

Chapter Seven

HONOR AND DEGRADATION

OR, ON THE FOUNDATIONS OF CONTEMPORARY CIVILIZATION

*ur*₅ [HAR]: *n.*, liver; spleen; heart, soul; bulk, main body; foundation; loan; obligation; interest; surplus, profit; interest-bearing debt; repayment; slave-woman.

—early Sumerian dictionary¹

It is just to give each what is owed.

—Simonides

IN THE LAST CHAPTER, I offered a glimpse of how human economies, with their social currencies—which are used to measure, assess, and maintain relationships between people, and only perhaps incidentally to acquire material goods—might be transformed into something else. What we discovered was that we cannot begin to think about such questions without taking into account the role of sheer physical violence. In the case of the African slave trade, this was primarily violence imposed from outside. Nonetheless, its very suddenness, its very brutality, provides us with a sort of freeze-frame of a process that must have occurred in a much slower, more haphazard fashion in other times and places. This is because there is every reason to believe that slavery, with its unique ability to rip human beings from their contexts, to turn them into abstractions, played a key role in the rise of markets everywhere.

What happens, then, when the same process happens more slowly? It would seem that much of this history is permanently lost—since in both the ancient Middle East and the ancient Mediterranean, most of the really critical moments seem to have occurred just before the advent of written records. Still, the broad outlines can be reconstructed.

The best way to do so, I believe, is to start from a single, odd, vexed concept: the concept of honor, which can be treated as a kind of artifact, or even as a hieroglyphic, a fragment preserved from history that seems to compress into itself the answer to almost everything we've been trying to understand. On the one hand, violence: men who live by violence, whether soldiers or gangsters, are almost invariably obsessed with honor, and assaults on honor are considered the most obvious justification for acts of violence. On the other, debt. We speak both of debts of honor, and honoring one's debts; in fact, the transition from one to the other provides the best clue to how debts emerge from obligations; even as the notion of honor seemed to echo a defiant insistence that financial debts are not really the most important ones; an echo, here, of arguments that, like those in the Vedas and the Bible, go back to the very dawn of the market itself. Even more disturbingly, since the notion of honor makes no sense without the possibility of degradation, reconstructing this history reveals how much our basic concepts of freedom and morality took shape within institutions—notably, but not only, slavery—that we'd sooner not have to think about at all.



To underscore some of the paradoxes surrounding the concept and bring home what's really at stake here, let us consider the story of one man who survived the Middle Passage: Olaudah Equiano, born sometime around 1745 in a rural community somewhere within the confines of the Kingdom of Benin. Kidnapped from his home at the age of eleven, Equiano was eventually sold to British slavers operating in the Bight of Biafra, from whence he was conveyed first to Barbados, then to a plantation in colonial Virginia.

Equiano's further adventures—and there were many—are narrated in his autobiography, *The Interesting Narrative of the Life of Olaudah Equiano: or, Gustavus Vassa, the African*, published in 1789. After spending much of the Seven Years' War hauling gunpowder on a British frigate, he was promised his freedom, denied his freedom, sold to several owners—who regularly lied to him, promising his freedom, and then broke their word—until he passed into the hands of a Quaker merchant in Pennsylvania, who eventually allowed him to purchase his freedom. Over the course of his later years he was to become a successful merchant in his own right, a best-selling author, an Arctic explorer, and eventually, one of the leading voices of English Abolitionism. His eloquence and the power of his life story played significant parts in the movement that led to the British abolition of the slave trade in 1807.

Readers of Equiano's book are often troubled by one aspect of the story: that for most of his early life, he was not opposed to the institution of slavery. At one point, while saving money to buy his freedom, he even briefly took a job that involved purchasing slaves in Africa. Equiano only came around to an abolitionist position after converting to Methodism and falling in with religious activists against the trade. Many have asked: Why did it take him so long? Surely if anyone had reason to understand the evils of slavery, he did.

The answer seems, oddly, to lie in the man's very integrity. One thing that comes through strikingly in the book is that this was not only a man of endless resourcefulness and determination, but above all, a man of honor. Yet this created a terrible dilemma. To be made a slave is to be stripped of any possible honor. Equiano wished above all else to regain what had been taken from him. The problem is that honor is, by definition, something that exists in the eyes of others. To be able to recover it, then, a slave must necessarily adopt the rules and standards of the society that surrounds him, and this means that, in practice at least, he cannot absolutely reject the institutions that deprived him of his honor in the first place.

It strikes me that this experience—of only being able to restore one's lost honor, to regain the ability to act with integrity by acting in accord with the terms of a system that one knows, through deeply traumatic personal experience, to be utterly unjust—is itself one of the most profoundly violent aspects of slavery. It is another example, perhaps, of the need to argue in the master's language, but here taken to insidious extremes.

All societies based on slavery tend to be marked by this agonizing double consciousness: the awareness that the highest things one has to strive for are also, ultimately, wrong; but at the same time, the feeling that this is simply the nature of reality. This might help explain why throughout most of history, when slaves did rebel against their masters, they rarely rebelled against slavery itself. But the flip side of this is that even slave-owners seemed to feel that the whole arrangement was somehow fundamentally perverse or unnatural. First-year Roman law students, for instance, were made to memorize the following definition:

slavery

is an institution according to the law of nations whereby one person falls under the property rights of another, contrary to nature.²

At the very least, there was always seen to be something disreputable and ugly about slavery. Anyone too close to it was tainted. Slave-traders particularly were scorned as inhuman brutes. Throughout history, moral justifications for slavery are rarely taken particularly seriously even by those who espouse them. For most of human history, most people saw slavery much as we see war: a tawdry business, to be sure, but one would have to be naïve indeed to imagine it could simply be eliminated.

Honor Is Surplus Dignity

So what is slavery? I've already begun to suggest an answer in the last chapter. Slavery is the ultimate form of being ripped from one's context, and thus from all the social relationships that make one a human being. Another way to put this is that the slave is, in a very real sense, dead.

This was the conclusion of the first scholar to carry out a broad historical survey of the institution, an Egyptian sociologist named Ali 'Abd al-Wahid Wafi, in Paris in 1931.³ Everywhere, he observes, from the ancient world to then-present-day South America, one finds the same list of possible ways whereby a free person might be reduced to slavery:

- 1) By the law of force
 - a. By surrender or capture in war
 - b. By being the victim of raiding or kidnapping
- 2) As legal punishment for crimes (including debt)
- 3) Through paternal authority (a father's sale of his children)
- 4) Through the voluntary sale of one's self⁴

Everywhere, too, capture in war is considered the only way that is considered absolutely legitimate. All the others were surrounded by moral problems. Kidnapping was obviously criminal, and parents would not sell children except under desperate circumstances.⁵ We read of famines in China so severe that thousands of poor men would castrate themselves, in the hope that they might sell themselves as eunuchs at court—but this was also seen as the sign of total social breakdown.⁶ Even the judicial process could easily be corrupted, as the ancients were well aware—especially when it came to enslavement for debt.

On one level, al-Wahid's argument is just an extended apology for the role of slavery in Islam—widely criticized, since Islamic law never

eliminated slavery, even when the institution largely vanished in the rest of the Medieval world. True, he argues, Mohammed did not forbid the practice, but still, the early Caliphate was the first government we know of that actually succeeded in eliminating all these practices (judicial abuse, kidnappings, the sale of offspring) that had been recognized as social problems for thousands of years, and to limit slavery strictly to prisoners of war.

The book's most enduring contribution, though, lay simply in asking: What do all these circumstances have in common? Al-Wahid's answer is striking in its simplicity: one becomes a slave in situations where one would otherwise have died. This is obvious in the case of war: in the ancient world, the victor was assumed to have total power over the vanquished, including their women and children; all of them could be simply massacred. Similarly, he argued, criminals were condemned to slavery only for capital crimes, and those who sold themselves, or their children, normally faced starvation.⁷

This is not just to say, though, that a slave was seen as owing his master his life since he would otherwise be dead.⁸ Perhaps this was true at the moment of his or her enslavement. But after that, a slave could not owe debts, because in almost every important sense, a slave *was* dead. In Roman law, this was quite explicit. If a Roman soldier was captured and lost his liberty, his family was expected to read his will and dispose of his possessions. Should he later regain his freedom, he would have to start over, even to the point of remarrying the woman who was now considered his widow.⁹

In West Africa, according to one French anthropologist, the same principles applied:

Once he had been finally removed from his own milieu through capture the slave was considered as socially *dead*, just as if he had been vanquished and killed in combat. Among the Mande, at one time, prisoners of war brought home by the conquerors were offered *dege* (millet and milk porridge)—because it was held that a man should not die on an empty stomach—and then presented with their arms so that they could kill themselves. Anyone who refused was slapped on the face by his abductor and kept as a captive: he had accepted the contempt which deprived him of personality.¹⁰

Tiv horror stories about men who are dead but do not know it or who are brought back from the grave to serve their murderers, and

Haitian zombie stories, all seem to play on this essential horror of slavery: the fact that it's a kind of living death.

In a book called *Slavery and Social Death*—surely the most profound comparative study of the institution yet written—Orlando Patterson works out exactly what it has meant to be so completely and absolutely ripped from one's context.¹¹ First of all, he emphasizes, slavery is unlike any other form of human relation because it is not a moral relation. Slave-owners might dress it up in all sorts of legalistic or paternalistic language, but really this is just window-dressing and no one really believes it; really, it is a relation based purely on violence; a slave must obey because if he doesn't, he can be beaten, tortured, or killed, and everyone is perfectly well aware of this. Second of all, being socially dead means that a slave has no binding moral relations with anyone else: he is alienated from his ancestors, community, family, clan, city; he cannot make contracts or meaningful promises, except at the whim of his master; even if he acquires a family, it can be broken up at any time. The relation of pure force that attached him to his master was hence the only human relationship that ultimately mattered. As a result—and this is the third essential element—the slave's situation was one of utter degradation. Hence the Mande warrior's slap: the captive, having refused his one final chance to save his honor by killing himself, must recognize that he will now be considered an entirely contemptible being.¹²

Yet at the same time, this ability to strip others of their dignity becomes, for the master, the foundation of his honor. As Patterson notes, there have been places—the Islamic world affords numerous examples—where slaves are not even put to work for profit; instead, rich men make a point of surrounding themselves with battalions of slave retainers simply for reasons of status, as tokens of their magnificence and nothing else.

It seems to me that this is precisely what gives honor its notoriously fragile quality. Men of honor tend to combine a sense of total ease and self-assurance, which comes with the habit of command, with a notorious jumpiness, a heightened sensitivity to slights and insults, the feeling that a man (and it is almost always a man) is somehow reduced, humiliated, if any "debt of honor" is allowed to go unpaid. This is because honor is not the same as dignity. One might even say: honor is surplus dignity. It is that heightened consciousness of power, and its dangers, that comes from having stripped away the power and dignity of others; or at the very least, from the knowledge that one is capable of doing so. At its simplest, honor is that excess dignity that must be defended with the knife or sword (violent men, as we

all know, are almost invariably obsessed with honor). Hence the warrior's ethos, where almost anything that could possibly be seen as a sign of disrespect—in inappropriate word, an inappropriate glance—is considered a challenge, or can be treated as such. Yet even where overt violence has largely been put out of the picture, wherever honor is at issue, it comes with a sense that dignity *can* be lost, and therefore must be constantly defended.

The result is that to this day, “honor” has two contradictory meanings. On the one hand, we can speak of honor as simple integrity. Decent people honor their commitments. This is clearly what “honor” meant for Equiano: to be an honorable man meant to be one who speaks the truth, obeys the law, keeps his promises, is fair and conscientious in his commercial dealings.¹³ His problem was that honor simultaneously meant something else, which had everything to do with the kind of violence required to reduce human beings to commodities to begin with.

