

**Black Religion / Womanist Thought / Social Justice**



# Beyond Slavery

Overcoming Its Religious and  
Sexual Legacies

*Edited by Bernadette Brooten  
with the editorial assistance of  
Jacqueline L. Hazelton*



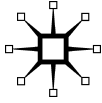
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## Introduction

*Bernadette J. Brooten*

*I, too, live in the time of slavery, by which I mean I am living in the future created by it.*

—*Saidiya Hartman*<sup>1</sup>

This book invites and enables readers to engage with the history of slavery over centuries and across continents—in particular, with its effects on enslaved women and girls and past religious complicity in it.<sup>2</sup> I hope that this new way of viewing slavery will motivate readers to create new strategies for overcoming the vestiges of slavery that continue to shape our daily lives in ways that are often difficult to see. Consider the following modern-day experiences:

“As a descendant of African slave women,” writes Amina Wadud, a leading scholar of Islam who usually wears the Muslim headscarf in public, “I have carried the awareness that my ancestors were not given any choice to determine how much of their bodies would be exposed at the auction block or in their living conditions. So, I chose intentionally to cover my body as a means of reflecting my historical identity, personal dignity, and sexual integrity.”<sup>3</sup>

When Doris Davis, an Orthodox Jewish teacher from Long Island, sought a divorce, her husband refused to write her a bill of divorcement (Hebrew: *get*). Without a *get*, the Orthodox Jewish community would not recognize her divorce, and she would not be allowed to remarry within the community. In 2004, she sought the help of the Organization for the Resolution of Agunot, which staged rallies outside the husband’s home and then posted his photo in synagogues in Brooklyn, where he lived. This community solidarity succeeded, and he eventually wrote her the *get*.<sup>4</sup>

In the summer of 2008, a group of young white women attended a bachelorette party on the West Coast. They hired a male stripper—blond, muscular, tattooed, dressed in a tight black swimsuit—and took turns playing with him, laughing at the raunchy fun. The stripper grabbed one woman by her hair,

pushing her head down toward his groin. He grabbed another woman, pushed her down on all fours, and straddled her from behind as she laughed and he grinned at the camera. One of the women at the party, a devout Catholic who attends church with her adoring husband every Sunday, captured each moment of sexual play on her digital camera.<sup>5</sup>

How do these contemporary situations relate to the history of slavery? Each of these women's stories began generations before they were born, when owning or dominating a human body was not only legal but morally permissible and codified by their religions. Slavery had a profound impact on Jewish, Christian, and Islamic thinking and laws about bodies, sex, and marriage, as well as property and ownership. As a result, many slaveholders forced enslaved persons into sex, compelled individual enslaved women and men to breed enslaved babies, and forcibly broke up intimate relationships between enslaved persons—debasement of the humans they owned as well as corrupting sex, marriage, families, and themselves. Slavery therefore influenced how enslaved persons thought about their bodies, how they moved and used their bodies, and which choices were open to them. Enslaved persons, women and girls in particular, often succumbed to the terror of sexual violence, but they also resisted attempts at their dehumanization.

Although slavery technically has been outlawed around the world, its repercussions continue to ripple through modern society, influencing how women perceive themselves and are treated. The effects are both so entrenched in our culture and internalized by individuals that many people often do not see or think about them. With slavery so deeply ensconced in our history and having been so intimately connected with sex, it would be surprising if the imagery of slavery had simply disappeared from our consciousness and imagination. Yet this book proposes ways to imagine and build relationships and communities that are not tainted by the lingering effects of past slavery.

The three stories of contemporary women above echo those of such women from the past as Essie Mae Washington-Williams, the daughter of onetime segregationist U.S. Senator Strom Thurmond, who had impregnated her mother, a fifteen-year-old family servant. (Thurmond went on to become president of the Baptist Young People's Union.) Or of Callie House, who led 300,000 ex-slaves to petition the U.S. government for reparations in the nineteenth and early twentieth centuries. Or of Sally Hemings, enslaved by Thomas Jefferson, who entered into a sexual relationship with Hemings when she was thirteen or fourteen and Jefferson was in his mid-forties. Or of Rosa, a fifteenth-century Russian slave woman who sued for her freedom in Valencia, in what is now Spain, on the grounds that her Christian owner, and father of her two children, had treated her more like a mistress than a slave.<sup>6</sup> Or of Mariyya the Copt, given by the Christian military ruler of Alexandria, Egypt, to the Prophet Muhammad, who took her as a concubine and freed her after she bore him a child. Or of Monica, mother of early Christian theologian Augustine, who told her friends that in becoming wives, they had become slaves. Or of Hagar in Genesis, whom Sarah gave to her husband Abraham in the hope that Hagar would bear them a child; Abraham cast her out into the wilderness for acting

uppity to Sarah, but Hagar managed to survive and raise her son Ishmael. Slavery shaped all of these women's lives, as well as those of the men and children connected to them.

In today's world, slavery's legacies for sexuality and marriage are myriad, as are women's responses to them. One woman covers her body to shield herself from the bold gaze of male onlookers, a freedom denied to enslaved women whose bodies were used for sex without their consent. Another woman struggles with the thin line between slavery and marriage that is enshrined in religious law: just as only an owner may free an enslaved person, so too may only a husband free his wife from the marriage bond. Yet other contemporary women enjoy the freedom to explore their sexuality, which can include domination and slavery imagery.

Slavery as a legal institution has existed for most of recorded history and was allowed by Jewish, Christian, and Islamic sacred texts, traditions, and religious law. The forms of slavery varied considerably but shared the underlying concept of owning a human body. That concept has had a profound impact on Jewish, Christian, and Islamic thinking about sexuality and about marriage between women and men. At the same time, these religions have within them the mercy and compassion necessary to overcome slavery and its long-term effects.

Legal slavery ended in the United States nearly 150 years ago. For that reason, many people think that slavery and its reverberations are a thing of the past. Sadly, slavery continues to exist; the International Labour Organization estimates that 12.3 million people live in conditions of forced labor or virtual slavery.<sup>7</sup> The goal of ending slavery once and for all is both urgent and possible.

Legal slavery has been part of the world's civilizations for so long, and absent so briefly, that the habit of mind that considers slavery normal continues. But people are beginning to ask: Under what conditions are our food and manufactured goods produced? Do persons from whose labor we benefit live in debt bondage from which they can never escape? Do our neighbors have domestic workers whom they do not pay, whose passports they have removed, and whom they physically abuse? What are the working conditions of sex workers, including those in the pornography industry; do their economic circumstances allow them to consent freely to sex work; are they unionized; what is their medical condition, and do they have health benefits? The answers to these questions can help us prevent worker exploitation and forced labor, and the physical and sexual violence that often accompany them.

The authors in this book propose that facing up to slavery can free people and society from its taint. These authors optimistically assess the possibilities for creating joyous, healthy expressions of sexuality, starting today. They argue that communities can eroticize racial and gender equality by creating a healthy society and beneficial interactions among individuals and groups.<sup>8</sup> Men do not have to dominate women. Sexuality does not have to be racially charged. But that requires taking an earnest look at the persistent effects of slavery on social values, religious thought, and economic realities. Such is our task.

## Reading Sacred Texts and Religious Law

Some readers may wonder whether it might not be better to ignore biblical, Talmudic, and Qur'anic texts about slavery and their connection to marriage and sexuality. After all, legal slavery has been abolished, rendering texts on slavery irrelevant. But the interpretation of sacred texts lies at the heart of Judaism, Christianity, and Islam because many followers of these religions seek to base their lives on the values expressed in these and other classical texts.

Slaveholding societies have left their mark not only on the wording of sacred texts but also on the ways in which religious people interpret them. For most of history, Jews, Christians, and Muslims read these texts through the lens of slavery: most religious leaders in the past considered slavery morally acceptable, and that belief colored their thinking on all aspects of social and personal interactions. Overcoming the legacy of slavery therefore requires reading scripture and religious law through the lens of freedom—all texts, not only those about slavery. This means reading sacred texts with compassion for enslaved persons and creating religious support for freedom for all persons. It is illogical, for instance, to separate the biblical texts on slavery from those on marriage, family, and sexuality by arguing that although the slavery passages no longer apply, the overall texts in which they are embedded should guide contemporary life.

A number of this volume's essays demonstrate how teachings on slavery in the Jewish and Christian Bibles, the Talmud, the Qur'an, and early Islamic jurisprudence affected enslaved women differently from enslaved men, and how toleration of slavery shaped religious teachings about marriage and sexuality. For example, enslaved women's sexual vulnerability and ability to give birth to children had a profound impact on their experience of slavery.<sup>9</sup> The essays by David P. Wright, Jennifer A. Glancy, Sheila Briggs, Sylvester A. Johnson, and Fay Botham show that slavery is deeply embedded within Christian scripture. Read together, the essays by Wright and by Gail Labovitz show that slave law and marriage law were interconnected in ancient Israelite (biblical) and early rabbinic thinking. Kecia Ali shows the need to rethink literal Qur'anic interpretation, because the Qur'an accepted slavery as an institution and tolerated the master's sexual access to enslaved women, a toleration that has implications for sexual ethics more generally because it enshrined different moral standards for women than for men. Mende Nazer's responses to Qur'anic and biblical texts, based on her experience as a girl enslaved in Sudan, provide a moral challenge to all readers of those texts to listen to the voices of enslaved people when encountering them. Nazer's experience of slavery as the sundering of family ties shapes how she reads these texts, and should shape our understanding as well.

Yet although slavery and slavery-derived concepts are embedded in these texts, freedom and compassion are quintessentially biblical, Talmudic, and Qur'anic values. Generations of Jews and Christians have found hope in God's deliverance of the people of Israel from bondage into freedom in the Book of Exodus. At Passover, Jews remember their escape from slavery in Egypt.<sup>10</sup> In the New Testament, Paul sees life in Christ as giving people new freedom and

as making them aware of the freedom that the world does not yet enjoy. The Qur'an encourages Muslims to ransom or set free enslaved persons.<sup>11</sup>

These religious claims raise the question of who deserves to be free, a question that resonates in public-policy choices in the United States, both historical and contemporary. The answer is that every human deserves to be free. But Judaism, Christianity, and Islam did not always find this to be true. Whereas ancient Israelite (biblical) law closely regulated the enslavement of fellow Hebrews, it allowed Israelites to enslave foreigners forever. Early rabbinic (Talmudic) law granted enslaved foreigners some rights. For most of Christian history, enslaved Christians did not have an advantage over non-Christians. Islam did not allow the enslavement of fellow Muslims, but it did allow Muslims to enslave non-Muslims. The founders of the United States saw no conflict between declaring liberty to be an inalienable right and distinguishing in the Constitution between “free Persons,” “Indians,” and “all other Persons” (enslaved persons, who were each counted as three-fifths of a free person). In the eighteenth and nineteenth centuries, virtually all Christian supporters of slavery in the United States drew on the Bible to make their case, and abolitionists did the same. The majority of people in the United States at this time were Protestant Christians, most of whom shared the Protestant view that the meaning of the Bible was plain for all to see and that the Bible should form the basis of public policy.<sup>12</sup> The country was riven over whether the Bible supported slavery or condemned it. This created a theological crisis that still echoes today, because some Christians still struggle over whether to interpret the Bible literally and whether it should play a role in public policy.<sup>13</sup>

In the nineteenth century, a Southern woman named Ella Gertrude Clanton Thomas so firmly believed that the Bible should shape public policy that the abolition of slavery in the United States shook her Christian faith in the Bible, as illustrated by a journal entry from October 8, 1865:

We owned more than 90 Negroes with a prospect of inheriting many more from Pa's estate—By the surrender of the Southern army slavery became a thing of the past...I did not know until then how intimately my faith in revelations and my faith in the institution of slavery had been woven together—true I had seen the evil of the latter but if the *Bible* was right then slavery *must be*—Slavery was done away with and my faith in God's Holy Book was terribly shaken. For a time I doubted God...When I opened the Bible the numerous allusions to slavery mocked me. Our cause was lost. Good men had had faith in that cause.<sup>14</sup>

Thomas felt that biblical values had been defeated. For her, the Bible set forth divinely ordained social institutions. If one institution was gone, what could she trust?

