

Manumission

Manumission, or **affranchisement**, is the act of an owner freeing his or her slaves. Different approaches developed, each specific to the time and place of a particular society. Jamaican historian Verene Shepherd states that the most widely used term is gratuitous manumission, "the conferment of freedom on the enslaved by enslavers before the end of the slave system".^[1]

The motivations for manumission were complex and varied. Firstly, it may present itself as a sentimental and benevolent gesture. One typical scenario was the freeing in the master's will of a devoted servant after long years of service. A trusted bailliff might be manumitted as a gesture of gratitude. For those working as agricultural laborers or in workshops, there was little likelihood of being so noticed.

Such feelings of benevolence may have been of value to slave owners themselves as it allowed them to focus on a "humane component" in the human traffic of slavery. In general, it was more common for older slaves to be given freedom once they had reached the age at which they were beginning to be less useful. Legislation under the early Roman Empire put limits on the number of slaves that could be freed in wills (Lex Fufia Caninia, 2 BCE), which suggests that it had been widely used.

Freeing slaves could serve the pragmatic interests of the owner. The prospect of manumission worked as an incentive for slaves to be industrious and compliant. Roman slaves were paid a wage (peculium), which they could save up to buy themselves freedom. Manumission contracts found, in some abundance at Delphi (Greece), specify in detail the prerequisites for liberation.

Manumission was not always charitable or altruistic. In one of the stories in the Arabian Nights, in the Richard Francis Burton translation, a slave owner threatens to free his slave for lying to him. The slave says, "thou shall not manumit me, for I have no handicraft whereby to gain my living". Burton notes: "Here the slave refuses to be set free and starve. For a master to do so without ample reason is held disgraceful".^[2]

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Ancient Greece

A History of Ancient Greece explains that in the context of Ancient Greece, affranchisement came in many forms.^[3] A master choosing to free his slave would most likely do so only "at his death, specifying his desire in his will". In rare cases, slaves who were able to earn enough money in their labour were able to buy their own freedom and were known as choris oikointes. Two 4th-century bankers, Pasion and Phormio, had been slaves before they bought their freedom. A slave could also be sold fictitiously to a sanctuary from where a god could enfranchise him. In very rare circumstances, the city could affranchise a slave. A notable example is that Athens liberated everyone who was present at the Battle of Arginusae (406 BCE).

Even once a slave was freed, he was not generally permitted to become a citizen, but would become a metic. The master then became a prostātēs.^{[3][4][5]} The former slave could be bound to some continuing duty to the master^[4] and was commonly required to live near the former master (paramone).^[6] Breaches of these conditions could lead to beatings, prosecution at law and re-enslavement. Sometimes, extra payments were specified by which a freed slave could liberate himself from such residual duties. However, ex-slaves were able to own property outright, and their children were free of all constraint.

Ancient Rome

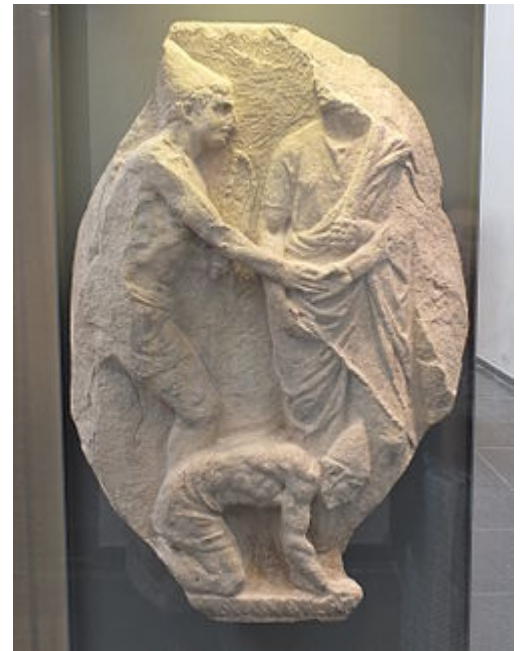
Under Roman law, a slave had no personhood and was protected under law mainly as his or her master's property. In Ancient Rome, a slave who had been manumitted was a libertus (feminine liberta) and a citizen.^{[7][8]}

A freed slave customarily took the former owner's family name, which was the nomen (see Roman naming conventions) of the master's gens. The former owner became the patron (patronus) and the freed slave became a client (cliens) and retained certain obligations to the former master, who owed certain obligations in return. A freed slave could also acquire multiple patrons.