The reader might be asking: But what does all this have to do with the origins of money? The answer is, surprisingly: everything. Some of the most genuinely archaic forms of money we know about appear to have been used precisely as measures of honor and degradation: that is, the value of money was, ultimately, the value of the power to turn others into money. The curious puzzle of the *cumal*—the slave-girl money of medieval Ireland—would appear to be a dramatic illustration.

Honor Price (Early Medieval Ireland)

For much of its early history, Ireland's situation was not very different than that in many of the African societies we looked at in the end of the last chapter. It was a human economy perched uncomfortably on the fringe of an expanding commercial one. What's more, at certain periods there was a very lively slave trade. As one historian put it, “Ireland has no mineral wealth, and foreign luxury goods could be bought by Irish kings mainly for two export goods, cattle and people.”¹⁴ Hardly surprising, perhaps, that cattle and people were the two major denominations of the currency. Still, by the time our earliest records kick in, around 600AD, the slave trade appears to have died off, and slavery itself was a waning institution, coming under severe disapproval from the Church.¹⁵ Why, then, were *cumal* still being used as units of account, to tally up debts that were actually paid out in cows, and in cups and brooches and other objects made of silver, or, in the

case of minor transactions, sacks of wheat or oats? And there's an even more obvious question: Why *women*? There were plenty of male slaves in early Ireland, yet no one seems ever to have used them as money.

Most of what we know about the economy of early Medieval Ireland comes from legal sources—a series of law codes, drawn up by a powerful class of jurists, dating roughly from the seventh to ninth centuries AD. These, however, are exceptionally rich. Ireland at that time was still very much a human economy. It was also a very rural one: people lived in scattered homesteads, not unlike the Tiv, growing wheat and tending cattle. The closest there were to towns were a few concentrations around monasteries. There appears to have been a near total absence of markets, except for a few on the coast—presumably, mainly slave or cattle markets—frequented by foreign ships.¹⁶

As a result, money was employed almost exclusively for social purposes: gifts; fees to craftsmen, doctors, poets, judges, and entertainers; various feudal payments (lords gave gifts of cattle to clients who then had to regularly supply them with food). The authors of the law codes didn't even know how to put a price on most goods of ordinary use—pitchers, pillows, chisels, slabs of bacon, and the like; no one seems ever to have paid money for them.¹⁷ Food was shared in families or delivered to feudal superiors, who laid it out in sumptuous feasts for friends, rivals, and retainers. Anyone needing a tool or furniture or clothing either went to a kinsman with the relevant craft skills or paid someone to make it. The objects themselves were not for sale. Kings, in turn, assigned tasks to different clans: this one was to provide them with leather, this one poets, this one shields . . . precisely the sort of unwieldy arrangement that markets were later developed to get around.¹⁸

Money could be loaned. There was a highly complex system of pledges and sureties to guarantee that debtors delivered what they owed. Mainly, though, it was used for paying fines. These fines are endlessly and meticulously elaborated in the codes, but what really strikes the contemporary observer is that they were carefully graded by rank. This is true of almost all the "Barbarian Law Codes"—the size of the penalties usually has at least as much to do with the status of the victim as it does with the nature of the injury—but only in Ireland were things mapped out quite so systematically.

The key to the system was a notion of honor: literally "face."¹⁹ One's honor was the esteem one had in the eyes of others, one's honesty, integrity, and character, but also one's power, in the sense of the ability to protect oneself, and one's family and followers, from any sort of degradation or insult. Those who had the highest degree of honor were literally sacred beings: their persons and possessions were

sacrosanct. What was so unusual about Celtic systems—and the Irish one went further with this than any other—was that honor could be precisely quantified. Every free person had his or her “honor price”: the price that one had to pay for an insult to the person’s dignity. These varied. The honor price of a king, for instance, was seven *cumal*, or seven slave girls—this was the standard honor price for any sacred being, the same as a bishop or master poet. Since (as all sources hasten to point out) slave girls were not normally paid as such, this would mean, in the case of an insult to such a person’s dignity, one would have to pay twenty-one milk cows or twenty-one ounces of silver.²⁰ The honor price of a wealthy peasant was two and a half cows, of a minor lord, that, plus half a cow additionally for each of his free dependents—and since a lord, to remain a lord, had to have at least five of these, that brought him up to at least five cows total.²¹

Honor price is not to be confused with *wergeld*—the actual price of a man or woman’s life. If one killed a man, one paid goods to the value of seven *cumals*, in recompense for killing him, to which one then added his honor price, for having offended against his dignity (by killing him). Interestingly, only in the case of a king are the blood price and his honor price the same.

There were also payments for injury: if one wounds a man’s cheek, one pays his honor price plus the price of the injury. (A blow to the face was, for obvious reasons, particularly egregious.) The problem was how to calculate the injury, since this varied according to both the physical damage and status of the injured party. Here, Irish jurists developed the ingenious expedient of measuring different wounds with different varieties of grain: a cut on the king’s cheek was measured in grains of wheat, on that of a substantial farmer in oats, on that of a smallholder merely in peas. One cow was paid for each.²² Similarly, if one stole, say, a man’s brooch or pig, one had to pay back three brooches or three pigs—plus his honor price, for having violated the sanctity of his homestead. Attacking a peasant under the protection of a lord was the same as raping a man’s wife or daughter, a violation of the honor not of the victim, but of the man who should have been able to protect them.

Finally, one had to pay the honor price if one simply insulted someone of any importance: say, by turning the person away at a feast, inventing a particularly embarrassing nickname (at least, if it caught on), or humiliating the person through the use of satire.²³ Mockery was a refined art in Medieval Ireland, and poets were considered close to magicians: it was said that a talented satirist could rhyme rats to death, or at the very least, raise blisters on the faces of victims. Any

man publicly mocked would have no choice but to defend his honor; and, in Medieval Ireland, the value of that honor was precisely defined.

I should note that while twenty-one cows might not seem like much when we are dealing with kings, Ireland at the time had about 150 kings.²⁴ Most had only a couple of thousand subjects, though there were also higher-ranking, provincial kings for whom the honor price was double.²⁵ What's more, since the legal system was completely separate from the political one, jurists, in theory, had the right to demote anyone—including a king—who had committed a dishonorable act. If a nobleman turned a worthy man away from his door or feast, sheltered a fugitive, or ate steak from an obviously stolen cow, or even if he allowed himself to be satirized and did not take the offending poet to court, his price could be lowered to that of a commoner. But the same was true of a king who ran away in battle, or abused his powers, or even was caught working in the fields or otherwise engaging in tasks beneath his dignity. A king who did something utterly outrageous—murdered one of his own relatives, for example—might end up with no honor price at all, which meant not that people could say anything they liked about the king, without fear of recompense, but that he couldn't stand as surety or witness in court, as one's oath and standing in law was also determined by one's honor price. This didn't happen often, but it did happen, and legal wisdom made sure to remind people of it: the list, contained in one famous legal text, of the "seven kings who lost their honor price," was meant to ensure that everyone remembered that no matter how sacred and powerful, anyone could fall.

What's unusual about the Irish material is that it's all spelled out so clearly. This is partly because Irish law codes were the work of a class of legal specialists who seem to have turned the whole thing almost into a form of entertainment, devoting endless hours to coming up with every possible abstract possibility. Some of the provisos are so whimsical ("if stung by another man's bee, one must calculate the extent of the injury, but also, if one swatted it in the process, subtract the replacement value of the bee") that one has to assume they were simply jokes. Still, as a result, the moral logic that lies behind any elaborate code of honor is laid out here in startling honesty. What about women? A free woman was honored at precisely 50 percent of the price of her nearest male relative (her father, if alive; if not, her husband). If she was dishonored, her price was payable to that relative. Unless, that is, she was an independent landholder. In that case, her honor price was the same as that of a man. And unless she was a woman of easy virtue, in which case it was zero, since she had no honor to outrage. What about marriage? A suitor paid the value of the wife's honor to

her father and thus became its guardian. What about serfs? The same principle applied: when a lord acquired a serf, he bought out that man's honor price, presenting him with its equivalent in cows. From that moment on, if anyone insulted or injured the serf, it was seen an attack on the lord's honor, and it was up to the lord to collect the attendant fees. Meanwhile the lord's honor price was notched upward as a result of gathering another dependent: in other words, he literally absorbs his new vassal's honor into his own.²⁶

All this, in turn, makes it possible to understand both something of the nature of honor, and why slave girls were kept as units for reckoning debts of honor even at a time when—owing no doubt to church influence—they no longer actually changed hands. At first sight it might seem strange that the honor of a nobleman or king should be measured in slaves, since slaves were human beings whose honor was zero. But if one's honor is ultimately founded on one's ability to extract the honor of others, it makes perfect sense. The value of a slave is that of the honor that has been extracted from them.

Sometimes, one comes on a single haphazard detail that gives the game away. In this case it comes not from Ireland but from the *Dimetian Code* in Wales, written somewhat later but operating on much the same principles. At one point, after listing the honors due to the seven holy sees of the Kingdom of Dyfed, whose bishops and abbots were the most exalted and sacred creatures in the kingdom, the text specifies that

Whoever draws blood from an abbot of any one of those principal seats before mentioned, let him pay seven pounds; and a female of his kindred to be a washerwoman, as a disgrace to the kindred, and to serve as a memorial to the payment of the honor price.²⁷

A washerwoman was the lowest of servants, and the one turned over in this case was to serve for life. She was, in effect, reduced to slavery. Her permanent disgrace was the restoration of the abbot's honor. While we cannot know if some similar institution once lay behind the habit of reckoning the honor of Irish "sacred" beings in slave-women, the principle is clearly the same. Honor is a zero-sum game. A man's ability to protect the women of his family is an essential part of that honor. Therefore, forcing him to surrender a woman of his family to perform menial and degrading chores in another's household is the ultimate blow to his honor. This, in turn, makes it the ultimate reaffirmation of the honor of he who takes it away.



What makes Medieval Irish laws seem so peculiar from our perspective is that their exponents had not the slightest discomfort with putting an exact monetary price on human dignity. For us, the notion that the sanctity of a priest or the majesty of a king could be held equivalent to a million fried eggs or a hundred thousand haircuts is simply bizarre. These are precisely the things that ought to be considered beyond all possibility of quantification. If Medieval Irish jurists felt otherwise, it was because people at that time did not use money to buy eggs or haircuts.²⁸ It was the fact that it was still a human economy, in which money was used for social purposes, that it was possible to create such an intricate system whereby it was possible not just to measure but to add and subtract specific quantities of human dignity—and in doing so, provide us with a unique window into the true nature of honor itself.

The obvious question is: What happens to such an economy when people do begin to use the same money used to measure dignity to buy eggs and haircuts? As the history of ancient Mesopotamia and the Mediterranean world reveals, the result was a profound—and enduring—moral crisis.

Mesopotamia (The Origins of Patriarchy)

In ancient Greek, the word for “honor” was *tīme*. In Homer’s time, the term appears to have been used much like the Irish term “honor price”: it referred both to the glory of the warrior and the compensation paid as damages in case of injury or insult. Yet with the rise of markets over the next several centuries, the meaning of the word *tīme* began to change. On the one hand, it became the word for “price”—as in, the price of something one buys in the market. On the other, it referred to an attitude of complete contempt for markets.

Actually, this is still the case today:

In Greece the word “timi” means honor, which has been typically seen as the most important value in Greek village society. Honor is often characterized in Greece as an open-handed generosity and blatant disregard for monetary costs and counting. And yet the same word also means “price” as in the price of a pound of tomatoes.²⁹

The word “crisis” literally refers to a crossroads: it is the point where things could go either of two different ways. The odd thing about the crisis in the concept of honor is that it never seems to have been resolved. Is honor the willingness to pay one’s monetary debts? Or is it the fact that one does not feel that monetary debts are really that important? It appears to be both at the same time.