Thomas was not entirely wrong. In her Bible, she would have read that Israelites were not to treat their own people as slaves but that they may treat foreigners as slaves: “And ye shall take them as an inheritance for your children after you, to inherit them for a possession; they shall be your bondmen for ever: but over your brethren the children of Israel, ye shall not rule one over another with rigour.”<sup>15</sup> And she would have learned that the New Testament teaches: “Servants, obey in all things your masters according to the flesh; not with eyeservice, as menpleasers; but in singleness of heart, fearing God.”<sup>16</sup>



If Protestants looked to the Bible for guidance, Roman Catholics also looked to the bishops and to the pope. In 1866, the Vatican stated:

Slavery itself, considered as such in its essential nature, is not at all contrary to the natural and divine law, and there can be several just titles of slavery . . . It is not contrary to the natural and divine law for a slave to be sold, bought, exchanged, or given.<sup>17</sup>

These Christians who believed in the justice of slavery were basing their belief upon centuries of religious thought. As Johnson argues, one can make a strong biblical case for slavery. The laws of ancient Israel allowed slavery, Abraham was a slaveholder, Jesus never prohibited slavery, and the New Testament commands enslaved persons to obey their owners in all things. But one can also mount a biblical case against slavery. African American abolitionist David Ruggles, Johnson writes, defined slavery in the United States as adulterous, pointing to the increase in mixed-race children born to enslaved women, to the fact that enslaved persons were not legally allowed to marry, and to the silence of slaveholders' wives in the face of their husbands' adultery. Ruggles unmasked slavery's contradiction of the Christian values of chastity, marriage, and family.<sup>18</sup>

Jewish leaders and the American Jewish community were also drawn into the debates over slavery. In 1861, Rabbi Morris Raphall delivered a sermon in the B'nai Jeshurun Synagogue of New York, expressing surprise that anyone should doubt Scripture's support for slavery.<sup>19</sup> Raphall cited biblical laws on slavery from Exodus, Leviticus, and Deuteronomy to demonstrate the legitimacy of slavery. He also found justification for enslaving the "fetish-serving benighted African" in Genesis 9:25, where Noah cursed Ham's son Canaan, stating that Canaan should be the "meanest of slaves" to his brothers.<sup>20</sup>

In contrast, Rabbi David Einhorn of Baltimore argued that the Bible tolerates but does not promote slavery, just as it tolerates polygamy, which the members of his congregation would certainly oppose. In 1861, in the slaveholding state of Maryland, Einhorn, sharply criticizing Raphall, appealed to Jews to reject slavery:

*Such* are the Jews! Where they are oppressed, they boast of the humanity of their religion; but where they are free, their Rabbis declare slavery to have been sanctioned by God, even mentioning the holy act of the Revelation on Sinai in defense of it.<sup>21</sup>

These debates show that everyone was reading their sacred texts and religious laws through the lens of their own experiences with slaveholding and the lens of their own vision of justice. Although some Christians and Jews insist that the meaning of the Bible is plain for all to see, its meaning has been contested since it came into existence, and the Bible contains differing policies on slavery.

The rise of modern racism created yet another lens through which to read the Bible's teachings on slavery. Unlike in ancient slavery, which was not based on race, modern racist theories undergirded the trans-Atlantic slave trade. These racist theories supported not only the enslavement of Africans but also racial apartheid in Africa and segregation in the United States, including laws

prohibiting interracial marriage (known as anti-miscegenation statutes). Just as slavery supporters and antislavery advocates appealed to the Bible, judges in the United States from the nineteenth through the twentieth centuries justified bans on interracial marriage with religious and biblical arguments; and public officials, including former President Harry S. Truman, viewed interracial marriage as contrary to biblical teaching.<sup>22</sup> Botham explains that opponents of interracial marriage developed a theology of separate races that drew upon the story in Genesis 10–11 of the dispersion of the sons of Noah throughout the world. They claimed that the biblical account represented God’s plan for the races to live separately from one another and not to intermarry.

Johnson and Botham, troubled by past Christian appeals to the Bible in support for slavery and by laws against interracial marriage, draw parallels to contemporary debates over sexual orientation.<sup>23</sup> They argue that earlier generations’ use of the Bible to support policies that most Americans now consider wrong warns us about the dangers of basing public policy on the Bible.

Whereas Johnson and Botham examine modern uses of the Bible, Wright and Glancy examine biblical texts within the context of the eras in which they were written. Wright analyzes the ancient Israelite statutes on slavery within the context of ancient Near Eastern law, arguing that the biblical writers were responding to the Babylonian Laws of Hammurabi and the laws of other neighbors of ancient Israel. Like other scholars, he traces changes over time in these laws on slavery, arguing that slave law developed in three stages. Wright shows that the Laws of Hammurabi were more lenient toward persons in debt bondage than the earliest version of Israelite slave law, the Book of Exodus. He also demonstrates that the ancient Israelite lawgivers tried to improve the situation of enslaved persons by making changes in the laws. But each attempt to resolve one ethical problem created another. For example, whereas in the first set of laws, in Exodus, slaveholders were to release enslaved male Israelites after six years; and in Deuteronomy, slaveholders were to release enslaved male and female Israelites after six years; in the last-written set of laws, Leviticus, owners were to treat fellow Israelites as hired laborers rather than slaves—but owners could force their indebted fellow Israelites to work for them for up to forty-nine years.<sup>24</sup> Writing both as an historian and as an ethical critic, Wright proposes that the Bible can help thoughtful people today if they consider the questions it raises rather than the answers it gives.

Nineteenth-century slavery supporters stressed that Jesus and his apostles, who saw slavery all around them, did not call for its abolition. Glancy finds that she has to agree. Although Jesus did challenge social hierarchies, he did not call upon his followers to refrain from slaveholding. And despite Paul’s preaching a message of freedom, he did not speak out against the sexual use of enslaved women, even though that reality was known throughout the Roman world. Briggs points out that when Paul condemned prostitution, he focused on how going to a prostitute dishonored the male body, not on how prostitution exploited the female body, even though many prostitutes in the Roman world were enslaved and were therefore left without choice.<sup>25</sup>

Jews in the rabbinic tradition, which includes most religious Jews today, do not interpret the Bible separately from ancient and medieval rabbinic commentary on it. Unlike Protestants, rabbinic Jews do not believe that one should

go back to the Bible alone, ignoring later commentary. Although reading the Bible in conjunction with rabbinic commentary brings in a certain elasticity missing from Protestant literalist interpretation, Labovitz shows that rabbinic thinking about slavery and gender has its own problems. For example, one ancient rabbinic commentary interpreted the term “soul” in the biblical phrase “who purchases a soul” to include both a wife and a slave.<sup>26</sup> Labovitz argues that Jews need to rethink the rabbinic metaphor of “acquisition” of a woman in marriage and to find ways of thinking about marriage that do not involve the ownership of property.

Many verses in the Qur’an refer to unfree persons. Although the Qur’an encourages believers to seek freedom, it also allows male slaveholders sexual access to “what their right hands possess,” that is, to their enslaved women.<sup>27</sup> Ali argues that verses containing broad principles of justice should take precedence over verses bound by the specific historical circumstances of the time, such as slavery. Ali thus presents a way to live and honor the precepts of the faith without perpetuating injustices grounded in historical behavior that we now consider abhorrent.

## The Legacies of Slavery for Women and Girls

### *Religious Understandings of Marriage between Women and Men*

Slavery as a legal category has had a powerful impact on religious marriage law and continues to influence ideas about relationships between husbands and wives. Ancient Israel and other cultures of the Ancient Near East, the Roman world that shaped early Christian and early rabbinic understandings of marriage, and the Arab society in which early Muslim communities developed Islamic marriage law were all slaveholding societies. These societies were hierarchical, granting the male head of the family power over his household; these men, if not slaveholders, probably aspired to be such. Although Jewish, Christian, and Muslim religious leaders have always recognized the difference between slavery and marriage between men and women, they have sometimes applied concepts from slavery to marriage.

The example of Monica, mother of fourth- and fifth-century church father Augustine, illustrates how deeply interconnected slavery and marriage were. As Briggs writes, Monica reminded her friends not to resist their husbands, even when their husbands beat them so severely that their faces were disfigured, because their marriage contract rendered them slaves. The long Christian toleration of wife beating and spousal rape is part of this history, as is the double standard regarding fidelity, which punishes a wife’s extramarital sex more harshly than a husband’s, or even dismisses a husband’s sexual affairs.<sup>28</sup> Christian leaders (nearly all male) knew that Roman law (made by men) did not prohibit male slaveholders from having sex with their slave girls or women, and that some did so. Even though Christian leaders considered sex with one’s slave girl or woman to be fornication (if the man were unmarried) or adultery (if he were married), they did not make prevention or church punishment (such as temporary or permanent excommunication) a moral priority. Slavery and chastity have thus coexisted uneasily within Christian history.<sup>29</sup> By promoting

chastity while tolerating slavery, Christian leaders created an impossible situation for both free wives and enslaved girls and women. Free wives suffered their husbands' infidelities with enslaved women, while enslaved women were vulnerable both to male sexual advances and wives' jealous anger.<sup>30</sup>

The interweaving of slavery and marriage, far from being incidental to Christian thought, reaches back into the New Testament, which commands wives to obey their husbands, children their parents, and slaves their masters.<sup>31</sup> These texts highlight the tension inherent in slavery. Enslaved wives may not have been able to obey their enslaved husbands if the master or mistress gave a contradictory command. Enslaved children may not have been able to obey their parents, if the slaveholder even allowed the children to live with their parents. And enslaved Christian women, told to obey their masters in everything, faced the dilemma of how to deal with a master who sought sexual relations with them. Enslaved women and men did not have the same freedom as did free women and men to pursue the Christian virtue of avoiding fornication. I highlight these tensions within the New Testament not to condone wifely obedience, children's obedience in all things, or problematic understandings of sexual transgression, but rather to illustrate how slavery can strike at the heart of the institution of the family and render enslaved persons sexually vulnerable even when they defiantly resist and seek to preserve family bonds not recognized by law and express their sexuality as they see morally fit.