A freed slave became a citizen. Not all citizens, however, held the same rights and privileges (for instance, women were citizens, but their Roman citizenship did not let them vote or hold public office). The freed slave's rights were limited or defined by particular statutes. A freed slave could become a civil servant but not hold higher magistracies (see, for instance, apparitor and scriba), serve as priests of the emperor or hold any of the other highly-respected public positions.

If they were sharp at business, however, there were no social limits to the wealth that freedmen could amass. Their children held full legal rights, but Roman society was stratified. One of the most famous Romans to have been the son of a freedman was the poet Horace, who enjoyed the patronage of Augustus.

A notable character of Latin literature is Trimalchio, the ostentatiously nouveau riche freedman in the Satyricon, by Petronius.



Relief depicting the manumission of two slaves (1st century BCE, Musée de Mariemont)

Peru

In colonial Peru, the laws around manumission were influenced by the Siete Partidas a Castilian law code. According to the Siete Partidas, a master who manumitted their slaves should be honored and obeyed by their former slaves for giving such a generous gift.^[9] Due perhaps to the closer intimacy between masters and household slaves, women and children were more likely to be manumitted than men.^[10] As in other parts of Latin America under the system of coartación, slaves could purchase their freedom by negotiating with their master for a purchase price and this was the most common way for slaves to be freed.^[11] Manumission also occurred during baptism, or as part of an owner's last will and testament.

In baptismal manumission, enslaved children were freed at baptism. Many of these freedoms came with stipulations which could include servitude often until the end of an owner's life.^[12] Children freed at baptism were also frequently the children of still enslaved parents. A child who was freed at baptism but continued to live with enslaved family was far more likely to be reenslaved.^[13] Baptismal manumission could be used as evidence of a person's freed status in a legal case but they did not always have enough information to serve as a *carta de libertad*.^[14]

Female slave owners were more likely than males to manumit their slaves at baptism.^[15] The language used by women slave owners who freed their slaves also differed substantially from that of men, with many women using the phrasing "for the love I have for her" as well as other expressions of intimacy as part of the reasoning for freeing their slaves as written on the baptismal record or *carta de libertad*.^[16] Male slave owners were far less likely to speak in intimate terms about their reasoning for freeing their slaves.^[17]

Some children manumitted at baptism were the illegitimate children of their male owners though this can be difficult to determine from the baptismal record and must be assessed through other evidence.^[18] Although slave owners often characterized these baptismal manumissions as a result of their generous beneficence, there are records of payments by parents or godparents to ensure the child's freedom.^[19] Mothers were almost never manumitted alongside their children. Manumitting a slave's children at baptism could be one way for owners to ensure the loyalty of the children's still enslaved parents.^[20]

Enslaved people could also be freed as part of a slave owner's last will and testament. Testamentary manumission frequently involved expressions of affection on the part of the slave owner to the enslaved person as part of the rationale behind manumission.^[21] Slave owners also frequently cited a desire to die with a clear conscience as part of their reasoning for freeing their slaves.^[22] Testamentary manumission could often be disputed by heirs claiming fraud, or that an enslaved person had preyed upon a relative's weak mental or physical condition.^[23] Legally testamentary manumissions were usually respected by the courts, who understood enslaved people as part of their owner's property to distribute as they wished.^[24] Relatives who claimed fraud had to provide evidence of their claims or they would be dismissed.^[25] As in baptismal manumission, conditions of ongoing servitude were sometimes placed upon the enslaved person, by obligating them to care for another relative.^[26]

In Iberoamerican law, a person had discretion over one-fifth of their estate^[27] with the rest going to children, spouses, and other relatives. An enslaved person could be sold in order to cover debts of the estate, but not if they had already paid part of their purchase price towards manumission as this was considered a legally binding agreement.^[28] As long as a person had not disinherited his or her children or spouse, a slave owner could manumit their slaves as they wished.^[29]