There’s also the question of what men of honor actually *do* think is important. When most of us think of a Mediterranean villager’s sense of honor, we don’t think so much of a casual attitude toward money as of a veritable obsession with premarital virginity. Masculine honor is caught up not even so much in a man’s ability to protect his womenfolk as in his ability to protect their sexual reputations, to respond to any suggestion of impropriety on the part of his mother, wife, sister, or daughter as if it were a direct physical attack on his own person. This is a stereotype, but it’s not entirely unjustified. One historian who went through fifty years of police reports about knife-fights in nineteenth-century Ionia discovered that virtually every one of them began when one party publicly suggested that the other’s wife or sister was a whore.³⁰

So, why the sudden obsession with sexual propriety? It doesn’t seem to be there in the Welsh or Irish material. There, the greatest humiliation was to see your sister or daughter reduced to scrubbing someone else’s laundry. What is it, then, about the rise of money and markets that cause so many men to become so uneasy about sex?³¹

This is a difficult question, but at the very least, one can imagine how the transition from a human economy to a commercial one might cause certain moral dilemmas. What happens, for instance, when the same money once used to arrange marriages and settle affairs of honor can also be used to pay for the services of prostitutes?

As we’ll see, there is reason to believe that it is in such moral crises that we can find the origin not only of our current conceptions of honor, but of patriarchy itself. This is true, at least, if we define “patriarchy” in its more specific Biblical sense: the rule of fathers, with all the familiar images of stern bearded men in robes, keeping a close eye over their sequestered wives and daughters, even as their children kept a close eye over their flocks and herds, familiar from the book of Genesis.³² Readers of the Bible had always assumed that there was something primordial in all this; that this was simply the way desert people, and thus the earliest inhabitants of the Near East, had always behaved. This was why the translation of Sumerian, in the first half of the twentieth century, came as something of a shock.

In the very earliest Sumerian texts, particularly those from roughly 3000 to 2500 BC, women are everywhere. Early histories not only record the names of numerous female rulers, but make clear that women were well represented among the ranks of doctors, merchants, scribes, and public officials, and generally free to take part in all aspects of public life. One cannot speak of full gender equality: men still outnumbered women in all these areas. Still, one gets the sense of a society not so different than that which prevails in much of the developed world today. Over the course of the next thousand years or so, all this changes. The place of women in civic life erodes; gradually, the more familiar patriarchal pattern takes shape, with its emphasis on chastity and premarital virginity, a weakening and eventually wholesale disappearance of women's role in government and the liberal professions, and the loss of women's independent legal status, which renders them wards of their husbands. By the end of the Bronze Age, around 1200 BC, we begin to see large numbers of women sequestered away in harems and (in some places, at least), subjected to obligatory veiling.

In fact, this appears to reflect a much broader worldwide pattern. It has always been something of a scandal for those who like to see the advance of science and technology, the accumulation of learning, economic growth—"human progress," as we like to call it—as necessarily leading to greater human freedom, that for women, the exact opposite often seems to be the case. Or at least, has been the case until very recent times. A similar gradual restriction on women's freedoms can be observed in India and China. The question is, obviously, Why? The standard explanation in the Sumerian case has been the gradual infiltration of pastoralists from the surrounding deserts who, presumably, always had more patriarchal mores. There was, after all, only a narrow strip of land along the Tigris and Euphrates rivers that could support intensive irrigation works, and hence, urban life. Civilization was thus from early times surrounded by a fringe of desert people, who lived much like those described in Genesis and spoke the same Semitic languages. It is undeniably true that, over the course of time, the Sumerian language was gradually replaced—first by Akkadian, then by Amorite, then by Aramaic languages, and finally, most recently of all, by Arabic, which was also brought to Mesopotamia and the Levant by desert pastoralists. While all this did, clearly, bring with it profound cultural changes as well, it's not a particularly satisfying explanation.³³ Former nomads appear to have been willing to adapt to urban life in any number of other ways. Why not that one? And it's very much a local explanation and does nothing, really, to explain the broader pattern. Feminist scholarship has instead tended to emphasize the growing

scale and social importance of war, and the increasing centralization of the state that accompanied it.³⁴ This is more convincing. Certainly, the more militaristic the state, the harsher its laws tended to be toward women. But I would add another, complementary argument. As I have emphasized, historically, war, states, and markets all tend to feed off one another. Conquest leads to taxes. Taxes tend to be ways to create markets, which are convenient for soldiers and administrators. In the specific case of Mesopotamia, all of this took on a complicated relation to an explosion of debt that threatened to turn all human relations—and by extension, women's bodies—into potential commodities. At the same time, it created a horrified reaction on the part of the (male) winners of the economic game, who over time felt forced to go to greater and greater lengths to make clear that *their* women could in no sense be bought or sold.

A glance at the existing material on Mesopotamian marriage gives us a clue as to how this might have happened.

It is common anthropological wisdom that bridewealth tends to be typical of situations where population is relatively thin, land not a particularly scarce resource, and therefore, politics are all about controlling labor. Where population is dense and land at a premium, one tends to instead find dowry: adding a woman to the household is adding another mouth to feed, and rather than being paid off, a bride's father is expected to contribute something (land, wealth, money . . .) to help support his daughter in her new home.³⁵ In Sumerian times, for instance, the main payment at marriage was a huge gift of food paid by the groom's father to the bride's, destined to provide a sumptuous feast for the wedding.³⁶ Before long, however, this seems to have split into two payments, one for the wedding, another to the woman's father, calculated—and often paid—in silver.³⁷ Wealthy women sometimes appear to have ended up with the money: at least, many appear to have to worn silver arm and leg rings of identical denominations.

However as time went on, this payment, called the *terhatum*, often began to take on the qualities of a simple purchase. It was referred to as “the price of a virgin”—not a mere metaphor, since the illegal deflowering of a virgin was considered a property crime against her father.³⁸ Marriage was referred to as “taking possession” of a woman, the same word one would use for the seizure of goods.³⁹ In principle, a wife, once possessed, owed her husbands strict obedience, and often could not seek a divorce even in cases of physical abuse.

For women with wealthy or powerful parents, all this remained largely a matter of principle, modified considerably in practice. Merchants' daughters, for example, typically received substantial cash

dowries, with which they could go into business in their own right, or act as partners to their husbands. However, for the poor—that is, most people—marriage came more and more to resemble a simple cash transaction.

Some of this must have been an effect of slavery: while actual slaves were rarely numerous, the very existence of a class of people with no kin, who were simply commodities, did make a difference. In Nuzi, for instance, “the brideprice was paid in domestic animals and silver amounting to a total value of 40 shekels of silver”⁴⁰—to which the author drily adds, “there is some evidence that it was equal to the price of a slave girl.”⁴⁰ This must have been making things uncomfortably obvious. It’s in Nuzi, too, where we happen to have unusually detailed records, that we find examples of rich men paying cut-rate “brideprice” to impoverished families to acquire a daughter who they would then adopt, but who would in fact be either kept as a concubine or nursemaid, or married to one of their slaves.⁴¹

Still, the really critical factor here was debt. As I pointed out in the last chapter, anthropologists have long emphasized that paying bride-wealth is not the same as buying a wife. After all—and this was one of the clinching arguments, remember, in the original 1930s League of Nations debate—if a man were really buying a woman, wouldn’t he also be able to sell her? Clearly African and Melanesian husbands were not able to sell their wives to some third party. At most, they could send them home and demand back their bridewealth.⁴²

A Mesopotamian husband couldn’t sell his wife either. Or, normally he couldn’t. Still, everything changed the moment he took out a loan. Since if he did, it was perfectly legal—as we’ve seen—to use his wife and children as surety, and if he was unable to pay, they could then be taken away as debt pawns in exactly the same way that he could lose his slaves, sheep, and goats. What this also meant was that honor and credit became, effectively, the same thing: at least for a poor man, one’s creditworthiness was precisely one’s command over one’s household, and (the flip side, as it were) relations of domestic authority, relations that in principle meant ones of care and protection, became property rights that could indeed be bought and sold.

Again, for the poor, this meant that family members became commodities that could be rented or sold. Not only could one dispose of daughters as “brides” to work in rich men’s households, tablets in Nuzi show that one could now hire out family members simply by taking out a loan: there are recorded cases of men sending their sons or even wives as “pawns” for loans that were clearly just advance payment for employment in the lender’s farm or cloth workshop.⁴³

The most dramatic and enduring crisis centered on prostitution. It's actually not entirely clear, from the earliest sources, whether one can speak here of "prostitution" at all. Sumerian temples do often appear to have hosted a variety of sexual activities. Some priestesses, for instance, were considered to be married to or otherwise dedicated to gods. What this meant in practice seems to have varied considerably. Much as in the case of the later *devadasis*, or "temple dancers" of Hindu India, some remained celibate; others were permitted to marry but were not to bear children; others were apparently expected to find wealthy patrons, becoming in effect courtesans to the elite. Still others lived in the temples and had the responsibility to make themselves sexually available to worshippers on certain ritual occasions.⁴⁴ One thing the early texts do make clear is that all such women were considered extraordinarily important. In a very real sense, they were the ultimate embodiments of civilization. After all, the entire machinery of the Sumerian economy ostensibly existed to support the temples, which were considered the households of the gods. As such, they represented the ultimate possible refinement in everything from music and dance to art, cuisine, and graciousness of living. Temple priestesses and spouses of the gods were the highest human incarnations of this perfect life.

It's also important to emphasize that Sumerian men do not appear, at least in this earliest period, to have seen anything troubling about the idea of their sisters having sex for money. To the contrary, insofar as prostitution did occur (and remember, it could not have been nearly so impersonal, cold-cash a relation in a credit economy), Sumerian religious texts identify it as among the fundamental features of human civilization, a gift given by the gods at the dawn of time. Procreative sex was considered natural (after all, animals did it). Non-procreative sex, sex for pleasure, was divine.⁴⁵

The most famous expression of this identification of prostitute and civilization can be found in the story of Enkidu in the epic of Gilgamesh. In the beginning of the story, Enkidu is a monster—a naked and ferocious "wild man" who grazes with the gazelles, drinks at the watering place with wild cattle, and terrorizes the people of the city. Unable to defeat him, the citizens finally send out a courtesan who is also a priestess of the goddess Ishtar. She strips before him, and they make love for six days and seven nights. Afterward, Enkidu's former animal companions run away from him. After she explains that he has now learned wisdom and become like a God (she is, after all, a divine consort), he agrees to put on clothing and come to live in the city like a proper, civilized human being.⁴⁶

Already, in the earliest version of the Enkidu story, though, one can detect a certain ambivalence. Much later, Enkidu is sentenced to death by the gods, and his immediate reaction is to condemn the courtesan for having brought him from the wilds in the first place: he curses her to become a common streetwalker or tavern keeper, living among vomiting drunks, abused and beaten by her clients. Then, later, he regrets his behavior and blesses her instead. But that trace of ambivalence was there from the beginning, and over time, it grew more powerful. From early times, Sumerian and Babylonian temple complexes were surrounded by far less glamorous providers of sexual services—indeed, by the time we know much about them, they were the center of veritable red-light districts full of taverns with dancing girls, men in drag (some of them slaves, some runaways), and an almost infinite variety of prostitutes. There is an endlessly elaborate terminology whose subtleties are long since lost to us. Most seem to have doubled as entertainers: tavern-keepers doubled as musicians; male transvestites were not only singers and dancers, but often performed knife-throwing acts. Many were slaves put to work by their masters, or women working off religious vows or debts, or debt bondswomen, or, for that matter, women escaping debt bondage with no place else to go. Over time, many of the lower-ranking temple women were either bought as slaves or debt peons as well, and there might have often been a blurring of roles between priestesses who performed erotic rituals and prostitutes owned by the temple (and hence, in principle, by the god), sometimes lodged within the temple compound itself, whose earnings added to the temple treasuries.⁴⁷ Since most everyday transactions in Mesopotamia were not cash transactions, one has to assume that it was the same with prostitutes—like the tavern-keepers, many of whom seem to have been former prostitutes, they developed ongoing credit relations with their clients—and this must have meant that most were less like what we think of as streetwalkers and more like courtesans.⁴⁸ Still, the origins of commercial prostitution appear to have been caught up in a peculiar mixture of sacred (or once-sacred) practice, commerce, slavery, and debt.