Although church leaders no longer officially teach that slaves should obey their masters, the New Testament texts commanding wives to obey their husbands are often read at Christian wedding ceremonies. In this way, the structure of the slaveholding household continues to affect people's lives. And Christian children whose parents sexually or physically abuse them still have inadequate support to resist the command to "obey [their] parents in everything."<sup>32</sup> The New Testament also commands husbands to love their wives and never to treat them harshly, fathers not to provoke their children, and masters and mistresses to treat their slaves justly and fairly.<sup>33</sup> But for most of history, Christian leaders did not see corporal punishment of wives, children, and enslaved persons as contrary to these commands.

Ancient rabbis, who also lived in slaveholding societies, developed the concepts of Jewish marriage law that remain foundational for many Jews today. Labovitz shows how these rabbis drew parallels between the acquisition of a free wife and the acquisition of an enslaved person. Metaphorically, they classified wives as ownable and marriage as the purchase of property. The Hebrew word for husband is *ba'al*, which one can also translate as "master" or "owner." The early rabbis also derived legal practices concerning betrothal and marriage from a father's biblical right to sell his daughter into slavery.<sup>34</sup> Labovitz argues that the rabbinic concept of marriage as a man's acquisition of a wife underlies the rabbinic teaching that a man may divorce his wife, but a woman may not divorce her husband. This inequality in divorce remains a problem for Orthodox Jewish women today.

Ali demonstrates that the early Islamic jurists similarly thought of marriage between a man and a woman as ownership. They employed the category of "dominion over" (Arabic: *milk*) for both slavery and marriage, and they drew analogies between divorcing a wife and freeing an enslaved laborer. Further, the

Qur'an and classical Islamic jurisprudence draw an explicit parallel between a man's wife and his slave woman: a man is permitted to have sex with both. The concept of marriage as a man's dominion over a woman presents challenges for contemporary Muslims seeking to create religious marriages based on gender equality.

### *Slavery's Corruption of Sexuality*

Slavery as an economic institution is not separate from marriage, sexuality, family, and childbirth. Centuries of accepting slavery as normal have left their mark on how the descendants of slaveholding societies think about moral issues. The concept of owning another human being's body led to the right of sexual access to that body. As the authors of this volume document, from the time of the ancient Israelites through to the spread of slavery in the New World, slavery included masters having sex with enslaved women and girls; jealous mistresses taking out their rage on enslaved persons who were unable to defend themselves against either master or mistress; and owners increasing their wealth by making sure that their enslaved laborers had as many children as possible. To be sure, slavery differed from culture to culture and by legal system. Slavery in the United States (and the Americas as a whole) was much harsher than in many other times and places.

The historical depth and cross-cultural sweep of this volume demonstrate that slaveholders' control of the sexual and reproductive functions of enslaved girls and women was central to the institution of slavery.<sup>35</sup> This feature of slavery is at least as old as ancient Israel. Wright argues that Exodus allows a father to sell his daughter into slavery in part because Israelite lawgivers saw female sexuality as inherently the property of a man, whether the father, the husband, or the slaveholder. The New Testament, which commands slaves to obey their owners in all things, never explicitly prohibits the sexual use of enslaved persons. Glancy raises a troubling question. Jesus taught his disciples not to imitate the hierarchies that they saw around them, not to be a lord or a tyrant, but instead to become a "slave to all."<sup>36</sup> Although appreciating the radical character of this teaching, Glancy asks what it might have meant for women whose enslavement included sexual exploitation.

Chastity and slavery have rarely coexisted. Male slaveholders—Jewish, Christian, and Muslim—considered sexual access to their enslaved women to be their right. As Glancy shows, Ambrose, an early Christian theologian and bishop, assumed that Christian men would continue to have sex with their enslaved women even though he preached against it. Ambrose was not principally concerned with the welfare of the enslaved women. On the contrary, he warned Christian husbands that if they entered into relationships with their enslaved women, these females, like Hagar in Genesis, would get uppity, and their wives would get angry. Ambrose warned Christian men that if they had sex with their enslaved women they should ensure that these women still submitted to their mistresses.<sup>37</sup> Other early Christian theologians also warned men against sex with their enslaved women, and canon law (early Christian religious law) did not penalize Christian men who had done so.<sup>38</sup> Similarly, the early rabbis, who also lived in a world in which slavery included sexual

contact between owners and enslaved girls and women, did not explicitly prohibit it.

As Ali shows, the Qur'an and the early Islamic jurists explicitly allowed male slaveholders sexual access to their slave girls and women. In contrast to the Jewish and Christian leaders who preceded and were contemporaneous with them, the early Islamic jurists gave some rights to enslaved women who bore children fathered by their owner, if the owner acknowledged paternity. The children were born free, the owner was not allowed to sell the mother, and the mother was to be freed upon the owner's death.

Slavery in the United States differed markedly from other systems of slavery in that enslaved women had virtually no hope that they or the children they bore their masters might benefit from the connection to the master.<sup>39</sup> This harshness affected both the slaveholders and the enslaved. Given what we know about Jefferson's sexual relationship with Hemings, his words in *Notes on the State of Virginia* strike a poignant note: "The whole commerce between master and slave is a perpetual exercise of the most boisterous passions... The man must be a prodigy who can retain his morals and manners undepraved by such circumstances."<sup>40</sup>

Far from being unique, Jefferson's sexual contact with his enslaved girl represents the logic of slavery documented throughout this volume. Their sexual contact began when Jefferson was in his mid-forties and Hemings was thirteen or fourteen and living in Jefferson's Paris home as a maid. At the same time, Jefferson sought to live a moral life and to inspire the people of the United States to do so as well. Jefferson found a moral guide in Jesus of Nazareth and set out to extract from the New Testament those sayings and actions of Jesus that he deemed historically authentic. Among these, Jefferson included this passage from the Gospel of Matthew 5:27–28:

Ye have heard that it was said by them of old time, Thou shalt not commit adultery:

But I say unto you, That whosoever looketh on a woman to lust after her hath committed adultery with her already in his heart.<sup>41</sup>

Jefferson's relationship with Hemings was not technically adultery because he was a widower and she was unmarried, but Jesus was not using "adultery" in a technical sense. Jefferson chose to include this expansive understanding of adultery in his collection of key precepts even though chastity and slavery did not coexist in his own home. Jefferson did not free Hemings, and it would have been impossible for him to marry her even had he wished to do so.

The problem of not being able to live up to one's morals runs deep in the history of slavery in the United States. Responding to romantic notions about the sexual relationship between Jefferson and Hemings, Mia Bay argues that asking whether Hemings consented to the relationship and whether she loved Jefferson are the wrong questions. Jefferson literally owned the bodies and the fecundity of his enslaved women. He wrote, "I consider a woman who brings in a child every two years more profitable than the best man on the farm," because the enslaved babies she produced were "capital."<sup>42</sup> Hemings, like other enslaved women, did not have any legal right to refuse to have sex

with Jefferson. Jefferson, like other slaveholders of his time, could not have been prosecuted in the United States for raping Hemings.<sup>43</sup>

Catherine Clinton puts the relationship between Jefferson and Hemings in a broad historical context by narrating three hundred years of the history of European American men's sexual contact with enslaved and free (but subordinate) Black women. In doing so, Clinton highlights the hypocrisy of slavery, exposing "the contradictions within racial separatism and the American ideals of sexual purity and Christian virtue."<sup>44</sup>

Just as slavery affects sexuality, it also shapes the body of the enslaved person on a daily basis. As Glancy describes of the Roman Empire and Nazer confirms from her own experience, enslaved persons learn—without being told—how to hold and move their bodies: head and gaze lowered, hunched over, always aware that a beating may come.<sup>45</sup> Always, slaves were under observation and subject to punishment.<sup>46</sup> Beginning with the Book of Exodus, religious texts have allowed owners to beat their enslaved laborers; Exodus says that only a beating that causes death within one or two days is too much.<sup>47</sup> In the New Testament, the First Epistle of Peter states that enslaved persons who endure unjust beatings "have God's approval." This statement takes for granted that there are just beatings.<sup>48</sup>

### *Racial-Sexual Stereotypes: Blaming the Victim*

Because of the U.S. history of slavery, assumptions about the sexuality of African American women in the United States differ from those made about European American women.<sup>49</sup> Dorothy Roberts analyzes the paradox between the media's display of scantily clad Black women in hypersexual poses and the deafening silence about Black women's sexual desires. Roberts, Emilie M. Townes, and Dwight N. Hopkins demonstrate how racial stereotypes rooted in the beliefs of the slavery era pervade U.S. culture. These include the asexual Black Mammy who cares for white children but not for her own; the hypersexual, irresponsible Jezebel who tempts white men to sin; the Welfare Queen who cheats the taxpayers; and the domineering Black Matriarch who is to blame for her children's failures. The sexual stereotype of enslaved women as licentious extends far back into history; modern racism extended it to all Black women and also used the myth of Black hypersexuality as a reason to enslave Black people. Johnson and Roberts review, for example, the nineteenth-century slavery advocate Josiah Priest's depiction of Black sexual depravity and promiscuity as grounds for enslavement.

Two stories illustrate how slaveholders have blamed the enslaved victims for their sexual exploitation. The nineteenth-century U.S. slave narrative written pseudonymously by Harriet A. Jacobs describes how her owner, "Dr. Flint," who had recently become a church member, told her to obey him by having sex with her. The fifteen-year-old "Linda" sensed Mrs. Flint's jealousy, even though "I had hitherto succeeded in eluding my master, though a razor was often held to my throat to force me to change this line of policy."<sup>50</sup> Dr. Flint, already the father of eleven slaves, threatened to sell her or to beat her if she did not give in, and said, "I would cherish you. I would make a lady of you. Now go, and think of all that I have promised you."<sup>51</sup>

Centuries earlier, around the second century CE, the popular *Acts of Andrew* recounted the legend of Maximilla, a Christian woman who tried to lead a celibate life, much to the chagrin of her pagan husband, Aigeates.<sup>52</sup> To avoid sex with her husband, Maximilla devised the remarkably successful plan of selecting her beautiful and “by nature extremely undisciplined” slave woman to act as her surrogate.<sup>53</sup> The slave woman’s character and euphemistic name “Euklia” (Greek for “of good reputation”) seem to have predestined her for the task. Not being pure (because she was enslaved and thus by definition impure), she could not be corrupted. The whole plan went horribly wrong when Euklia, like Hagar in Genesis, took pride in sleeping with the master and even told others. In response, her master mutilated her body and cast her out into the street until she should die and the dogs consume her corpse. But the *Acts of Andrew* describes Maximilla as the “blessed one,” not criticizing her with a single word.

