This is a condition actually to be found everywhere in society, in the case of "hired-hands" on farms, and servants who are "part of the family." Such arrangements are accepted

by everyone as reasonable and just.⁵ When voluntary it cannot be called servitude in the proper sense, since the subjected person really works for the common good in which he directly shares. But might this legitimately exist as an involuntary institution? In this case there is probably real servitude since the subject is forced to labor directly for the good of someone in whom he has no personal interest, while his own good is obtained only indirectly. The serfdom of the Middle Ages which St. Thomas had in mind approximated this condition. It has been generally admitted that such an arrangement is not essentially wrong if (a) it is necessary for the common good of the society, and (b) if it does not deprive the subject of his strictly natural rights. It involves a sacrifice of personal liberty by the individual for a common good in which he shares, but to which his labors are not directly orientated. Such an arrangement is not only dangerous given the selfishness of the superior individuals to whom the subject is enslaved, but its usefulness also depends on an aristocratic constitution of society. Aristotle's analysis serves the purpose of bringing out clearly that the justification of slavery is tied up with the idea of a state in which the citizens are all participants of the highest life. In any other social order the common good which is sought can be shared by any human being. Liberty, wealth, power, pleasure, even glory are common goods in which any human being who is capable of the servile arts can share in it. It is only in the life of virtue that the distinction between master and slave is a real one, in Aristotle's theory. Only if the state is truly aristocratic in this way can "natural slavery" exist. The tyrannies of our day enslave men for the sake of goods in which every man can share directly. "Wage-slavery" unjustly divides material goods between two men either of whom could do the work and share in the profit with equal fitness. The division must arise from largely accidental circumstances. Racial tyrannies are forced to construct myths as the basis of selecting a certain group for subjection, and the goods for which they strive

5. For a scholastic proof of the justice of such an institution see J. Gredt, *Elementa Philosophiae*, II, 397.

might as well be shared by that group as by the "chosen race." These dominations are really struggles between rivals rather than the symbiotic relation which Aristotle described.

Since "natural slavery" depends on aristocracy, it is clear without further examination that it has no direct application to modern societies which are either democratic, mixed or oligarchic in their constitutions. But further than this it is clear that Christian society must always view with extreme suspicion a system which supposes the perfect virtue of the intelligent, and the low virtue of the poor and simple, a system which naturally aims first at the freedom of the most virtuous, and only secondarily at making a way for the lowest men toward the life of contemplation. Christian culture must always be more interested in the least than in the highest and wary of every system in which human pride is the leading note.

If we turn to St. Thomas we see that if the natural rights of the slave are emphasized, the most radical implications of Aristotle's theory disappear. His servitude is primarily a thing of tradition to be safeguarded by interference from Church and State to protect the subject. Other than his unerring insight into the essence of servitude, it cannot be said that St. Thomas took Aristotle's analysis of slavery much further.

Beyond the aristocratic feature of Aristotle's theory the most striking point is that he placed all or almost all economic functions inside the family. This he conceived as necessary in order to combine private property and the free life. Because the household was an economically free unit its head was able to participate in the state. Because the life of production and use was confined to the household, the life of the state could be a political and liberal one, not occupied with primarily illiberal economic considerations. The man who is capable only of artistic action must find his highest life in the daily life, this daily life is directly connected to the liberal life through the head of the household.

When this view is compared with modern social situation the ethical difference is striking. The state is to a considerable degree occupied with economic affairs. The working class which, in spite of its power to vote, has no true share in liberal life, exists as a separated group in the state, having little security, and no direct connection with a daily life which is directed by a liberal mind. The traditional factors which once enriched the life of the simple by an accumulation of spiritual possessions, have disappeared and left in its place an astonishing poverty of mind and heart. The problem which Aristotle's slavery does not solve for us, is nevertheless a real problem. The parts of the population whose life is primarily one of servile work must attain security, and a participation a life of prudence. If Belloc is right, this is best done by making each worker himself the head of a household and of property. The American agrarian seeks a similar solution.

On the other hand nothing is more obvious than that modern political life is hardly "political" at all. It is not aimed to culminate in the prudential and contemplative life of its citizens, but in the acquisition of material wealth or power, in the art of endless making, and goal-less transitive activity. The slave existed because these things belong rather to the lowest human beings, according to Aristotle, but we today give them to the highest. Maritain's interest in social pluralism comes largely from this same realization that non-political functions should be returned to lesser communities, in order that the life of the state itself should become more truly human.

Ending
How to separate the servile, the prudential, and the contemplative functions in the life of the state, remains our problem. Aristotle may have had little respect for the servile worker, but do we have the proper respect for the free man and his contribution to the life of society? Christian thought which, more than the pagan, values what is truly human in society, must solve this problem in a way which recognizes the claim of contemplation, not in the fashion of liberalism which equalizes men by debasing the life of the city, nor like totalitarianism which makes men slaves to men themselves enslaved by material illusions.

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The English translations of texts from the works of Aristotle used in the text of this dissertation are taken from the editions listed in the following bibliography. The quotations from the Politics are always from the translation of H. Rackham unless otherwise noted.

The translations of Thomistic texts are either my own or from the following translations:

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Quotations from De Regimine Principum are from On the Governance of Rulers, G. B. Phelan, Toronto: St. Michael's College, 1935.

Quotations from the Commentary on the Politics are taken from the unpublished translation by Valentine J. King of Saint Ignatius College of the University of San Francisco. I have felt free however to make some alterations in this translation.