“Patriarchy” originated, first and foremost, in a rejection of the great urban civilizations in the name of a kind of purity, a reassertion of paternal control against great cities like Uruk, Lagash, and Babylon, seen as places of bureaucrats, traders, and whores. The pastoral fringes, the deserts and steppes away from the river valleys, were the places

to which displaced, indebted farmers fled. Resistance, in the ancient Middle East, was always less a politics of rebellion than a politics of exodus, of melting away with one's flocks and families—often before both were taken away.⁴⁹ There were always tribal peoples living on the fringes. During good times, they began to take to the cities; in hard times, their numbers swelled with refugees—farmers who effectively became Enkidu once again. Then, periodically, they would create their own alliances and sweep back into the cities once again as conquerors. It's difficult to say precisely how they imagined their situation, because it's only in the Old Testament, written on the other side of the Fertile Crescent, that one has any record of the pastoral rebels' points of view. But nothing there mitigates against the suggestion that the extraordinary emphasis we find there on the absolute authority of fathers, and the jealous protection of their fickle womenfolk, were made possible by, but at the same time a protest against, this very commoditization of people in the cities that they fled.

The world's Holy Books—the Old and New Testaments, the Koran, religious literature from the Middle Ages to this day—echo this voice of rebellion, combining contempt for the corrupt urban life, suspicion of the merchant, and often, intense misogyny. One need only think of the image of Babylon itself, which has become permanently lodged in the collective imagination as not only the cradle of civilization, but also the Place of Whores. Herodotus echoed popular Greek fantasies when he claimed that every Babylonian maiden was obliged to prostitute herself at the temple, so as to raise the money for her dowry.⁵⁰ In the New Testament, Saint Peter often referred to Rome as “Babylon,” and the Book of Revelation provides perhaps the most vivid image of what he meant by this when it speaks of Babylon, “the great whore,” sitting “upon a scarlet colored beast, full of names of blasphemy”:

17:4 And the woman was arrayed in purple and scarlet color, and decked with gold and precious stones and pearls, having a golden cup in her hand full of abominations and filthiness of her fornication:

17:5 And upon her forehead was a name written, MYSTERY, BABYLON THE GREAT, THE MOTHER OF HARLOTS AND ABOMINATIONS OF THE EARTH.⁵¹

Such is the voice of patriarchal hatred of the city, and of the angry millennial voices of the fathers of the ancient poor.

Patriarchy as we know it seems to have taken shape in a see-sawing battle between the newfound elites and newly dispossessed. Much of my own analysis here is inspired by the brilliant work of feminist historian Gerda Lerner, who, in an essay on the origins of prostitution, observed:

Another source for commercial prostitution was the pauperization of farmers and their increasing dependence on loans in order to survive periods of famine, which led to debt slavery. Children of both sexes were given up for debt pledges or sold for "adoption." Out of such practices, the prostitution of female family members for the benefit of the head of the family could readily develop. Women might end up as prostitutes because their parents had to sell them into slavery or because their impoverished husbands might so use them. Or they might become self-employed as a last alternative to enslavement. With luck, they might in this profession be upwardly mobile through becoming concubines.

By the middle of the second millennium B.C., prostitution was well established as a likely occupation for the daughters of the poor. As the sexual regulation of women of the propertied class became more firmly entrenched, the virginity of respectable daughters became a financial asset for the family. Thus, commercial prostitution came to be seen as a social necessity for meeting the sexual needs of men. What remained problematic was how to distinguish clearly and permanently between respectable and non-respectable women.

This last point is crucial. The most dramatic known attempt to solve the problem, Lerner observes, can be found in a Middle Assyrian law code dating from somewhere between 1400 and 1100 BC, which is also the first known reference to veiling in the history of the Middle East—and also, Lerner emphasizes, first to make the policing of social boundaries the responsibility of the state.⁵² It is not surprising that this takes place under the authority of perhaps the most notoriously militaristic state in the entire ancient Middle East.

The code carefully distinguishes among five classes of women. Respectable women (either married ladies or concubines), widows, and daughters of free Assyrian men—"must veil themselves" when they go out on the street. Prostitutes and slaves (and prostitutes are now considered to include unmarried temple servants as well as simple harlots) are not allowed to wear veils. The remarkable thing about the laws is

that the punishments specified in the code are not directed at respectable women who do not wear veils, but against prostitutes and slaves who do. The prostitute was to be publicly beaten fifty times with staves and have pitch poured on her head; the slave girl was to have her ears cut off. Free men proven to have knowingly abetted an impostor would also be thrashed and put to a month's forced labor.

Presumably in the case of respectable women, the law was assumed to be self-enforcing: as what respectable woman would wish to go out on the street in the guise of a prostitute?

When we refer to "respectable" women, then, we are referring to those whose bodies could not, under any conditions, be bought or sold. Their physical persons were hidden away and permanently relegated to some man's domestic sphere; when they appeared in public veiled, they were effectively still ostentatiously walking around, even in public, inside such a sphere.⁵³ Women who could be exchanged for money, on the other hand, must be instantly recognizable as such.

The Assyrian law code is one isolated instance; veils certainly did not become obligatory everywhere after 1300 BC. But it provides a window on developments that were happening, however unevenly, even spasmodically, across the region, propelled by the intersection of commerce, class, defiant assertions of male honor, and the constant threat of the defection of the poor. States seem to have played a complex dual role, simultaneously fostering commoditization and intervening to ameliorate its effects: enforcing the laws of debt and rights of fathers, and offering periodic amnesties. But the dynamic also led, over the course of millennia, to a systematic demotion of sexuality itself from a divine gift and embodiment of civilized refinement to one of its more familiar associations: with degradation, corruption, and guilt.



Here I think we have the explanation for that general decline of women's freedoms that may be observed in all the great urban civilizations for so much of their history. In all of them, similar things were happening, even if in each case, the pieces came together in different ways.

The history of China, for instance, saw continual and largely unsuccessful government campaigns to eradicate both brideprice and debt slavery, and periodic scandals over the existence of "markets in daughters," including the outright sale of girls as daughters, wives, concubines, or prostitutes (at the buyer's discretion) continue to this day.⁵⁴ In India, the caste system allowed what were otherwise differences between rich and poor to be made formal and explicit. Brahmins and

other members of the upper castes jealously sequestered their daughters, and married them off with lavish dowries, while the lower castes practiced brideprice, allowing members of the higher (“twice-born”) castes to scoff at them for selling their daughters. The twice-born were likewise largely protected from falling into debt bondage, while for much of the rural poor, debt dependency was institutionalized, with the daughters of poor debtors, predictably, often dispatched to brothels or to the kitchens or laundries of the rich.⁵⁵ In either case, between the push of commoditization, which fell disproportionately on daughters, and the pull of those trying to reassert patriarchal rights to “protect” women from any suggestion that they might be commoditized, women’s formal and practical freedoms appear to have been gradually but increasingly restricted and effaced. As a result, notions of honor changed too, becoming a kind of protest against the implications of the market, even as at the same time (like the world religions) they came to echo that market logic in endless subtle ways.

Nowhere, however, are our sources as rich and detailed as they are for ancient Greece. This is partly because a commercial economy arrived there so late, almost three thousand years later than in Sumer. As a result, Classical Greek literature gives us a unique opportunity to observe the transformation as it was actually taking place.

Ancient Greece (Honor and Debt)

The world of the Homeric epics is one dominated by heroic warriors who are disdainful of trade. In many ways, it is strikingly reminiscent of medieval Ireland. Money existed, but it was not used to buy anything; important men lived their lives in pursuit of honor, which took material form in followers and treasure. Treasures were given as gifts, awarded as prizes, carried off as loot.⁵⁶ This is no doubt how *time* first came to mean both “honor” and “price”—in such a world, no one sensed any sort of contradiction between the two.⁵⁷

All this was to change dramatically when commercial markets began to develop two hundred years later. Greek coinage seem to have been first used mainly to pay soldiers, as well as to pay fines and fees and payments made to and by the government, but by about 600 BC, just about every Greek city-state was producing its own coins as a mark of civic independence. It did not take long, though, before coins were in common use in everyday transactions. By the fifth century, in

Greek cities, the *agora*, the place of public debate and communal assembly, also doubled as a marketplace.

One of the first effects of the arrival of a commercial economy was a series of debt crises, of the sort long familiar from Mesopotamia and Israel. "The poor," as Aristotle succinctly put it in his *Constitution of the Athenians*, "together with their wives and children, were enslaved to the rich."⁵⁸ Revolutionary factions emerged, demanding amnesties, and most Greek cities were at least for a while taken over by populist strongmen swept into power partly by the demand for radical debt relief. The solution most cities ultimately found, however, was quite different than it had been in the Near East. Rather than institutionalize periodic amnesties, Greek cities tended to adopt legislation limiting or abolishing debt peonage altogether, and then, to forestall future crises, they would turn to a policy of expansion, shipping off the children of the poor to found military colonies overseas. Before long, the entire coast from Crimea to Marseille was dotted with Greek cities, which served, in turn, as conduits for a lively trade in slaves.⁵⁹ The sudden abundance of chattel slaves, in turn, completely transformed the nature of Greek society. First and most famously, it allowed even citizens of modest means to take part in the political and cultural life of the city and have a genuine sense of citizenship. But this, in turn, drove the old aristocratic classes to develop more and more elaborate means of setting themselves off from what they considered the tawdriness and moral corruption of the new democratic state.

When the curtain truly goes up on Greece, in the fifth century, we find everybody arguing about money. For the aristocrats, who wrote most of the surviving texts, money was the embodiment of corruption. Aristocrats disdained the market. Ideally, a man of honor should be able to raise everything he needed on his own estates, and never have to handle cash at all.⁶⁰ In practice, they knew this was impossible. Yet at every point they tried to set themselves apart from the values of the ordinary denizens of the marketplace: to contrast the beautiful gold and silver beakers and tripods they gave one another at funerals and weddings with the vulgar hawking of sausages or charcoal; the dignity of the athletic contests for which they endlessly trained with commoners' vulgar gambling; the sophisticated and literate courtesans who attended to them at their drinking clubs, and common prostitutes (*porne*)—slave-girls housed in brothels near the agora, brothels often sponsored by the democratic polis itself as a service to the sexual needs of its male citizenry. In each case, they placed a world of gifts, generosity, and honor above sordid commercial exchange.⁶¹

This resulted in a slightly different play of push and pull than we saw in Mesopotamia. On the one hand, we see a culture of aristocratic protest against what they saw as the lowly commercial sensibilities of ordinary citizens. On the other hand, we see an almost schizophrenic reaction on the part of the ordinary citizens themselves, who simultaneously tried to limit or even ban aspects of aristocratic culture and to imitate aristocratic sensibilities. Pederasty is an excellent case in point here. On the one hand, man-boy love was seen as the quintessential aristocratic practice—it was the way, in fact, that young aristocrats would ordinarily become initiated into the privileges of high society. As a result, the democratic polis saw it as politically subversive and made sexual relations between male citizens illegal. At the same time, almost everyone began to practice it.