The logic of slavery is to blame the enslaved for their plight. As Briggs writes, this connection of slavery, impurity, and criminality was also evident in the entertainments put on for the masses in Roman amphitheaters. The elaborate shows included nude, enslaved prostitutes and public execution of criminals.<sup>54</sup>

### *Resilience and Resistance*

Throughout history, enslaved women and girls, men and boys, have resisted the role of victim. Beginning with Genesis, in which Hagar fled her mistress Sarah’s harsh treatment, fleeing slavery is an age-old form of resistance.<sup>55</sup> Flight from cruelty testifies to enslaved persons’ rejection of their treatment as lesser beings or as property and challenges anyone today who believes that slavery may have been morally tolerable in the past. If slavery were morally acceptable to enslaved people, why do the most ancient of historical sources document their attempts to flee their owners?<sup>56</sup>

In some circumstances, enslaved women were able to take legal steps to challenge their position. Of the ninety-four lawsuits demanding freedom that were filed between 1425 and 1520 in Valencia, in what is now Spain, thirty-three were filed by enslaved women who claimed that their masters had fathered their children or that their own fathers were free men, and thus they were due their freedom under the law. They characterized themselves as virtuous or as devoted concubines to their masters. Of these thirty-three women, Debra Blumenthal writes, fifteen won.<sup>57</sup>

Enslaved women in the United States had no such right. Antebellum inheritance cases illustrate how little enslaved women in the United States could hope to gain from a liaison with the master. In Louisiana, some masters freed their enslaved sexual partners in their wills. But heirs frequently contested these manumissions because under state law, a man was not allowed to bequeath more than ten percent of his estate to a concubine. If the value of the concubine herself exceeded ten percent of her master’s estate, she remained enslaved.<sup>58</sup> In the “sexual economy” of slavery in the United States, judges had to walk a fine line between recognizing men’s right to control and dispose of their property as they wished, and preserving the racial hierarchy that kept wealth in the hands of whites while keeping many African Americans enslaved.<sup>59</sup>



In spite of their precarious position, enslaved girls and women sometimes initiated sexual relationships with their masters or other free men.<sup>60</sup> Sexual attractiveness and the ability to bear the master or his son a child could be an enslaved woman's best hope for a better life and could even entitle her to legal rights. In the Roman Empire, including among early Christians, most unmarried men could free an enslaved woman and then legally marry her. Similarly, a woman enslaved to a Muslim man who acknowledged paternity of her children gave birth to free children, could not be sold, and would be free upon the master's death. Contrast Hemings's situation as Jefferson's slave with that of Caenis, formerly enslaved concubine of first-century CE Roman Emperor Vespasian: "Even after he became emperor he treated her almost as a lawful wife."<sup>61</sup>

### *Public Policy and Law*

When the Civil War ended in 1865, the majority of religious people in both the North and the South who found biblical support for slavery did not turn to the Book of Deuteronomy, which commanded slaveholders to give freed slaves what they needed to start a new life.<sup>62</sup> They turned back to what they knew: slavery as a God-given right. De facto slavery persisted, particularly in the Southern states. A number of African American men were arrested on trumped-up charges such as loitering and forced into industrial slavery.<sup>63</sup> The Ku Klux Klan, a Protestant Christian terrorist organization, employed all means of violence against formerly enslaved people and their descendants.<sup>64</sup> The Klan's reign of terror included sexual violence against women and men, practiced with impunity.<sup>65</sup>

Several of this volume's authors suggest that the U.S. criminal justice system still reflects the attitudes of the slavery era. This will seem implausible to some readers, especially decades after the Civil Rights Movement. In fact, the conceptual linkage between slavery and imprisonment in the United States dates to at least the Thirteenth Amendment to the Constitution, which abolished slavery in 1865: "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction." But the problem of how U.S. society treats African Americans (and others) who break the law actually lies deeper, in the assumption that only the virtuous deserve freedom or citizenship. Nineteenth-century abolitionists understood this assumption, promoting narratives of formerly enslaved women and men who strove to attain Christian virtue.<sup>66</sup>

Every society needs a criminal justice system to hold perpetrators accountable for their behavior. That justice system, if it is to retain its authority and effectiveness, must carefully determine guilt and innocence, and it must treat convicted persons according to the highest moral standards. A moral society is one that treats all its members—even the weakest, most vulnerable, and most damaged—with equal respect for their rights as human beings. But as Ellen Barry documents, African Americans are incarcerated in numbers highly disproportionate to their percentage of the population, which means that prison policies disproportionately affect them.<sup>67</sup> Certain prison practices echo the treatment of women enslaved in the United States, including shackling while

women are giving birth (a practice that in its brutality goes even beyond the treatment of most enslaved women in the United States), the removal of newborns from their mothers, and using men to guard female prisoners.<sup>68</sup>

The attitudes of the slavery era also continue to shadow the U.S. justice system's treatment of women who have been sexually assaulted. In the time of slavery, European Americans portrayed Black women as hypersexual, and enslaved women had no legal right to protection from rape.<sup>69</sup> After the Civil War, the Ku Klux Klan used sexual violence against African Americans with impunity. Today, Black women are less likely to report a rape, prosecutors are less willing to file charges, and juries are less prone to convict than if the rape complainant were white.<sup>70</sup>

## What Has Changed and Why?

### *Changing the Stories We Tell*

People in the United States are beginning to recognize the ways in which the stories they tell about themselves and each other reinforce the damage done by slavery. They are also starting to realize that it is possible to change those stories to reflect the society that they wish to create. In this volume, Frances Smith Foster analyzes how stories about slavery can keep women whose ancestors were (or could have been) enslaved separated from those whose ancestors were (or could have been) slaveholders.<sup>71</sup> The difficulty of sustaining interracial friendships between women hinders the struggle for racial and sexual equality, making it more difficult to promote the goals of feminist sexual ethics: sexual relationships based on meaningful consent (that is, consent without any form of pressure, whether economic, familial, social, or political) and the mutual respect and pleasure of each partner. Foster uses Sherley Anne Williams's *Dessa Rose* to illustrate how differing stories about slavery keep women apart. In the novel, Ruth, a white woman, remembers the love of her "Mammy," the Black woman who cared for her as a child. Dessa asks what "Mammy's" real name was, and Ruth replies sharply that "Mammy" was her name. But Dessa says that "Mammy" had a name of her own and children of her own. Foster argues that we can change our stories, because it has been done before. Nineteenth-century progressive African American women claimed the title "Mrs." (whether or not they were married) to counter the prevailing view that they lacked sexual virtue and family ties. Foster challenges the reader to create new stories that will unite rather than divide. This includes recognizing that many enslaved women were not raped, not all African Americans are the descendants of slaves, and many enslaved women resisted victimhood.<sup>72</sup>

Florence Ladd creates a new story in her poetic meditation on Winslow Homer's painting *A Visit from the Old Mistress*.<sup>73</sup> In point/counterpoint, she gives voice to the differing narratives of the previously enslaved family and the former mistress who visits their cabin. Ladd lays bare the chasm between the two sides, inviting the reader to a greater understanding of the costs of slavery to both enslaved and enslaver.

Nancy Rawles creates a new story in her prayer for her daughter, that her child not be afraid; that she understand her ancestral history, but never

experience its humiliations; that she know the power of love over hate; and that she gain strength from her mother's love.<sup>74</sup>

### *Religious Communities and Governments Face Up to Past Support for Slavery*

In 1975, John Francis Maxwell, a Roman Catholic priest, introduced his collection of Catholic historical sources on slavery by arguing that it was not good enough to sweep evidence of the church's complicity under the rug. He proclaimed that an error of such gravity requires official correction, investigation of its causes, and attempts to ensure that it does not happen again.<sup>75</sup> This eminently reasonable proposal matches what we expect from government, business, and nonprofit organizations, but we rarely expect religious institutions to correct their mistakes.<sup>76</sup> Yet the church was complicit in slavery. Popes were slaveholders; canon law excommunicated those who persuaded an enslaved person to flee from their master; in the fifteenth century, the Vatican granted official approval to Portugal and Spain to engage in the slave trade in West Africa "to invade, conquer, crush, pacify, and subjugate any whomsoever Saracens, and pagans, and other enemies of Christ... and to reduce their persons to perpetual slavery";<sup>77</sup> and the Vatican supported slavery as late as 1866.<sup>78</sup>

This book aims to do precisely what that brave priest called for thirty-five years ago. The authors examine why Roman Catholicism and other branches of Christianity, Judaism, and Islam accepted slavery for so many centuries, and they consider how slavery shaped gender and sexual ethics in these three religious traditions. They also consider how Jews, Christians, and Muslims can draw upon the compassionate values of their traditions to overcome the lingering effects of slavery.

The Book of Leviticus prefaces its slave law with instructions on how to prevent slavery: "If any of your kin fall into difficulty and become dependent upon you, you shall support them; they shall live with you as though resident aliens." Leviticus also reminds the Israelites of their own past enslavement.<sup>79</sup> As in the time of Leviticus, society can create public policies that support the millions of persons worldwide at risk of enslavement.

In this volume, Christian ethicist Townes proposes a way to think about public policy that is free of the racial-sexual stereotypes developed during and after the U.S. system of slavery. She describes how the lingering perception of African American families as depraved has shaped contemporary welfare policy. She suggests that the stereotypes of the Welfare Queen and the Black Matriarch, for example, led lawmakers to focus on preventing teenage pregnancy rather than on resolving the deeper structural problems of bad schools and the lack of affordable day-care centers.<sup>80</sup> Townes argues that the Protestant work ethic, combined with the focus on the individual in isolation from the community, has contributed to the injustice of social policy in the United States. But Christian values can also help to create a more just society. Townes implies that sexual morality never exists in a vacuum—that people make sexual decisions within the context of their educational opportunities, their ability to engage in meaningful work, and their access to health care. She

calls upon individuals to care for one another, rather than first and foremost for themselves. For Christians, their life's meaning lies in their relationship to God and to others in the world, and not just in their job.

Creating a sexual ethics untainted by slaveholding values requires first gaining a clear understanding of the religious belief that owning another person's body is morally permissible and then developing sexual ethics based on the premise that all human beings deserve freedom. By "sexual ethics," the authors of this volume mean far more than individual decisions about whether to have sex, when, or with whom. These authors are thinking about the whole person within the context of the social units to which they belong: a family (however configured), a circle of friends, a support group, a workplace, a school, a religious or spiritual community, a city, an ethnic group, a nation, a transnational community. Sexual ethics includes a society's assumptions about the sexuality of an ethnic group; the ways in which young people's access to health care, safe neighborhoods, and a good education affect their sexual experiences and choices; how a criminal justice system treats an incarcerated woman while she takes a shower or gives birth; whether religious marriage grants equal rights and responsibilities to each party; whether religious and civil marriage are restricted to one man and one woman or include same-gender marriage; whether prosecutors and juries respond to all rape complaints based on the merits of the case rather than on biased assumptions; and how families and communities respond to sexual abuse within a family.