Caribbean

Manumission laws varied between the various colonies in the Caribbean. The island of Barbados had some of the strictest laws, requiring owners to pay £200 for male slaves and £300 for female slaves, and show cause to the authorities. This was done to limit the number of free blacks on the island. In some other colonies no fees applied. It was not uncommon for ex-slaves to purchase family members or friends in order to free them. For example, ex-slave Susannah Ostrehan became a successful businesswoman in Barbados and purchased many of her acquaintances.^[30]

United States

African slaves were freed in the North American colonies as early as the 17th century. Some, such as Anthony Johnson, went on to become landowners and slaveholders themselves in the colonies. Slaves could sometimes arrange manumission by agreeing to "purchase themselves" by paying the master an agreed amount. Some masters demanded market rates; others set a lower amount in consideration of service.

Regulation of manumission began in 1692, when Virginia established that to manumit a slave, a person must pay the cost for them to be transported out of the colony. A 1723 law stated that slaves may not "be set free upon any pretence whatsoever, except for some meritorious services to be adjudged and allowed by the governor and council."^[31] In some cases, a master who was drafted into the army would send a slave instead, with a promise of freedom if he survived the war.^[32] The new government of Virginia repealed the laws in 1782 and declared freedom for slaves who had fought for the colonies during the American Revolutionary War. The 1782 laws also permitted masters to free their slaves on their own accord; previously, a manumission had required obtaining consent from the state legislature, which was arduous and rarely granted.^[33]

However, as population of free Negroes increased, the state passed laws forbidding them from moving into the state (1778)^[34] and requiring newly-freed slaves to leave within one year unless they had special permission (1806).^[35]

In the Upper South in the late 18th century, planters had less need for slaves, as they switched from labor-intensive tobacco cultivation to mixed-crop farming. Slave states such as Virginia made it easier for slaveholders to free their slaves. In the two decades after the American Revolutionary War, so many slaveholders accomplished manumissions by deed or in wills that the proportion of free blacks to the total number of blacks rose from less than 1% to 10% in the Upper South.^[36] In Virginia, the proportion of free blacks increased from 1% in 1782 to 7% in 1800.^[37] Together with several Northern States abolishing slavery during that period, the proportion of free blacks nationally increased to ~14% of the total black population. New York and New Jersey adopted gradual abolition laws that kept the free children of slaves as indentured servants into their twenties.

After invention of the cotton gin in 1793, which enabled the development of extensive new areas for new types of cotton cultivation, the number of manumissions decreased because of the increased demand for slave labor. In the 19th century, slave revolts such as the Haitian Revolution, and especially, the 1831 rebellion, led by Nat Turner, increased slaveholders' fears, and most southern states passed laws making manumission nearly impossible until the passage of the 1865 Thirteenth Amendment to the United States Constitution, which abolished slavery "except as a punishment for crime whereof the party shall have been duly convicted," after the American Civil War.

Of the Founding Fathers of the United States, as defined by the historian Richard B. Morris, the Southerners were the major slaveholders, but Northerners also held them, generally in smaller number, as domestic servants. John Adams owned none. George Washington freed his own slaves in his will (his wife independently held numerous dower slaves). Thomas Jefferson freed five slaves in his will, and the remaining 130 were sold to settle his estate debts. James Madison did not free his slaves, and some were sold to pay off estate debts, and his wife and son retained most to work Montpelier plantation. Alexander Hamilton's slave ownership is unclear, but it is most likely that he was of the abolitionist ideal, as he was an officer of the New York Manumission Society. John Jay founded the society and freed his domestic slaves in 1798; the same year, as governor, he signed a gradual abolition law in New York. John Dickinson freed his slaves in a manumission process between 1776 and 1786, the only Founding Father to do so during that time.

See also

- Emancipation

- Islamic views on slavery

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External links

-  The dictionary definition of manumission at Wiktionary
- Etymology of manumission (http://www.etymonline.com/index.php?allowed_in_frame=0&search=manumission&searchmode=none)

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