The famous Greek obsession with male honor that still informs so much of the texture of daily life in rural communities in Greece harkens back not so much to Homeric honor but to this aristocratic rebellion against the values of the marketplace, which everyone, eventually, began to make their own.⁶² The effects on women, though, were even more severe than they had been in the Middle East. Already by the age of Socrates, while a man's honor was increasingly tied to disdain for commerce and assertiveness in public life, a woman's honor had come to be defined in almost exclusively sexual terms: as a matter of virginity, modesty, and chastity, to the extent that respectable women were expected to be shut up inside the household and any woman who played a part in public life was considered for that reason a prostitute, or tantamount to one.⁶³ The Assyrian habit of veiling was not widely adopted in the Middle East, but it *was* adopted in Greece. As much as it flies in the face of our stereotypes about the origins of "Western" freedoms, women in democratic Athens, unlike those of Persia or Syria, were expected to wear veils when they ventured out in public.⁶⁴



Money, then, had passed from a measure of honor to a measure of everything that honor was not. To suggest that a man's honor could be bought with money became a terrible insult—this despite the fact that, since men were often taken in war or even by bandits or pirates and held for ransom, they often did go through dramas of bondage and redemption not unlike those experienced by so many Middle Eastern women. One particularly striking way of hammering it home—actually, in this case, almost literally—was by branding ransomed prisoners with the mark of their own currency, much as if today some

imaginary foreign kidnapper, after having received the ransom money for an American victim, made a point of burning a dollar sign onto the victim's forehead before returning him.⁶⁵

One question that isn't clear from all this is, Why? Why had money, in particular, become such a symbol of degradation? Was it all because of slavery? One might be tempted to conclude that it was: perhaps the newfound presence of thousands of utterly degraded human beings in ancient Greek cities made any suggestion that a free man (let alone a free woman) might in any sense be bought or sold particularly insulting. But this is clearly not the case. Our discussion of the slave money of Ireland showed that the possibility of the utter degradation of a human being was in no sense a threat to heroic honor—in a way, it was its very essence. Homeric Greeks do not appear to have been any different. It seems hardly coincidental that the quarrel between Agamemnon and Achilles that sets off the action of the *Iliad*, generally considered to be the first great work of Western literature, is a dispute over honor between two heroic warriors over the disposition of a slave girl.⁶⁶ Agamemnon and Achilles were also well aware that it would only take an unfortunate turn in battle, or perhaps a shipwreck, for either of them to wind up as a slave. Odysseus barely escapes being enslaved on several occasions in the *Odyssey*. Even in the third century AD, the Roman emperor Valerian (253–260 AD), defeated at the Battle of Edessa, was captured and spent the last years of his life as the footstool that the Sassanian emperor Shapur I used to mount his horse. Such were the perils of war. All this was essential to the nature of martial honor. A warrior's honor is his willingness to play a game on which he stakes everything. His grandeur is directly proportional to how far he can fall.

Was it, then, that the advent of commercial money threw traditional social hierarchies into disarray? Greek aristocrats often spoke this way, but the complaints seem rather disingenuous. Surely it was money that allowed such a polished aristocracy to exist in the first place.⁶⁷ Rather, the thing that really seemed to bother them about money was simply that they wanted it so much. Since money could be used to buy just about anything, everybody wanted it. That is: it was desirable *because* it was non-discriminating. One could see how the metaphor of the *porne* might seem particularly appropriate. A woman “common to the people”—as the poet Archilochos put it—is available to everyone. In principle, we shouldn't be attracted to such an indiscriminating creature. In fact, of course, we are.⁶⁸ And nothing was both so indiscriminating, and so desirable, as money. True, Greek aristocrats would ordinarily insist that they were not attracted to common *porne*,

and that the courtesans, flute-girls, acrobats, and beautiful boys that frequented their symposia were not really prostitutes at all (though at times they also admitted that they really were), they also struggled with the fact that their own high-minded pursuits, such as chariot-racing, outfitting ships for the navy, and sponsoring tragic dramas, required the exact same coins as the ones used to buy cheap perfume and pies for a fisherman's wife—the only real difference being that their pursuits tended to require a lot more of them.⁶⁹

We might say, then, that money introduced a democratization of desire. Insofar as everyone wanted money, everyone, high and low, was pursuing the same promiscuous substance. But even more: increasingly, they did not just want money. They needed it. This was a profound change. In the Homeric world, as in most human economies, we hear almost no discussion of those things considered necessary to human life (food, shelter, clothing) because it is simply assumed that everybody has them. A man with no possessions could, at the very least, become a retainer in some rich man's household. Even slaves had enough to eat.⁷⁰ Here too, the prostitute was a potent symbol for what had changed, since while some of the denizens of brothels were slaves, others were simply poor; the fact that their basic needs could no longer be taken for granted were precisely what made them submit to others' desires. This extreme fear of dependency on others' whims lies at the basis of the Greek obsession with the self-sufficient household.

All this lies behind the unusually assiduous efforts of the male citizens of Greek city-states—like the later Romans—to insulate their wives and daughters from both the dangers and the freedoms of the marketplace. Unlike their equivalents in the Middle East, they do not seem to have offered them as debt pawns. Neither, at least in Athens, was it legal for the daughters of free citizens to be employed as prostitutes.⁷¹ As a result, respectable women became invisible, largely removed from the high dramas of economic and political life.⁷² If anyone was enslaved for debt, it was normally the debtor. Even more dramatically, it was ordinarily *male* citizens who accused one another of prostitution—with Athenian politicians regularly asserting that their rivals, when they were young boys being plied with gifts from their male suitors, were really trading sex for money, and hence deserved to lose their civic freedoms.⁷³



It might be helpful here, to return to the principles laid out in chapter five. What we see above all is the erosion both of older forms of

hierarchy—the Homeric world of great men with their retainers—and, at the same time, of older forms of mutual aid, with communistic relations increasingly being confined to the interior of the household.

It's the former—the erosion of hierarchy—that really seems to have been at stake in the “debt crises” that struck so many Greek cities around 600 BC, right around the time that commercial markets were first taking shape.⁷⁴ When Aristotle spoke of the Athenian poor as falling slave to the rich, what he appears to have meant was that in harsh years, many poor farmers fell into debt; as a result they ended up as sharecroppers on their own property, dependents. Some were even sold abroad as slaves. This led to unrest and agitation, and also to demands for clean slates, for the freeing of those held in bondage, and for the redistribution of agricultural land. In a few cases it led to outright revolution. In Megara, we are told, a radical faction that seized power not only made interest-bearing loans illegal, but did so retroactively, forcing creditors to make restitution of all interest they had collected in the past.⁷⁵ In other cities, populist tyrants seized power on promises to abrogate agricultural debts.

On the face of it, all this doesn't seem all that surprising: the moment when commercial markets developed, Greek cities quickly developed all the social problems that had been plaguing Middle Eastern cities for millennia: debt crises, debt resistance, political unrest. In reality, things are not so clear. For one thing, for the poor to be “enslaved to the rich,” in the loose sense that Aristotle seems to be using, was hardly a new development. Even in Homeric society, it was assumed as a matter of course that rich men would live surrounded by dependents and retainers, drawn from the ranks of the dependent poor. The critical thing, though, about such relations of patronage is that they involved responsibilities on both sides. A noble warrior and his humble client were assumed to be fundamentally different sorts of people, but both were also expected to take account of each other's (fundamentally different) needs. Transforming patronage into debt relations—treating, say, an advance of seed corn as a *loan*, let alone an interest-bearing loan—changed all this.⁷⁶ What's more, it did so in two completely contradictory respects. On the one hand, a loan implies no ongoing responsibilities on the part of the creditor. On the other, as I have continually emphasized, a loan does assume a certain formal, legal equality between contractor and contractee. It assumes that they are, at least in some ways on some level, fundamentally the same kind of person. This is certainly about the most ruthless and violent form of equality imaginable. But the fact it was conceived as equality before the market made such arrangements even more difficult to endure.⁷⁷

The same tensions can be observed between neighbors, who in farming communities tend to give, lend, and borrow things amongst themselves—anything from sieves and sickles, to charcoal and cooking oil, to seed corn or oxen for plowing. On the one hand, such giving and lending were considered essential parts of the basic fabric of human sociability in farm communities, on the other, overly demanding neighbors were a notorious irritant—one that could only have grown worse when all parties are aware of precisely how much it would have cost to buy or rent the same items that were being given away. Again, one of the best ways to get a sense of what were considered everyday dilemmas for Mediterranean peasants is to look at jokes. Late stories from across the Aegean in Turkey echo exactly the same concerns:

Nasruddin's neighbor once came by ask if he could borrow his donkey for an unexpected errand. Nasruddin obliged, but the next day the neighbor was back again—he needed to take some grain to be milled. Before long he was showing up almost every morning, barely feeling he needed a pretext. Finally, Nasruddin got fed up, and one morning told him his brother had already come by and taken the donkey.

Just as the neighbor was leaving he heard a loud braying sound from the yard.

“Hey, I thought you said the donkey wasn't here!”

“Look, who are you going to believe?” asked Nasruddin. “Me, or some animal?”

With the appearance of money, it could also become unclear what was a gift, and what a loan. On the one hand, even with gifts, it was always considered best to return something slightly better than one had received.⁷⁸ On the other hand, friends do not charge one another interest, and any suggestion that they might was sure to rankle. So what's the difference between a generous return gift and an interest payment? This is the basis of one of the most famous Nasruddin stories, one that appears to have provided centuries of amusement for peasants across the Mediterranean basin and adjoining regions. (It is also, I might note, a play on the fact that in many Mediterranean languages, Greek included, the word for “interest” literally means “offspring.”)

One day Nasruddin's neighbor, a notorious miser, came by to announce he was throwing a party for some friends. Could he borrow some of Nasruddin's pots? Nasruddin didn't have many but said he was happy to lend whatever he had. The next

day the miser returned, carrying Nasruddin's three pots, and one tiny additional one.

"What's that?" asked Nasruddin.

"Oh, that's the offspring of the pots. They reproduced during the time they were with me."

Nasruddin shrugged and accepted them, and the miser left happy that he had established a principle of interest. A month later Nasruddin was throwing a party, and he went over to borrow a dozen pieces of his neighbor's much more luxurious crockery. The miser complied. Then he waited a day. And then another . . .

On the third day, the miser came by and asked what had happened to his pots.

"Oh, them?" Nasruddin said sadly. "It was a terrible tragedy. They died."⁹

In a heroic system, it is only debts of honor—the need to repay gifts, to exact revenge, to rescue or redeem friends or kinsmen fallen prisoner—that operate completely under a logic of tit-for-tat exchange. Honor is the same as credit; it's one's ability to keep one's promises, but also, in the case of a wrong, to "get even." As the last phrase implies, it was a monetary logic, but money, or anyway money-like relations, are confined to this. Gradually, subtly, without anyone completely understanding the full implications of what was happening, what had been the essence of moral relations turned into the means for every sort of dishonest stratagem.

We know a little about it from trial speeches, many of which have survived. Here is one from the fourth century, probably around 365 BC. Apollodorus was a prosperous but low-born Athenian citizen (his father, a banker, had begun life as a slave) who, like many such gentlemen, had acquired a country estate. There he made a point of making friends with his closest neighbor, Nicostratus, a man of aristocratic origins, though currently of somewhat straitened means. They acted as neighbors normally did, giving and borrowing small sums, lending each other animals or slaves, minding each other's property when one was away. Then one day Nicostratus ran into a piece of terrible luck. While trying to track down some runaway slaves, he was himself captured by pirates and held for ransom at the slave market on the island of Aegina. His relatives could only assemble part of the price, so he was forced to borrow the rest from strangers in the market. These appear to have been professionals who specialized in such loans, and their terms were notoriously harsh: if not repaid in thirty days, the sum doubled; if not

repaid at all, the debtor became the slave of the man who had put up the money for his redemption.