This book's authors are full of hope because numerous Jews, Christians, and Muslims already *are* reading their sacred scriptures and religious law through the lens of freedom, and because most people today, and the laws of all nations, reject slavery. Why did this seismic shift happen? Perhaps, in line with the essays of Hopkins, Townes, and Nazer, religious people chose the most compassionate aspects of their tradition, those that stress human equality and caring for one another. Nazer cites the Islamic principle that all human beings are equal, "like the teeth of a comb."<sup>81</sup> Or perhaps, as Briggs suggests, religious people have adopted the human rights values that became the basis of secular society, that is, Enlightenment values. There is a fruitful tension between Briggs and Townes on this point. Whereas Townes argues against the individualism that grows out of the Enlightenment value of personal responsibility as opposed to dependency, Briggs links the abolition of slavery to a secular Enlightenment discourse of human rights and human equality and to a secular belief that humans can improve their condition on earth. Townes stresses the problems with the Enlightenment value of individualism, but Briggs sees the Enlightenment's focus on human rights as a resource for religious communities.<sup>82</sup>

We are witnessing unprecedented progress in facing up to the history of slavery. The Church of England has apologized for having sustained and benefited from slavery in the Caribbean in the eighteenth century. Archbishop of Canterbury Rowan Williams explained, "The Body of Christ is not just a body that exists at any one time; it exists across history and we therefore share the shame and the sinfulness of our predecessors, and part of what we can do, with them and for them in the Body of Christ, is prayerful acknowledgement of the failure that is part of us, not just of some distant 'them.'"<sup>83</sup>

In the United States, both the House of Representatives and the Senate have apologized for slavery and for subsequent discriminatory laws.<sup>84</sup> Congressman John Conyers, Jr., Democrat of Michigan, has introduced House Resolution 40, the *Commission to Study Reparation Proposals for African-Americans Act*.<sup>85</sup> Supporters include religious and civic organizations.<sup>86</sup> Some other religious denominations and groups have apologized for slavery but made no move toward reparations.<sup>87</sup>

Biblical slave law calls for owners to supply their freedpersons with some of the wealth that they helped to create: "Thou shalt furnish him liberally out of thy flock, and out of thy floor, and out of thy winepress; out of that wherewith the LORD thy God hath blessed thee shalt thou give unto him."<sup>88</sup> In this volume, Hopkins argues the case for reparations for slavery on the basis of the theology of enslaved women. Formerly enslaved African Americans fought hard for reparations, beginning in the nineteenth century.<sup>89</sup> For example, Maria Stewart wrote in her 1834 autobiography, "We will tell you, that it is our gold that clothes you in fine linen and purple, and causes you to fare sumptuously every day; and it is the blood of our fathers, and the tears of our brethren that have enriched your soils. AND WE CLAIM OUR RIGHTS."<sup>90</sup> Hopkins bases his argument for reparations today on the long-term and deeply entrenched disparities in wealth between African Americans and European Americans.<sup>91</sup> None of this is to deny African complicity in the slave trade, which, however, does not diminish European and European American responsibility.<sup>92</sup> In contrast, in opposing reparations, Nazer argues that they mean placing a monetary value on human life, a choice that she finds repugnant.<sup>93</sup>

Readers of this book may find many and diverse ways to address the long-term economic effects of slavery. Some may support governmental reparations to direct descendants of enslaved persons, or scholarships or health care targeting affected communities. Others may work toward the public disclosure of past relationships to slavery, such as the statutes enacted by some cities and states, which may expose past corporate relationships to slavery.<sup>94</sup> For example, in 2005 J. P. Morgan Chase Bank apologized for its predecessor bank in Louisiana's ownership of slaves and acceptance of slaves as collateral, and it established a \$5 million scholarship fund for Black students in Louisiana.<sup>95</sup>

Some readers will reject the idea of reparations, instead working for racial and ethnic equality through other means. I hope that all readers of this volume will see that moving beyond slavery urgently requires action of some type.

### *This Volume Builds on the Path-Breaking Research of Others*

Over the last three decades, historians, theologians, creative writers, legal historians, and literary scholars have created a renaissance in the study of enslaved girls and women and of female slaveholders. Angela Y. Davis was one of the first to examine the situation of enslaved women in the United States, calling upon historians to write their complete history.<sup>96</sup> Deborah Gray White's *Ar'n't I a Woman? Female Slaves in the Plantation South* was the first such major study.<sup>97</sup> Numerous scholars have established the field, examining enslaved girls' and women's labor, sexual vulnerability, resistance, religious beliefs and

practices, and literary activity, and they have created a theoretical framework for a world untainted by slaveholding values.<sup>98</sup> Without their work, this volume would not be possible.

## **We Can All Take Actions, Large and Small, to Move Beyond the Legacies of Slavery**

- We must directly face the history of slavery.
- We must work for change on all levels: within ourselves, in our religious communities, and in civic and governmental institutions.
- We must create conditions in which sexual intimacies will be based on the meaningful consent (that is, consent without any form of pressure, whether economic, familial, social, or political) and the mutual respect and pleasure of each partner.

Following are some possible projects.

### *Jewish, Christian, and Muslim Examinations of their Religion's Past Involvement in Slavery, as Well as of the Religious Values Leading These Communities to Renounce Slavery*

- Individual congregations can investigate their past relationship to slavery. If a church, synagogue, or mosque were built with the labor of enslaved persons, a congregation could erect a plaque to memorialize those laborers.
- Jews, Christians, and Muslims can look closely at the question of how slavery shaped religious thought and law about sexuality and marriage.
- Jews, Christians, and Muslims can read their sacred texts and religious laws through the lens of freedom, rather than through the lens of slavery. This means giving preference to texts and traditions based on compassion with enslaved persons and with free wives and free children—whose treatment continues to be based on concepts founded in slavery, although to a much lesser extent than in the past.
- Creative members of these religious communities can continue to find ways to reformulate marriage and family law so that all parties are equal.

### *Religious and Public Policymakers' Recognition of Slavery's Effects on Sexuality and of the Damage of Racial-Sexual Stereotypes*

Sexual decisions are not isolated, individual choices. Decisions are more likely to be free and fully consensual when communities support individuals, including through education, health care, and employment. Public statements recognizing slavery's effects will better equip everyone to

- transform society into one in which all members enjoy reproductive freedom and opportunities for free and healthy expressions of sexuality;
- live without fear of sexual coercion;
- enjoy equality within heterosexual and same-gender marriage;
- have full access to excellent education, health care, and employment opportunities.

### ***Removal of Echoes of Slavery in the Criminal Justice System***

This step is necessary to ensure that

- reports of sexual assault are judged on the merits of the case, without racial prejudice;
- incarcerated women and their children are treated according to international human rights standards, which grant greater rights to incarcerated persons than does U.S. law.

People also need to consider the negative effects of the extremely high incarceration rates in the United States on African American and other communities and to find ways to lower these rates.

### ***Creation of a National Slavery Museum and Slavery Museums in Each State***

Exhibits need to explore the following issues:

- the sexual exploitation of enslaved persons and their resistance to it
- the effects of slavery on the family, including the lack of legal recognition of slave marriage, the breakup of families, slave-breeding by masters, and enslaved persons' creation of families under the most difficult of circumstances
- the economic advantages of slavery to consumers
- religious, governmental, and other institutional roles in condoning slavery
- tributes to those persons who fought back

Curators can do this in ways sensitive to the presence of children, and they can develop educational programs on enslaved children.

### ***Inclusion of Slavery Education in All School Curricula***

- The curriculum must be honest.
- All teaching must recognize that legal slavery in the United States was a national phenomenon that benefited Northern slave traders, Northern textile mills and other industries, and consumers throughout the nation and in countries that imported U.S. products.

### ***Enactment of Slavery-Era Disclosure Statutes in Towns, Cities, and States***

- Publish findings locally.
- Issue public apologies to descendants of enslaved persons.

### ***Serious Consideration of Reparations for Slavery and for the Discriminatory Laws and Public Policies that Lasted into the 1960s and Beyond***

These could be trust funds for direct descendants of enslaved persons and for those who experienced substantial discrimination during the Jim Crow period *and* who did not benefit from affirmative action. These funds could be directed toward the following areas:

- health care
- education
- housing

### *Serious Consideration of Alternatives to Reparations for Those Who Disagree with the Concept*

Create public policies that end the long-term effects of slavery. Ensure that all descendants of the enslaved have full access to the following:

- health care
- equal employment opportunities
- reproductive freedom
- education
- housing

### *Prevention of Forced Labor and Contemporary Slavery*

Activists need to prevent all forms of forced labor and child labor. Some activists target sexual slavery alone, as if it were possible to eradicate sexual slavery before abolishing other types of forced labor.<sup>99</sup> But as the essays of this volume illustrate, sexual exploitation is inherent to slavery because of the enslaved person's economic and political vulnerability. The International Labour Organization, a United Nations agency, monitors forced labor and reports on initiatives to prevent it.<sup>100</sup> Free the Slaves is one particularly effective organization.<sup>101</sup>

\* \* \*

Everyone can contribute something to freedom each day, in memory of those who lived in slavery all the days of their lives and in compassion with those who are living in slavery now.

## Notes

1. Saidiya Hartman, *Lose Your Mother: A Journey Along the Atlantic Slave Route* (New York: Farrar, Straus, and Giroux, 2007) 133.
2. This is not to deny how horrific slavery was for men or its long-term effects on them but rather to fill in an important gap in the public and religious understanding of slavery.
3. Amina Wadud, *Inside the Gender Jihad: Women's Reform in Islam* (Oxford: Oneworld, 2006) 221.
4. In Hebrew, *'agunot* means "chained women" and designates wives whose husbands refuse to give them the bill of divorcement that would allow them to remarry. According to rabbinic law, only the husband may write a bill of divorcement. See Rebecca Spence, "Protesters Rally Outside a Home as Debate Continues Over Best *Get* Tactics," *Jewish Daily Forward*, March 20, 2009, <http://www.forward.com/articles/103844/> (accessed September 7, 2009). Also see the Web site of Organization for the Resolution of Agunot, <http://www.getora.com/> (accessed September 7, 2009) and of the Jewish Orthodox Feminist Alliance, <http://www.jofa.org/> (accessed September 7, 2009), which seeks a rabbinic solution to the problem.
5. This story occurred as described.
6. The master's wife eventually granted Rosa her freedom. See Debra Blumenthal, "'As If She Were His Wife': Slavery and Sexual Ethics in Late Medieval Spain," in this volume; and ARV *Gobernación* 2383: M. 20: 1r.
7. Beate Andrees and Patrick Belser, eds., *Forced Labor: Coercion and Exploitation in the Private Economy* (Boulder, CO: Rienner, 2009) 181; and "Forced Labour," under