Tearfully, Nicostratus appealed to his neighbor. All his possessions were already pledged now to one creditor or another; he knew Apollodorus wouldn't have that much cash lying around, but could his dear friend possibly put up something of his own by way of security? Apollodorus was moved. He would be happy to forgive all debts Nicostratus already owed him, but the rest would be difficult. Still, he would do his best. In the end, he arranged to himself take a loan from an acquaintance of his, Arcesas, on the security of his town-house, at 16 percent annual interest, so as to be able to satisfy Nicostratus's creditors while Nicostratus himself arranged a friendly, no-interest *eranos* loan from his own relatives. But before long, Apollodorus began to realize that he had been set up. The impoverished aristocrat had decided to take advantage of his nouveau-riche neighbor; he was actually working with Arcesas and some of Apollodorus's enemies to have him falsely declared a "public debtor," that is, someone who had defaulted on an obligation to the public treasury. This would have first of all meant that he would lose his right to take anyone to court (i.e., his deceivers, to recover the money), and second, would give them a pretext to raid his house to remove his furniture and other possessions. Presumably, Nicostratus had never felt especially comfortable being in debt to a man he considered his social inferior. Rather like Egil the Viking, who would rather kill his friend Einar than have to compose an elegy thanking him for an overly magnificent gift, Nicostratus appears to have concluded that it was more honorable, or anyway more bearable, to try to extract the money from his lowly friend through force and fraud than to spend the rest of his life feeling beholden. Before long, things had indeed descended to outright physical violence, and the whole matter ended up in court.⁸⁰

The story has everything. We see mutual aid: the communism of the prosperous, the expectation that if the need is great enough, or the cost manageable enough, friends and neighbors will help one another.⁸¹ And most did, in fact, have circles of people who would pool money if a crisis did arise: whether a wedding, a famine, or a ransom. We also see the omnipresent danger of predatory violence that reduces human beings to commodities, and by doing so introduces the most cutthroat kinds of calculation into economic life—not just on the part of the pirates, but even more so, perhaps, on those moneylenders lurking by the market offering stiff credit terms to anyone who came to ransom their relatives but found themselves caught short, and who then could appeal to the state to allow them to hire men with weapons to

enforce the contract. We see heroic pride, which sees too great an act of generosity as itself a kind of belittling assault. We see the ambiguity among gifts, loans, and commercial credit arrangements. Neither does the way things played out in this case seem particularly unusual, except perhaps for Nicostratus's extraordinarily ingratitude. Prominent Athenians were always borrowing money to pursue their political projects; less-prominent ones were constantly worrying about their debts, or how to collect from their own debtors.⁸² Finally, there is another, subtler element here. While everyday market transactions, at shops or stalls in the agora, were here as elsewhere typically conducted on credit, the mass production of coinage permitted a degree of anonymity for transactions that, in a pure credit regime, simply could not exist.⁸³ Pirates and kidnappers do business in cash—yet the loan sharks at Aegina's marketplace could not have operated without them. It is on this same combination of illegal cash business, usually involving violence, and extremely harsh credit terms, also enforced through violence, that innumerable criminal underworlds have been constructed ever since.



In Athens, the result was extreme moral confusion. The language of money, debt, and finance provided powerful—and ultimately irresistible—ways to think about moral problems. Much as in Vedic India, people started talking about life as a debt to the gods, of obligations as debts, about literal debts of honor, of debt as sin and of vengeance as debt collection.⁸⁴ Yet if debt was morality—and certainly at the very least it was in the interest of creditors, who often had little legal recourse to compel debtors to pay up, to insist that it was—what was one to make of the fact that money, that very thing that seemed capable of turning morality into an exact and quantifiable science, also seemed to encourage the very worst sorts of behavior?

It is from such dilemmas that modern ethics and moral philosophy begin. I think this is true quite literally. Consider Plato's *Republic*, another product of fourth-century Athens. The book begins when Socrates visits an old friend, a wealthy arms manufacturer, at the port of Piraeus. They get into a discussion of justice, which begins when the old man proposes that money cannot be a bad thing, since it allows those who have it to be just, and that justice consists in two things: telling the truth, and always paying one's debts.⁸⁵ The proposal is easily demolished. What, Socrates asks, if someone lent you his sword, went violently insane, and then asked for it back (presumably, so he could kill someone)? Clearly it can never be right to arm a lunatic whatever

the circumstances.⁸⁶ The old man cheerfully shrugs the problem off and heads off to attend to some ritual, leaving his son to carry on the argument.

The son, Polemarchus, switches gears: clearly his father hadn't meant "debt" in the literal sense of returning what one has borrowed. He meant it more in the sense of giving people what is owed to them; repaying good with good and evil with evil; helping one's friends and hurting one's enemies. Demolishing this one takes a little more work (are we saying justice plays no part in determining who one's friends and enemies are? If so, wouldn't someone who decided he had no friends, and therefore tried to hurt everyone, be a just man? And even if you did have some way to say for certain that one's enemy really is an intrinsically bad person and deserves harm, by harming him, do you not thus make him worse? Can turning bad people into even worse people really be an example of justice?) but it is eventually accomplished. At this point a Sophist, Thrasymachos, enters and denounces all of the debaters as milky-eyed idealists. In reality, he says, all talk of "justice" is mere political pretext, designed to justify the interests of the powerful. And so it should be, because insofar as justice exists, it is simply that: the interest of the powerful. Rulers are like shepherds. We like to think of them as benevolently tending their flocks, but what do shepherds ultimately *do* with sheep? They kill and eat them, or sell the meat for money. Socrates responds by pointing out that Thrasymachos is confusing the art of tending sheep with the art of profiting from them. The art of medicine aims to improve health, whether or not doctors get paid for practicing it. The art of shepherding aims to ensure the well-being of sheep, whether or not the shepherd (or his employer) is also a businessman who knows how to extract a profit from them. Just so with the art of governance. If such an art exists, it must have its own intrinsic aim apart from any profit one might also get from it, and what can this be other than the establishment of social justice? It's only the existence of money, Socrates suggests, that allows us to imagine that words like "power" and "interest" refer to universal realities that can be pursued in their own right, let alone that all pursuits are really ultimately the pursuit of power, advantage, or self-interest.⁸⁷ The question, he said, is how to ensure that those who hold political office will do so not for gain, but rather for honor.

I will leave off here. As we all know, Socrates eventually gets around to offering some political proposals of his own, involving philosopher kings; the abolition of marriage, the family, and private property; selective human breeding boards. (Clearly, the book was meant to annoy its readers, and for more than two thousand years, it has

succeeded brilliantly.) What I want to emphasize, though, is the degree to which what we consider our core tradition of moral and political theory today springs from this question: What does it mean to pay our debts? Plato presents us first with the simple, literal businessman's view. When this proves inadequate, he allows it to be reframed in heroic terms. Perhaps all debts are really debts of honor after all.⁸⁸ But heroic honor no longer works in a world where (as Apollodorus sadly discovered) commerce, class, and profit have so confused everything that peoples' true motives are never clear. How do we even know who our enemies are? Finally, Plato presents us with cynical realpolitik. Maybe nobody really owes anything to anybody. Maybe those who pursue profit for its own sake have it right after all. But even that does not hold up. We are left with a certainty that existing standards are incoherent and self-contradictory, and that *some* sort of radical break would be required in order to create a world that makes any logical sense. But most of those who seriously consider a radical break along the lines that Plato suggested have come to the conclusion that there might be far worse things than moral incoherence. And there we have stood, ever since, in the midst of an insoluble dilemma.



It's not surprising that these issues weighed on Plato's mind. Not seven years before, he had taken an ill-fated sea cruise and wound up being captured and, supposedly like Nicostratus, offered for sale on the auction block at Aegina. However, Plato had better luck. A Libyan philosopher of the Epicurean school, one Annikeris, happened to be in the market at the time. He recognized Plato and ransomed him. Plato felt honor-bound to try to repay him, and his Athenian friends assembled twenty minas in silver with which to do so, but Annikeris refused to accept the money, insisting that it was his honor to be able to benefit a fellow lover of wisdom.⁸⁹ As indeed it was: Annikeris has been remembered, and celebrated, for his generosity ever since. Plato went on to use the twenty minas to buy land for a school, the famous Academy. And while he hardly showed the same ingratitude as Nicostratus, one does rather get the impression that even Plato wasn't especially happy about the fact that his subsequent career was, in a sense, made possible by his debt to a man who he probably considered an extremely minor philosopher—and Annikeris wasn't even Greek! At least this would help explain why Plato, otherwise the inveterate name-dropper, never mentioned Annikeris. We know of his existence only from later biographers.⁹⁰

Ancient Rome (Property and Freedom)

If Plato's work testifies to how profoundly the moral confusion introduced by debt has shaped our traditions of thought, Roman law reveals how much it has shaped even our most familiar institutions.

German legal theorist Rudolf von Jhering famously remarked that ancient Rome had conquered the world three times: the first time through its armies, the second through its religion, the third through its laws.⁹¹ He might have added: each time more thoroughly. The Empire, after all, only spanned a tiny portion of the globe; the Roman Catholic Church has spread farther; Roman law has come to provide the language and conceptual underpinnings of legal and constitutional orders everywhere. Law students from South Africa to Peru are expected to spend a good deal of their time memorizing technical terms in Latin, and it is Roman law that provides almost all our basic conceptions about contract, obligation, torts, property, and jurisdiction—and, in a broader sense, of citizenship, rights, and liberties on which political life, too, is based.

This was possible, Jhering held, because, the Romans were the first to turn jurisprudence into a genuine science. Perhaps—but for all that, it remains true that Roman law has a few notoriously quirky features, some so odd that they have confused and confounded jurists ever since Roman law was revived in Italian universities in the High Middle Ages. The most notorious of these is the unique way it defines property. In Roman law, property, or *dominium*, is a relation between a person and a thing, characterized by absolute power of that person over that thing. This definition has caused endless conceptual problems. First of all, it's not clear what it would mean for a human to have a "relation" with an inanimate object. Human beings can have relations with one another. But what would it mean to have a "relation" with a thing? And if one did, what would it mean to give that relation legal standing? A simple illustration will suffice: imagine a man trapped on a desert island. He might develop extremely personal relationships with, say, the palm trees growing on that island. If he's there too long, he might well end up giving them all names and spending half his time having imaginary conversations with them. Still, does he *own* them? The question is meaningless. There's no need to worry about property rights if no one else is there.

Clearly, then, property is not really a relation between a person and a thing. It's an understanding or arrangement between people concerning things. The only reason that we sometimes fail to notice this is

that in many cases—particularly when we are talking about our rights over our shoes, or cars, or power tools—we are talking of rights held, as English law puts it, “against all the world”—that is, understandings between ourselves and everyone else on the planet, that they will all refrain from interfering with our possessions, and therefore allow us to treat them more or less any way we like. A relation between one person and everyone else on the planet is, understandably, difficult to conceive as such. It’s easier to think of it as a relationship with a thing. But even here, in practice this freedom to do as one likes turns out to be fairly limited. To say that the fact that I own a chainsaw gives me an “absolute power” to do anything I want with it is obviously absurd. Almost anything I might think of doing with a chainsaw outside my own home or land is likely to be illegal, and there are only a limited number of things I can really do with it inside. The only thing “absolute” about my rights to a chainsaw is my right to prevent anyone *else* from using it.⁹²

Nonetheless, Roman law does insist that the basic form of property is private property, and that private property is the owner’s absolute power to do anything he wants with his possessions. Twelfth-century Medieval jurists came to refine this into three principles, *usus* (use of the thing), *fructus* (fruits, i.e., enjoyment of the products of the thing), and *abusus* (abuse or destruction of the thing), but Roman jurists weren’t even interested in specifying that much, since in a certain way, they saw the details as lying entirely outside the domain of law. In fact, scholars have spent a great deal of time debating whether Roman authors actually considered private property to be a right (*ius*),⁹³ for the very reason that rights were ultimately based on agreements between people, and one’s power to dispose of one’s property was not: it was just one’s natural ability to do whatever one pleased when social impediments were absent.⁹⁴

If you think about it, this really is an odd place to start in developing a theory of property law. It is probably fair to say that, in any part of the world, in any period of history, whether in ancient Japan or Machu Picchu, someone who had a piece of string was free to twist it, knot it, pull it apart, or toss it in the fire more or less as they had a mind to. Nowhere else did legal theorists appear to have found this fact in any way interesting or important. Certainly no other tradition makes it the very basis of property law—since, after all, doing so made almost all actual law little more than a series of exceptions.