- “Themes,” International Labour Organization, [http://www.ilo.org/global/Themes/Forced\\_Labour/lang-en/index.htm](http://www.ilo.org/global/Themes/Forced_Labour/lang-en/index.htm) (accessed October 9, 2009).
8. “Eroticizing equality” is Gloria Steinem’s brilliant term, the alternative to the eroticized domination of much of history and much of the present. *On Point*, “Gloria Steinem,” NPR, December 6, 2006, <http://www.onpointradio.org/2006/12/gloria-steinem> (accessed October 9, 2009).
  9. In some systems of slavery, all children born to enslaved women were enslaved, which enriched the owner. In other systems, such children were enslaved only under some circumstances.
  10. Mishnah, Tractate *Pesachim* 10:5.
  11. Qur’an 2:177.
  12. By comparison, the Roman Catholic hierarchy taught that Catholics should follow the biblical interpretation of the pope and the bishops, while Jewish rabbis taught that Jews should follow the centuries of rabbinic interpretation of the Bible.
  13. Mark A. Noll, *The Civil War as a Theological Crisis* (Chapel Hill: University of North Carolina Press, 2006).
  14. *The Secret Eye: The Journal of Ella Gertrude Clanton Thomas, 1848–1889*, ed. Virginia Ingraham Burr (Chapel Hill: University of North Carolina Press, 1990) 276–277.
  15. Leviticus 25:46 (King James Version).
  16. Colossians 3:22 (KJV).
  17. Instruction of the Holy Office, June 20, 1866, signed by Pope Pius IX; cited by J[ohn] F[ranco] Maxwell, “The Development of Catholic Doctrine Concerning Slavery,” *World Jurist* 11 (1969–1970) 306–307.
  18. David Ruggles, *The Abrogation of the Seventh Commandment, by the American Churches* [1835], in *Early Negro Writing, 1760–1837*, ed. Dorothy Porter (Boston: Beacon, 1971) 478–493.
  19. “Bible View of Slavery,” in *Fast Day Sermons; or, The Pulpit on the State of the Country* (New York: Rudd and Carleton, 1861) 235–236, under “Jews in the Civil War” at Jewish-American History on the Web, <http://www.jewish-history.com/civilwar/raphall.html> (accessed November 6, 2009); discussed by Mark A. Noll, *The Civil War as a Theological Crisis* (Chapel Hill: University of North Carolina Press, 2006) 3. Raphall notes that the English translation used by his congregants had “servant of servants” for ‘*eved ‘avadim*, but he himself offered the rendering “meanest of slaves.”
  20. Jewish Publication Society translation.
  21. “David Einhorn’s Response to Rabbi Morris Raphall’s ‘A Biblical View of Slavery’” (1861), Jewish-American History on the Web, under “Jews in the Civil War,” <http://www.jewish-history.com/civilwar/einhorn.html> (accessed April 12, 2008).
  22. “Truman Opposes Biracial Marriage,” *New York Times*, September 12, 1963.
  23. See also the summary of Barbara D. Savage’s paper “The Same-Sex Marriage Debate in the African American Churches: An Historical Perspective” (presented at the “Beyond Slavery: Overcoming Its Religious and Sexual Legacy Conference,” Brandeis University, October 16, 2006), at the Feminist Sexual Ethics Project Web site, under “How Slavery Has Shaped Our Understandings of Marriage and Friendship,” <http://www.brandeis.edu/projects/fse/Conference/Conf-main4.html#savage> (accessed December 6, 2009).
  24. Exodus 21:2–11; Deuteronomy 15:12–18; Leviticus 25:35–43. On the year of the jubilee, see Leviticus 25:8–12 (New Revised Standard Version; Jewish Publication Society).
  25. 1 Corinthians 6:13–18 (NRSV).
  26. The *Sifra* on Leviticus 22:11 (the Hebrew uses the term “soul”).
  27. Qur’an 4:3; 23:5–6; 70:29–30.
  28. Fourth-century Bishop Basil of Caesarea, for example, requires husbands to divorce unfaithful wives but prohibits wives from divorcing their unfaithful husbands. *Canonical Letter* 188, canon 9; *Canonical Letter* 199, canon 21; see also *Canonical Letter* 199, canon 34, in *St. Basil: The Letters*, vol. 3, trans. Roy J. Deferrari, Loeb Classical Library (Cambridge, MA: Harvard University Press, 1930) 34–39; 112–113; 124–125.

29. While enslaved men were vulnerable to sexual exploitation by their masters and mistresses, enslaved women were doubly vulnerable in that their capacity to give birth was also owned by another.
30. Basil of Caesarea recognized that enslaved girls and women could be violated by their own masters, but wives were not allowed to divorce their husbands for that reason. *Canonical Letter* 199, canon 49, in *St. Basil: The Letters*, vol. 3, trans. Roy J. Deferrari, 134–135. On sexual relations between male slaveholders and their enslaved women or girls, see Margaret Y. MacDonald, “Slavery, Sexuality, and House Churches: A Reassessment of Colossians 3.18–4.1 in Light of New Research on the Roman Family,” *New Testament Studies* 53 (2007) 94–113, and many essays in this volume, along with the literature to which they refer.
31. Colossians 3:18–4:1; Ephesians 5:21–6:9; Titus 2; 1 Peter 2:13–3:7; see also 1 Timothy 2:8–15; 6:1–2 (New Revised Standard Version).
32. Colossians 3:2 (NRSV).
33. Colossians 3:19, 4:1; cf. Ephesians 5:25, 6:4, 9 (NRSV).
34. Exodus 21:7–11 (NRSV; Jewish Publication Society).
35. On the ambivalence of enslaved motherhood as represented in music, see Judith Tick and Melissa J. de Graaf, “Slave Lullabies in the American South: Mothers’ Voices Recovered,” Feminist Sexual Ethics Project, <http://www.brandeis.edu/projects/fse/slavery/slave-lullaby/slav-lul-index.html> (accessed December 6, 2009).
36. Mark 10:44; cf. Matthew 20:26–27, 23:11; Mark 9:35; and Luke 22:26 (NRSV).
37. Ambrose, *On Abraham* 4.26; Ambrose, *On Abraham*, trans. Theodosia Tomkinson (Etna, CA: Center for Traditionalist Orthodox Studies, 2000) 14.
38. Basil of Caesarea acknowledged that masters can force sex on their enslaved women, but he chose not to penalize Christians for so doing, instead simply pronouncing these women not guilty; *Canonical Letters* 199, canon 49, in *St. Basil: The Letters*, vol. 3, trans. Roy J. Deferrari, Loeb Classical Library (Cambridge, MA: Harvard University Press, 1930). According to the *Apostolic Constitutions* 8.32.12 (early fourth century), a Christian man with a concubine (either enslaved or free) is to stop extramarital sexual relations with her and marry her legally or face excommunication, but the *Apostolic Constitutions* stop short of penalizing him for any past sexual acts; Marcel Metzger, ed. and trans., *Les Constitutions apostoliques*, vol. 3; Sources chrétiennes 336 (Paris: Du Cerf, 1987) 238–239.
39. For a summary of Adrienne Davis’s paper “Miscegenation and Morality: The Contemporary Politics and Racial Meanings of Marriage” (presented at the “Beyond Slavery: Overcoming Its Religious and Sexual Legacy Conference,” Brandeis University, October 15, 2006), visit Feminist Sexual Ethics Project, <http://www.brandeis.edu/projects/fse/Conference/Conf-main4.html#davis> (accessed November 30, 2009).
40. Thomas Jefferson, *Notes on the State of Virginia*, ed. David Waldstreicher (Boston: Bedford/St. Martin’s, 2002) 195; discussed in Mia Bay, “Love, Sex, Slavery, and Sally Hemings,” in this volume, 191.
41. Thomas Jefferson, *The Jefferson Bible: The Life and Morals of Jesus of Nazareth* (1904; reprint, Boston: Beacon, 1989) 46.
42. Thomas Jefferson to John Wayles Eppes, Monticello, 1820, in *Thomas Jefferson’s Farm Book with Comments and Relevant Extracts from Other Writings*, ed. Edwin Morris Betts (Princeton: Princeton University Press, 1953) 45–46.
43. Sharon Block, *Rape and Sexual Power in Early America* (Chapel Hill: University of North Carolina Press, 2006) 65.
44. Catherine Clinton, “Breaking the Silence: Sexual Hypocrisies from Thomas Jefferson to Strom Thurmond,” in this volume, 213.
45. Jennifer A. Glancy, “Early Christianity, Slavery, and Women’s Bodies,” in this volume; and Mende Nazer, with Bernadette J. Brooten, “Epilogue,” in this volume.
46. As New Testament scholar Clarice J. Martin writes of enslaved persons in the Roman Empire, “There was no way they could escape the uninhibited supervisory gaze of their owners.” Martin, “The Eyes Have It: Slaves in the Community of Christ-Believers,” in

- A People's History of Christianity*, vol. 1, *Christian Origins*, ed. Richard A. Horsley (Minneapolis: Fortress, 2005) 233.
47. Exodus 21:20–21 (New Revised Standard Version).
  48. 1 Peter 2:20 (NRSV).
  49. Assumptions about women of other ethnic backgrounds also exist, but they differ from those about women whose ancestors could have been enslaved or could have been slaveholders.
  50. Harriet A. Jacobs, *Incidents in the Life of a Slave Girl: Written by Herself: Contexts, Criticism*, ed. Nellie Y. McKay and Frances Smith Foster (1861; New York: Norton, 2001) 29.
  51. Jacobs, *Incidents*, 32.
  52. *Acta Andrea*, ed. Jean-Marc Prieur, Corpus Christianorum, Series Apocryphorum 5–6 (Tournhout, Belgium: Brepols, 1989). Prieur dates the final edition of the *Acts of Andrew* to the second half of the second century, *Acta Andrea*, vol. 5, 414. English translation in *New Testament Apocrypha*, ed. Wilhelm Schneemelcher, trans. R. McL. Wilson, vol. 2 (Louisville, KY: Westminster/John Knox, 1992) 101–151.
  53. This incident is in *Acts of Andrew*, chaps. 17–22; *New Testament Apocrypha*, vol. 2 (1992) 139–141 (Detorakis's edition, 339–341).
  54. Sheila Briggs, "Gender, Slavery, and Technology: The Shaping of the Early Christian Moral Imagination" in this volume.
  55. Genesis 16 (New Revised Standard Version; Jewish Publication Society).
  56. E.g., Laws of Hammurabi 16–20; Deuteronomy 23:15–16 (which commands that Israelites grant refuge to fugitives).
  57. Debra Blumenthal, "'As If She Were His Wife': Slavery and Sexual Ethics in Late Medieval Spain," in this volume.
  58. *Civil Code*, article 1468. See Judith Kelleher Schafer, *Slavery, the Civil Law, and the Supreme Court of Louisiana* (Baton Rouge: Louisiana State University Press, 1994) 185.
  59. Adrienne D. Davis, "The Private Law of Race and Sex: An Antebellum Perspective," *Stanford Law Review* 51 (1999) 221–288.
  60. Lalita Tademy's historical novel *Cane River* (New York: Warner, 2001), which is based on cryptically brief family records, vividly helps readers to imagine how enslaved girls could have hoped that their relationship with the master's son or another free white boy or man would be different—that he truly cared for her and would care for their children—even as their respective mothers and grandmothers realistically planned for their futures. I thank Barbara Brooten Job for this reference.
  61. Suetonius, *Lives of the Caesars: Vespasian 3; Suetonius*, vol. 2, trans. J. C. Rolfe, Loeb Classical Library (rev. ed., Cambridge, MA: Harvard University Press, 1997) 271. As a man of the senatorial class, Vespasian was not allowed to marry a freedwoman.
  62. Most read the King James Version of Deuteronomy 15: <sup>13</sup>And when thou sendest him out free from thee, thou shalt not let him go away empty: <sup>14</sup>Thou shalt furnish him liberally out of thy flock, and out of thy floor, and out of thy winepress: of that wherewith the Lord thy God hath blessed thee thou shalt give unto him. <sup>15</sup>And thou shalt remember that thou wast a bondman in the land of Egypt, and the Lord thy God redeemed thee: therefore I command thee this thing to day. <sup>17</sup>...And also unto thy maidservant thou shalt do likewise. <sup>18</sup>It shall not seem hard unto thee, when thou sendest him away free from thee; for he hath been worth a double hired servant to thee, in serving thee six years: and the Lord thy God shall bless thee in all that thou doest.
  63. Douglas A. Blackmon, *Slavery by Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II* (New York: Doubleday, 2008). On complaints of involuntary servitude and peonage filed between 1961 and 1963, see Harry H. Shapiro, "Involuntary Servitude: The Need for a More Flexible Approach," *Rutgers Law Review* 19 (1964–1965) 65–85, who outlined the enormous hurdles faced by plaintiffs in establishing that involuntary servitude or peonage was occurring.

64. Kathleen M. Blee, *Women of the Klan: Racism and Gender in the 1920s* (Berkeley: University of California Press, 1991), shows that women, including feminists, were involved in the Klan. She documents the Klan's emphasis on attending church and its increasing anti-Catholicism. Blee's illustration number 11 (from the Library of Congress) of a 1924 Klan baby christening is particularly chilling.
65. Lisa Cardyn, "Sexualized Racism/Gendered Violence: Outraging the Body Politic in the Reconstruction South," *Michigan Law Review* 100 (2002) 675–867. For a summary of Lisa Cardyn's paper "Practices of Sexual Terrorism in the Reconstruction South" (presented at the "Beyond Slavery: Overcoming Its Religious and Sexual Legacy Conference," Brandeis University, October 16, 2006), visit the Feminist Sexual Ethics Project Web site, <http://www.brandeis.edu/projects/fse/Conference/Conf-main3.html#cardyn> (accessed September 19, 2009).
66. William Grimes, *Life of William Grimes, the Runaway Slave: Written by Himself* (New York: 1825), available at Documenting the American South, <http://docsouth.unc.edu/neh/grimes25/menu.html> (accessed December 1, 2009). Grimes's work forms a rare exception in its straightforward depiction of the range of human moral behavior. I thank Joan Bryant for this reference.
67. Ellen Barry, "From Plantations to Prisons: African American Women Prisoners in the United States," in this volume.
68. Several states have banned shackling during labor and delivery: See Cal. Penal Code § 5007.7 (West 2008); Cal. Penal Code § 3423 (West 2008); 55 Ill. Comp. Stat. Ann. 5/3-15003.6 (West 2008); 730 Ill. Comp. Stat. Ann. 125/17.5 (West 2008); 28 V.S.A. § 801a (West 2008); N.M. Stat. Ann. § 33-1-4.2 (West 2009); Tex. Gov't Code Ann. § 501.066 (Vernon 2009); Tex. Hum. Res. Code Ann. § 61.07611 (Vernon 2009); Tex. Loc. Gov't Code Ann. § 361.082 (Vernon 2009); and N.Y. Correct. Law § 611 (McKinney 2009). In a recent decision, a federal court of appeals held that the Eighth Amendment to the U.S. Constitution protects pregnant women in prison from the unnecessary and unsafe practice of shackling during labor. The federal court found that constitutional protections against shackling pregnant women during labor are clearly established by previous decisions of the Supreme Court and the lower courts. This is the first time a circuit court has made such a determination, *Nelson v. Correctional Medical Services, et al.* F.3d, 2009 WL 3151208 (8th Cir. 2009). Shawanna Nelson, the woman who had been shackled, alleged permanent damage to her hips, stomach, and other parts of her body, resulting in a disability. Senator Richard J. Durbin, Democrat of Illinois, was instrumental in altering the policy employed by the Federal Bureau of Prisons, Program Statement: Escorted Trips, No. 5538.05 at §570.45 (October 6, 2008), available at [http://www.bop.gov/policy/progstat/5538\\_005.pdf](http://www.bop.gov/policy/progstat/5538_005.pdf) (accessed October 31, 2009). I thank Amy Fettig of the ACLU National Prison Project and Gail T. Smith of Chicago Legal Advocacy for Incarcerated Mothers (<http://www.claim-il.org/> [accessed December 1, 2009]) for the information on shackling.
- Although allowing male guards to guard female prisoners flies in the face of international norms, a federal appeals court has held that assigning male guards to prison areas in which incarcerated women were unclothed did not violate their right to privacy, if the prison made reasonable efforts to reduce the women's exposure to viewing by the male guards. *Forts v. Ward*, 621 F.2d 1210 (2d Cir. 1980). For the international standards, see United Nations, *Standard Minimum Rules for the Treatment of Prisoners*: August 30, 1955, UN High Commissioner for Refugees, Refworld, <http://www.unhcr.org/refworld/pdfid/3ae6b36e8.pdf> (accessed August 26, 2009); rule 53 states: "(1) In an institution for both men and women, the part of the institution set aside for women shall be under the authority of a responsible woman officer who shall have the custody of the keys of all that part of the institution. (2) No male member of the staff shall enter the part of the institution set aside for women unless accompanied by a woman officer."
69. See the essays by Dorothy Roberts, Emilie M. Townes, Dwight N. Hopkins, Mia Bay, and Catherine Clinton in this volume, as well as the unusual 1859 Virginia case, *Commonwealth v. Ned*, in which the judge joined the cases of an enslaved African

- American girl and a free European American girl who complained of sexual assault by an enslaved man. The court found the man, named Ned, guilty. For a summary of Wilma King's paper "He said He Would Give Us Some Flowers': Sexual Violations, Girls, and the Law in the Antebellum South," (presented at the "Beyond Slavery: Overcoming Its Religious and Sexual Legacy Conference," Brandeis University, October 16, 2006), which analyzes *Commonwealth v. Ned*, visit the Feminist Sexual Ethics Project, <http://www.brandeis.edu/projects/fse/Conference/Conf-main3.html#king> (accessed September 19, 2009). In response to *George [a slave] v. State*, 37 Miss. 316 [1859], which quashed the indictment of an enslaved man for raping an enslaved girl under the age of ten, the Mississippi legislature passed a highly unusual statute that criminalized the rape of a "female negro or mulatto," if she were under the age of twelve and the assailant a "negro or mulatto" (Mississippi Session Acts, ch. 62, p. 102 [1860]). See Helen Tunnicliff Catterall, ed., *Judicial Cases Concerning American Slavery and the Negro*, vol. 3 (Washington, DC: Carnegie Institute, 1932) 363. I thank Wilma King for this reference.
70. I thank Anita F. Hill for the idea to commission research on this topic and for her collaboration in supervising it with a grant from the Ford Foundation. See Elizabeth Kennedy, *Victim Race and Rape* (Waltham, MA: Feminist Sexual Ethics Project, Brandeis University, 2003), <http://www.brandeis.edu/projects/fse/slavery/slav-us/slav-us-articles/slav-us-art-kennedy-full.pdf> (accessed August 26, 2009); and Jennifer C. Nash, *Black Women and Rape: A Review of the Literature* (Waltham, MA: Feminist Sexual Ethics Project, Brandeis University, 2009), <http://www.brandeis.edu/projects/fse/slavery/slav-us/slav-us-articles/Nash2009-6-12.pdf> (accessed August 26, 2009).
  71. Frances Smith Foster, "Mammy's Daughters; Or, the DNA of a Feminist Sexual Ethics," in this volume.
  72. See also Frances Smith Foster, ed., *Love and Marriage in Early African America* (Hanover, NH: University Press of New England/Northeastern University Press, 2007); and *'Til Death or Distance Do Us Part: Love and Marriage in African America* (New York: Oxford University Press, 2010).
  73. Florence Ladd, "A Visit from the Old Mistress," in this volume.
  74. Nancy Rawles, "Prayer for my daughter," in this volume.
  75. John Francis Maxwell. *Slavery and the Catholic Church: The History of Catholic Teaching Concerning the Moral Legitimacy of the Institution of Slavery* (Chichester: Barry Rose, in association with the Anti-Slavery Society for the Protection of Human Rights, 1975) 11.
  76. Even the intense public scrutiny in the clergy sexual abuse scandal in the Catholic Church has not resulted in adequate institutional reflection on the moral priorities of the hierarchy, and the Vatican continues to resist giving laypeople oversight over personnel or financial decisions. For more, see Voice of the Faithful, <http://www.votf.org/> (accessed September 26, 2009) and Survivors Network of those Abused by Priests, <http://www.snapnetwork.org/> (accessed September 26, 2009).
  77. Pope Nicholas V, *Romanus pontifex* (January 8, 1455), papal bull granting King Alfonso V of Portugal the rights named above; and Pope Alexander VI, *Inter caetera* (May 3, 1493), papal bull granting Castille's rulers and successors the same rights. See John T. Noonan, Jr., *A Church that Can and Cannot Change: The Development of Catholic Moral Teaching* (Notre Dame, IN: University of Notre Dame Press, 2005) 62–65, and for the fuller history, chaps. 4–17.
  78. See also the documentation by Kenneth J. Zanca, ed., *American Catholics and Slavery: 1789–1866: An Anthology of Primary Documents* (Lanham, MD: University Press of America, 1994).
  79. Leviticus 25:35; see also 25:36–38 (New Revised Standard Version).
  80. Emilie M. Townes, "From Mammy to Welfare Queen: Images of Black Women in Public-Policy Formation," in this volume, note 61.
  81. Mende Nazer, with Bernadette J. Brooten, "Epilogue," in this volume.

82. Townes, "From Mammy to Welfare Queen," in this volume; Sheila Briggs, "Gender, Slavery, and Technology: The Shaping of the Early Christian Moral Imagination," in this volume.
83. Stephen Bates, "Church Apologises for Benefiting from Slave Trade," *Guardian*, February 9, 2006, <http://www.guardian.co.uk/uk/2006/feb/09/religion.world> (accessed October 4, 2009). For the full speech, see "Bicentenary of the Act for the Abolition of the Slave Trade: Speech to General Synod," February 8, 2006, Archbishop of Canterbury Web site, under "Articles, Interviews, and Speeches," <http://www.archbishopofcanterbury.org/315> (accessed October 4, 2009).
84. *Apologizing for the Enslavement and Racial Segregation of African-Americans*, HR 194, 110th Cong., 2nd sess., *Congressional Record* 154, no.127, daily ed. (July 29, 2008) H 7224; *Apologizing for the Enslavement and Racial Segregation of African-Americans*, S. Con. Res. 26, 111th Cong., 1st sess. (June 11, 2009), *Congressional Record* 155 (June 18, 2009) S 6761.
85. For details on HR 40, *Commission to Study Reparation Proposals for African-Americans Act*, visit Library of Congress, THOMAS database, under "Bills, Resolutions," <http://thomas.loc.gov/cgi-bin/bdquery/z?d110:h40>: (accessed December 6, 2009).
86. Supporters include the NAACP, Southern Christian Leadership Conference, Nation of Islam, and National Baptist Convention. Several largely white religious denominations have also moved toward support for reparations. In 2001, the United Church of Christ General Synod and the Disciples of Christ General Assembly passed a joint resolution on reparations for slavery, which calls upon congregations, regions, agencies, and national ministries "to join in active study and education on issues dealing with reparations for slavery." The United Church of Christ version amended the resolution to distinguish between reparations and restitution, stating that reparations "can never be singularly reducible to monetary terms." See "The Twenty-Third General Synod Adopts the Resolution 'A Call for Study on Reparations for Slavery,'" United Church of Christ, <http://www.ucc.org/synod/resolutions/CALL-FOR-STUDY-ON-REPARATIONS-FOR-SLAVERY.pdf> (accessed October 4, 2009).