How did this come about? And why? The most convincing explanation I’ve seen is Orlando Patterson’s: the notion of absolute private property is really derived from slavery. One can imagine property not

as a relation between people, but as a relation between a person and a thing, if one's starting point is a relation between two people, one of whom is also a thing. (This is how slaves were defined in Roman law: they were people who were also a *res*, a thing.)⁹⁵ The emphasis on absolute power begins to make sense as well.⁹⁶

The word *dominium*, meaning absolute private property, was not particularly ancient.⁹⁷ It only appears in Latin in the late Republic, right around the time when hundreds of thousands of captive laborers were pouring into Italy, and when Rome, as a consequence, was becoming a genuine slave society.⁹⁸ By 50 BC, Roman writers had come to simply assume that workers—whether the farmworkers harvesting peas in countryside plantations, the muleteers delivering those peas to shops in the city, or the clerks keeping count of them—were someone else's property. The existence of millions of creatures who were simultaneously persons and things created endless legal problems, and much of the creative genius of Roman law was spent in working out the endless ramifications. One need only flip open a casebook of Roman law to get a sense of these. This is from the second-century jurist Ulpian:

Again, Mela writes that if some persons were playing ball and one of them, hitting the ball quite hard, knocked it against a barber's hands, and in this way the throat of a slave, whom the barber was shaving, was cut by a razor pressed against it, then who is the person with whom the culpability lay is liable under the Lex Aquilia [the law of civil damages]? Proclus says that the culpability lies with the barber; and indeed, if he was shaving at a place where games are normally played or where traffic was heavy, there is reason to fault him. But it would not be badly held that if someone entrusts himself to a barber who has a chair in a dangerous place, he should have himself to blame.⁹⁹

In other words, the master cannot claim civil damages against the ballplayers or barber for destroying his property if the real problem was that he bought a stupid slave. Many of these debates might strike us as profoundly exotic (could you be accused of theft for merely convincing a slave to run away? If someone killed a slave who was also your son, could you take your sentimental feelings toward him into account in assessing damages, or would you have to stick to his market value?)—but our contemporary tradition of jurisprudence is founded directly on such debates.¹⁰⁰

As for *dominium*, the word is derived from *dominus*, meaning “master” or “slave-owner,” but ultimately from *domus*, meaning “house”

or “household.” It’s of course related to the English term “domestic,” which even now can be used either to mean “pertaining to private life,” or to refer to a servant who cleans the house. *Domus* overlaps somewhat in meaning with *familia*, “family”—but, as proponents of “family values” might be interested to know, *familia* itself ultimately derives from the word *famulus*, meaning “slave.” A family was originally all those people under the domestic authority of a *paterfamilias*, and that authority was, in early Roman law at least, conceived as absolute.¹⁰¹ A man did not have total power over his wife, since she was still to some degree under the protection of her own father, but his children, slaves, and other dependents were his to do with as he wanted—at least in early Roman law, he was perfectly free to whip, torture, or sell them. A father could even execute his children, provided he found them to have committed capital crimes.¹⁰² With his slaves, he didn’t even need that excuse.

In creating a notion of *dominium*, then, and thus creating the modern principle of absolute private property, what Roman jurists were doing first of all was taking a principle of domestic authority, of absolute power over people, defining some of those people (slaves) as things, and then extending the logic that originally applied to slaves to geese, chariots, barns, jewelry boxes, and so forth—that is, to every other sort of thing that the law had anything to do with.

It was quite extraordinary, even in the ancient world, for a father to have the right to execute his slaves—let alone his children. No one is quite sure why the early Romans were so extreme in this regard. It’s telling, though, that the earliest Roman debt law was equally unusual in its harshness, since it allowed creditors to execute insolvent debtors.¹⁰³ The early history of Rome, like the histories of early Greek city-states, was one of continual political struggle between creditors and debtors, until the Roman elite eventually figured out the principle that most successful Mediterranean elites learned: that a free peasantry means a more effective army, and that conquering armies can provide war captives who can do anything debt bondsmen used to do, and therefore, a social compromise—allowing limited popular representation, banning debt slavery, channeling some of the fruits of empire into social-welfare payments—was actually in their interest. Presumably, the absolute power of fathers developed as part of this whole constellation in the same way as we’ve seen elsewhere. Debt bondage reduced family relations to relations of property; social reforms retained the new power of fathers but protected them from debt. At the same time, the increasing influx of slaves soon meant that any even moderately prosperous household was likely to contain slaves. This meant that

the logic of conquest extended into the most intimate aspects of everyday life. Conquered people poured one's bath and combed one's hair. Conquered tutors taught one's children about poetry. Since slaves were sexually available to owners and their families, as well as to their friends and dinner guests, it is likely that most Romans' first sexual experience was with a boy or girl whose legal status was conceived as that of a defeated enemy.¹⁰⁴

Over time, this became more and more of a legal fiction—actual slaves were much more likely to have been paupers sold by parents, unfortunates kidnapped by pirates or bandits, victims of wars or judicial process among barbarians at the fringes of the empire, or children of other slaves.¹⁰⁵ Still, the fiction was maintained.

What made Roman slavery so unusual, in historical terms, was a conjuncture of two factors. One was its very arbitrariness. In dramatic contrast with, say plantation slavery in the Americas, there was no sense that certain people were naturally inferior and therefore destined to be slaves. Instead, slavery was seen as a misfortune that could happen to anyone.¹⁰⁶ As a result, there was no reason that a slave might not be in every way superior to his or her master: smarter, with a finer sense of morality, better taste, and a greater understanding of philosophy. The master might even be willing to acknowledge this. There was no reason not to, since it had no effect on the nature of the relationship, which was simply one of power.

The second was the absolute nature of this power. There are many places where slaves are conceived as war captives, and masters as conquerors with absolute powers of life and death—but usually, this is something of an abstract principle. Almost everywhere, governments quickly move to limit such rights. At the very least, emperors and kings will insist that they are the only ones with the power to order others put to death.¹⁰⁷ But under the Roman Republic there was no emperor; insofar as there was a sovereign body, it was the collective body of the slave-owners themselves. Only under the early Empire do we see any legislation limiting what owners could do to their (human) property: the first being a law of the time of the emperor Tiberius (dated 16 AD) stipulating that a master had to obtain a magistrate's permission before ordering a slave publicly torn apart by wild beasts.¹⁰⁸ However, the absolute nature of the master's power—the fact that in this context, he effectively *was* the state—also meant that there were also, at first, no restrictions on manumission: a master could liberate his slave, or even adopt him or her, whereby—since liberty meant nothing outside of membership in a community—that slave automatically became a Roman citizen. This led to some very peculiar arrangements. In the first

century AD, for example, it was not uncommon for educated Greeks to have themselves sold into slavery to some wealthy Roman in need of a secretary, entrust the money to a close friend or family member, and then, after a certain interval, buy themselves back, thus obtaining Roman citizenship. This despite the fact that, during such time as they were slaves, if their owner decided to, say, cut one of his secretary's feet off, legally, he would have been perfectly free to do so.¹⁰⁹

The relation of *dominus* and slave thus brought a relation of conquest, of absolute political power into the household (in fact, made it the essence of the household). It's important to emphasize that this was not a moral relation on either side. A well-known legal formula, attributed to a Republican lawyer named Quintus Haterius, brings this home with particular clarity. With the Romans as with the Athenians, for a male to be the object of sexual penetration was considered unbefitting to a citizen. In defending a freedman accused of continuing to provide sexual favors to his former master, Haterius coined an aphorism that was later to become something of a popular dirty joke: *impudicitia in ingenuo crimen est, in servo necessitas, in liberto officium* ("to be the object of anal penetration is a crime in the freeborn, a necessity for a slave, a duty for a freedman").¹¹⁰ What is significant here is that sexual subservience is considered the "duty" only of the freedman. It is not considered the "duty" of a slave. This is because, again, slavery was not a moral relation. The master could do what he liked, and there was nothing the slave could do about it.



The most insidious effect of Roman slavery, however, is that through Roman law, it has come to play havoc with our idea of human freedom. The meaning of the Roman word *libertas* itself changed dramatically over time. As everywhere in the ancient world, to be "free" meant, first and foremost, not to be a slave. Since slavery means above all the annihilation of social ties and the ability to form them, freedom meant the capacity to make and maintain moral commitments to others. The English word "free," for instance, is derived from a German root meaning "friend," since to be free meant to be able to make friends, to keep promises, to live within a community of equals. This is why freed slaves in Rome became citizens: to be free, by definition, meant to be anchored in a civic community, with all the rights and responsibilities that this entailed.¹¹¹

By the second century AD, however, this had begun to change. The jurists gradually redefined *libertas* until it became almost

indistinguishable from the power of the master. It was the right to do absolutely anything, with the exception, again, of all those things one could not do. Actually, in the *Digest*, the definitions of freedom and slavery appear back to back:

Freedom is the natural faculty to do whatever one wishes that is not prevented by force or law. Slavery is an institution according to the law of nations whereby one person becomes private property (*dominium*) of another, contrary to nature.¹¹²

Medieval commentators immediately noticed the problem here.¹¹³ But wouldn't this mean that everyone is free? After all, even slaves are free to do absolutely anything they're actually permitted to do. To say a slave is free (except insofar as he isn't) is a bit like saying the earth is square (except insofar as it is round), or that the sun is blue (except insofar as it is yellow), or, again, that we have an absolute right to do anything we wish with our chainsaw (except those things that we can't.)

In fact, the definition introduces all sorts of complications. If freedom is natural, then surely slavery is unnatural, but if freedom and slavery are just matters of degree, then, logically, would not *all* restrictions on freedom be to some degree unnatural? Would not that imply that society, social rules, in fact even property rights, are unnatural as well? This is precisely what many Roman jurists did conclude—that is, when they did venture to comment on such abstract matters, which was only rarely. Originally, human beings lived in a state of nature where all things were held in common; it was war that first divided up the world, and the resultant “law of nations,” the common usages of mankind that regulate such matters as conquest, slavery, treaties, and borders, that was first responsible for inequalities of property as well.¹¹⁴

This in turn meant that there was no intrinsic difference between private property and political power—at least, insofar as that power was based in violence. As time went on, Roman emperors also began claiming something like *dominium*, insisting that within their dominions, they had absolute freedom—in fact, that they were not bound by laws.¹¹⁵ At the same time, as Roman society shifted from a republic of slave-holders to arrangements that increasingly resembled later feudal Europe, with magnates on their great estates surrounded by dependent peasants, debt servants, and an endless variety of slaves—with whom they could largely do as they pleased. The barbarian invasions that overthrew the empire merely formalized the situation, largely eliminating chattel slavery, but at the same time introducing the notion that the

noble classes were really descendants of the Germanic conquerors, and that the common people were inherently subservient.

Still, even in this new Medieval world, the old Roman concept of freedom remained. Freedom was simply power. When Medieval political theorists spoke of “liberty,” they were normally referring to a lord’s right to do whatever he wanted within his own domains. This was, again, usually assumed to be not something originally established by agreement, but a mere fact of conquest: one famous English legend holds that when, around 1290, King Edward I asked his lords to produce documents to demonstrate by what right they held their franchises (or “liberties”), the Earl Warenne presented the king only with his rusty sword.¹¹⁶ Like Roman *dominium*, it was less a right than a power, and a power exercised first and foremost over people—which is why in the Middle Ages it was common to speak of the “liberty of the gallows,” meaning a lord’s right to maintain his own private place of execution.

By the time Roman law began to be recovered and modernized in the twelfth century, the term *dominium* posed a particular problem, since it had come, in ordinary church Latin of the time, to be used equally for “lordship” and “private property.” Medieval jurists spent a great deal of time and argument establishing whether there was indeed a difference between the two. It was a particularly thorny problem because, if property rights really were, as the *Digest* insisted, a form of absolute power, it was very difficult to see how anyone could have it but a king—or even, for certain jurists, God.¹¹⁷

This is not the place to describe the resulting arguments, but I feel it’s important to end here because in a way, it brings us full circle and allows us to understand precisely how Liberals like Adam Smith were able to imagine the world the way they did. This is a tradition that assumes that liberty is essentially the right to do what one likes with one’s own property. In fact, not only does it make property a right; it treats rights themselves as a form of property. In a way, this is the greatest paradox of all. We are so used to the idea of “having” rights—that rights are something one can possess—that we rarely think about what this might actually mean. In fact (as Medieval jurists were well aware), one man’s right is simply another’s obligation. My right to free speech is others’ obligation not to punish me for speaking; my right to a trial by a jury of my peers is the responsibility of the government to maintain a system of jury duty. The problem is just the same as it was with property rights: when we are talking about obligations owed by everyone in the entire world, it’s difficult to think about it that way. It’s much easier to speak of “having” rights and freedoms. Still, if freedom is basically our right to own things, or to treat things as if we own

them, then what would it mean to “own” a freedom—wouldn’t it have to mean that our right to own property is *itself* a form of property? That does seem unnecessarily convoluted. What possible reason would one have to want to define it this way?¹¹⁸

Historically, there is a simple—if somewhat disturbing—answer to this. Those who have argued that we are the natural owners of our rights and liberties have been mainly interested in asserting that we should be free to give them away, or even to sell them.

Modern ideas of rights and liberties are derived from what, from the time when Jean Gerson, Rector of the University of Paris, began to lay them out around 1400, building on Roman law concepts, came to be known as “natural rights theory.” As Richard Tuck, the premier historian of such ideas, has long noted, it is one of the great ironies of history that this was always a body of theory embraced not by the progressives of that time, but by conservatives. “For a Gersonian, liberty was property and could be exchanged in the same way and in the same terms as any other property”—sold, swapped, loaned, or otherwise voluntarily surrendered.¹¹⁹ It followed that there could be nothing intrinsically wrong with, say, debt peonage, or even slavery. And this is exactly what natural-rights theorists came to assert. In fact, over the next centuries, these ideas came to be developed above all in Antwerp and Lisbon, cities at the very center of the emerging slave trade. After all, they argued, we don’t really know what’s going on in the lands behind places like Calabar, but there is no intrinsic reason to assume that the vast majority of the human cargo conveyed to European ships had not sold themselves, or been disposed of by their legal guardians, or lost their liberty in some other perfectly legitimate fashion. No doubt some had not, but abuses will exist in any system. The important thing was that there was nothing inherently unnatural or illegitimate about the idea that freedom *could* be sold.¹²⁰

Before long, similar arguments came to be employed to justify the absolute power of the state. Thomas Hobbes was the first to really develop this argument in the seventeenth century, but it soon became commonplace. Government was essentially a contract, a kind of business arrangement, whereby citizens had voluntarily given up some of their natural liberties to the sovereign. Finally, similar ideas have become the basis of that most basic, dominant institution of our present economic life: wage labor, which is, effectively, the renting of our freedom in the same way that slavery can be conceived as its sale.¹²¹

It’s not only our freedoms that we own; the same logic has come to be applied even to our own bodies, which are treated, in such formulations, as really no different than houses, cars, or furniture. We own

ourselves, therefore outsiders have no right to trespass on us.¹²² Again, this might seem an innocuous, even a positive notion, but it looks rather different when we take into consideration the Roman tradition of property on which it is based. To say that we own ourselves is, oddly enough, to cast ourselves as both master and slave simultaneously. “We” are both owners (exerting absolute power over our property), and yet somehow, at the same time, the things being owned (being the object of absolute power). The ancient Roman household, far from having been forgotten in the mists of history, is preserved in our most basic conception of ourselves—and, once again, just as in property law, the result is so strangely incoherent that it spins off into endless paradoxes the moment one tries to figure out what it would actually mean in practice. Just as lawyers have spent a thousand years trying to make sense of Roman property concepts, so have philosophers spent centuries trying to understand how it could be possible for us to have a relation of domination over ourselves. The most popular solution—to say that each of us has something called a “mind” and that this is completely separate from something else, which we can call “the body,” and that the first thing holds natural dominion over the second—flies in the face of just about everything we now know about cognitive science. It’s obviously untrue, but we continue to hold onto it anyway, for the simple reason that none of our everyday assumptions about property, law, and freedom would make any sense without it.¹²³

Conclusions

The first four chapters of this book describe a dilemma. We don’t really know how to think about debt. Or, to be more accurate, we seem to be trapped between imagining society in the Adam Smith mode, as a collection of individuals whose only significant relations are with their own possessions, happily bartering one thing for another for the sake of mutual convenience, with debt almost entirely abolished from the picture, and a vision in which debt is everything, the very substance of all human relations—which of course leaves everyone with the uncomfortable sense that human relations are somehow an intrinsically tawdry business, that our very responsibilities to one another are already somehow necessarily based in sin and crime. It’s not an appealing set of alternatives.

In the last three chapters I have tried to show that there is another way of looking at things, and then to describe how it is that we got

here. This is why I developed the concept of human economies: ones in which what is considered really important about human beings is the fact that they are each a unique nexus of relations with others—therefore, that no one could ever be considered exactly equivalent to anything or anyone else. In a human economy, money is not a way of buying or trading human beings, but a way of expressing just how much one cannot do so.

I then went on to describe how all this can begin to break down: how humans can become objects of exchange: first, perhaps, women given in marriage; ultimately, slaves captured in war. What all these relations have in common, I observed, was violence. Whether it is Tiv girls being tied up and beaten for running away from their husbands, or husbands being herded into slave ships to die on faraway plantations, that same principle always applies: it is only by the threat of sticks, ropes, spears, and guns that one can tear people out of those endlessly complicated webs of relationship with others (sisters, friends, rivals . . .) that render them unique, and thus reduce them to something that can be traded.

All of this, it is important to emphasize, can happen in places where markets in ordinary, everyday goods—clothing, tools, foodstuffs—do not even exist. In fact, in most human economies, one's most important possessions could never be bought and sold for the same reasons that people can't: they are unique objects, caught up in a web of relationships with human beings.¹²⁴

My old professor John Comaroff used to tell a story about carrying out a survey in Natal, in South Africa. He had spent most of a week driving from homestead to homestead in a jeep with a box full of questionnaires and a Zulu-speaking interpreter, driving past apparently endless herds of cattle. After about six days, his interpreter suddenly started and pointed into the middle of one herd. "Look!" he said. "That's the same cow! That one there—with the red spot on its back. We saw it three days ago in a place ten miles from here. I wonder what happened? Did someone get married? Or maybe there was a settlement to some dispute."

In human economies, when this ability to rip people from their contexts does appear, it is most often seen as an end in itself. One can already see a hint of this among the Lele. Important men would occasionally acquire war captives from far away as slaves, but it was almost always to be sacrificed at their funeral.¹²⁵ The squelching of one man's individuality was seen as somehow swelling the reputation, the social existence, of the other.¹²⁶ In what I've been calling heroic societies, of course this kind of addition and subtraction of honor and disgrace is

lifted from a somewhat marginal practice to become the very essence of politics. As endless epics, sagas, and eddas attest, heroes become heroes by making others small. In Ireland and Wales, we can observe how this very ability to degrade others, to remove unique human beings from their hearths and families and thus render them anonymous units of accounting—the Irish slave-girl currency, the Welsh washerwomen—is itself the highest expression of honor.

In heroic societies, the role of violence is not hidden—it's glorified. Often, it can form the basis of one's most intimate relations. In the *Iliad*, Achilles sees nothing shameful in his relation with his slave-girl, Briseis, whose husband and brothers he killed; he refers to her as his "prize of honor," but almost in the very same breath, he also insists that, just any decent man must love and care for his household dependents, "so I from my heart loved this one, even though I won her with my spear."¹²⁷

That such relations of intimacy can often develop between men of honor and those they have stripped of their dignity, history can well attest. After all, the annihilation of any possibility of equality also eliminates any question of debt, of any relation other than power. It allows a certain clarity. This is presumably why emperors and kings have such a notorious tendency to surround themselves with slaves or eunuchs.

There is something more here, though. If one looks across the expanse of history, one cannot help but notice a curious sense of identification between the most exalted and the most degraded; particularly, between emperors and kings, and slaves. Many kings surround themselves with slaves, appoint slave ministers—there have even been, as with the Mamluks in Egypt, actual dynasties of slaves. Kings surround themselves with slaves for the same reason that they surround themselves with eunuchs: because the slaves and criminals have no families or friends, no possibility of other loyalties—or at least that, in principle, they shouldn't. But in a way, kings should really be like that too. As many an African proverb emphasizes: a proper king has no relatives either, or at least, he acts as if he does not.¹²⁸ In other words, the king and slave are mirror images, in that unlike normal human beings who are defined by their commitments to others, they are defined *only* by relations of power. They are as close to perfectly isolated, alienated beings as one can possibly become.

At this point we can finally see what's really at stake in our peculiar habit of defining ourselves simultaneously as master and slave, reduplicating the most brutal aspects of the ancient household in our very concept of ourselves, as masters of our freedoms, or as owners of our very selves. It is the only way that we can imagine ourselves as

completely isolated beings. There is a direct line from the new Roman conception of liberty—not as the ability to form mutual relationships with others, but as the kind of absolute power of “use and abuse” over the conquered chattel who make up the bulk of a wealthy Roman man’s household—to the strange fantasies of liberal philosophers like Hobbes, Locke, and Smith, about the origins of human society in some collection of thirty- or forty-year-old males who seem to have sprung from the earth fully formed, then have to decide whether to kill each other or begin to swap beaver pelts.¹²⁹

European and American intellectuals, it is true, have spent much of the last two hundred years trying to flee from the more disturbing implications of this tradition of thought. Thomas Jefferson, that owner of many slaves, chose to begin the Declaration of Independence by directly contradicting the moral basis of slavery, writing “we hold these truths to be self-evident, that all men are created equal, and that they are endowed by their Creator with certain inalienable Rights . . .”—thus undercutting simultaneously any argument that Africans were racially inferior, and also that they or their ancestors could ever have been justly and legally deprived of their freedom. In doing so, however, he did not propose some radically new conception of rights and liberties. Neither have subsequent political philosophers. For the most part, we’ve just kept the old ones, but with the word “not” inserted here and there. Most of our most precious rights and freedoms are a series of exceptions to an overall moral and legal framework that suggests we shouldn’t really have them in the first place.

Formal slavery has been eliminated, but (as anyone who works from nine to five can testify) the idea that you can alienate your liberty, at least temporarily, endures. In fact, it determines what most of us have to do for most of our waking hours, except, usually, on weekends. The violence has been largely pushed out of sight.¹³⁰ But this is largely because we’re no longer able to imagine what a world based on social arrangements that did not require the continual threat of tasers and surveillance cameras would even look like.