In 2004, "[d]elegates to the top legislative assembly of the United Methodist Church voted to support a study of reparations for African Americans and to petition the vice president and House of Representatives to support the passage and signing of House Resolution 40." See Linda Green, "United Methodist Church Supports Reparations for African Americans," May 7, 2004, United Methodist News Service, <http://archives.umc.org/interior.asp?ptid=17&mid=4711> (accessed October 4, 2009).

Also in 2004, the Presbyterian Church (USA) "adopted the report of the Task Force to Study Reparations," which states: "The point is not to indict any particular group of people for such atrocities. Rather, as members of the same body, the body of Christ, we must all bear equal responsibility for the sins of our past. The Scriptures call us to bear one another's burdens and so fulfill the law of Christ (Gal. 6:2, NRSV). We do so first, by remembering what we have done and failed to do; second, by doing everything in our power to restore the human dignity and material loss of our sisters and brothers; third, by repairing the moral and spiritual breach that was formed between the offended and the offenders; and fourth, by sincerely attempting to reconcile all differences that are directly related to our behaviors of the past." See *Report of the Task Force to Study Reparations*, <http://www.pcusa.org/racialjustice/pdf/reparations-paper-final2005.pdf> (accessed October 4, 2009).

In 2006, the General Convention of the Episcopal Church (USA) passed a resolution acknowledging its complicity in slavery and in segregation and the economic benefits it derived from slavery, and it urged its members to take measures to be "the repairer of the breach' (Isaiah 58:12), both materially and relationally." See "Study Economic Benefits Derived from Slavery," Archives of the Episcopal Church, resolution number 2006-A123, [http://www.episcopalarchives.org/cgi-bin/acts/acts\\_resolution-complete.pl?resolution=2006-A123](http://www.episcopalarchives.org/cgi-bin/acts/acts_resolution-complete.pl?resolution=2006-A123) (accessed October 4, 2009).

The remarkable documentary *Traces of the Trade: A Story from the Deep North*, directed by Katrina Browne (Ebb Pod Productions, 2008), has helped the Episcopal and other churches in these efforts. Browne, a descendant of the largest slave-trading family in the United States, a family that was heavily involved in the Episcopal Church, retraced the triangle trade of her ancestors, from Rhode Island to Ghana to Cuba and then back to the United States, seeking ways to repair the damage to today's descendants of those enslaved by her ancestors. Visit <http://www.tracesofthetrade.org/> (accessed October 4, 2009).

87. These include the Southern Baptist Convention, which in 1995 called on convention delegates to "lament and repudiate historic acts of evil such as slavery from which we continue to reap a bitter harvest"; *Christian Century*, July 5, 1995. In 2000, according to the *National Catholic Reporter*, sisters from three Roman Catholic orders in Kentucky—the Dominicans, the Loretos, and the Sisters of Charity of Nazareth—held a reconciliation service to ask "forgiveness for their orders' participation in slavery"; Dennis Coday, "Exhibit Aims to Dispel 'Myth' About Sisters," February 17, 2009. On Jesuit slave holding, see, e.g., R. Emmett Curran, "Splendid Poverty: Jesuit Slave-Holding in Maryland, 1805–1838," in *Catholics in the Old South: Essays in Church and Culture*, ed. Randall Miller and Jon Waklyn (Macon, GA: Mercer University Press, 1983) 125–146; and Thomas Murphy, *Jesuit Slaveholding in Maryland, 1717–1838* (New York: Routledge, 2001).
88. Deuteronomy 15:14 (King James Version, the translation read by most slaveholding Christians in the nineteenth century).
89. Callie House led an organization of 300,000 formerly enslaved persons to petition the government for an old-age pension in recognition of their unpaid work during slavery. Mary Frances Berry, *My Face Is Black Is True: Callie House and the Struggle for Ex-Slave Reparations* (New York: Knopf, 2005).
90. Maria W. Stewart, "Productions of Mrs. Maria W. Stewart Presented to the First African Baptist Church & Society of the City of Boston," in *Spiritual Narratives*, ed. Schomburg Library of Nineteenth-Century Black Women Writers (1835; reprint, New York: Oxford University Press, 1988) 17–21. See Dwight N. Hopkins, "Enslaved Black Women: A Theology of Justice and Reparations," in this volume.
91. See, e.g., Melvin L. Oliver and Thomas M. Shapiro, *Black Wealth/White Wealth: A New Perspective on Racial Inequality* (New York: Routledge, 2006); and Thomas M. Shapiro, *The Hidden Cost of Being African American: How Wealth Perpetuates Inequality* (New York: Oxford University Press, 2004).
92. See the Transatlantic Slave Trade Database, <http://www.slavevoyages.org/tast/index.faces> (accessed May 28, 2010).
93. For the debate on reparations, see, for example, Michael T. Martin and Marilyn Yaquinto, eds., *Redress for Historical Injustices in the United States: On Reparations for Slavery, Jim Crow, and Their Legacies* (Durham, NC: Duke University Press, 2007); Alfred L. Brophy, *Reparations: Pro and Con* (New York: Oxford University Press, 2006); Pamela D. Bridgewater, "Ain't I a Slave: Slavery, Reproductive Abuse, and Reparations," *UCLA Women's Law Journal* 14 (2005) 89–161; Raymond A. Winbush, ed., *Should America Pay? Slavery and the Raging Debate on Reparations* (New York: Amistad/HarperCollins, 2003); David Horowitz, *Uncivil Wars: The Controversy over Reparations for Slavery* (San Francisco: Encounter, 2002); Adrienne D. Davis, "The Case for United States Reparations to African Americans," *Human Rights Brief* 7:3 (2000) 3–5; and Randall Robinson, *The Debt: What America Owes to Blacks* (New York: Dutton/Penguin, 2000).
94. Among others, these include the cities of Chicago, Los Angeles, Detroit, San Francisco, and Philadelphia; and the states of Illinois, Iowa, California, and Maryland.
95. Richard Slawsky, "Bank One Seeks to Make Amends for Past Ties to Slavery," *Louisiana Weekly*, February 14–20, 2005, section A. (J. P. Morgan Chase assumed responsibility because it had bought out Bank One.)
96. Angela Y. Davis, *Women, Race, and Class* (New York: Random House, 1981) 3–29.

97. Deborah Gray White, *Ar'n't I a Woman? Female Slaves in the Plantation South* (New York: Norton, 1985).
98. Limited space permits me to mention only a few of the many contributions: Dorothy Sterling, ed., *We Are Your Sisters: Black Women in the Nineteenth Century* (New York: Norton, 1984); Jacqueline Jones, *Labor of Love, Labor of Sorrow: Black Women, Work, and the Family, from Slavery to the Present* (New York: Basic, 1985); Jean Fagan Yellin, ed., *Incidents in the Life of a Slave Girl: Written by Herself*, by Harriet A. Jacobs, ed. L. Maria Child (Cambridge, MA: Harvard University Press, 1987); Katie G. Cannon, *Black Womanist Ethics*, American Academy of Religion Series 60 (Atlanta: Scholars, 1988); Melton A. McLaurin, *Celia: A Slave* (Athens: University of Georgia Press, 1991); Delores S. Williams, *Sisters in the Wilderness: The Challenge of Womanist God-Talk* (Maryknoll, NY: Orbis, 1993); Karen Baker-Fletcher, "The Difference Race Makes: Sexual Harassment and the Law in the Thomas-Hill Hearings," *Journal of Feminist Studies in Religion* 10 (1994) 7–15; Karen Baker-Fletcher, "Womanism, Afro-centrism, and the Reconstruction of Black Womanhood," *Journal of the Interdenominational Center* 22 (1995) 183–197; Katie Geneva Cannon, *Katie's Cannon: Womanism and the Soul of the Black Community* (New York: Continuum, 1995); Wilma King, *Stolen Childhood: Slave Youth in Nineteenth-Century America* (Bloomington: Indiana University Press, 1995); David Barry Gaspar and Darlene Clark Hine, eds., *More Than Chattel: Black Women and Slavery in the Americas* (Bloomington: Indiana University Press, 1996); Brenda E. Stevenson, *Life in Black and White: Family and Community in the Slave South* (New York: Oxford University Press, 1996); Catherine Clinton and Michele Gillespie, eds., *The Devil's Lane: Sex and Race in the Early South* (New York: Oxford University Press, 1997); Charlotte Pierce-Baker, *Surviving the Silence: Black Women's Stories of Rape* (New York: Norton, 1998); Darlene Clark Hine and Kathleen Thompson, *A Shining Thread of Hope: The History of Black Women in America* (New York: Broadway, 1998); Kelly Brown Douglas, *Sexuality and the Black Church: A Womanist Perspective* (Maryknoll, NY: Orbis, 1999); Martha Hodes, ed., *Sex, Love, Race: Crossing Boundaries in North American History* (New York: New York University Press, 1999); Thandeka, *Learning to Be White: Money, Race, and God in America* (New York: Continuum, 1999); Traci C. West, *Wounds of the Spirit: Black Women, Violence, and Resistance Ethics* (New York: New York University Press, 1999); Carolyn M. West, ed., *Violence in the Lives of Black Women: Battered, Black, and Blue* (New York: Haworth, 2002); Anthony B. Pinn and Dwight N. Hopkins, eds., *Loving the Body: Black Religious Studies and the Erotic* (New York: Palgrave Macmillan, 2004); Patricia Hill Collins, *Black Sexual Politics: African Americans, Gender, and the New Racism* (New York: Routledge, 2004); Patrick Mingos, *Far More Terrible for Women: Personal Accounts of Women in Slavery* (Winston-Salem, NC: Blair, 2006); Traci C. West, *Disruptive Christian Ethics: When Racism and Women's Lives Matter* (Louisville, KY: Westminster John Knox, 2006); Annette Gordon-Reed, *The Hemingses of Monticello: An American Family* (New York: Norton, 2008); Renee K. Harrison, *Enslaved Women and the Art of Resistance in Antebellum America* (New York: Palgrave Macmillan, 2009); and M. Shawn Copeland, *Enfleshing Freedom: Body, Race, and Being* (Minneapolis: Fortress, 2010).
99. Some forms of sex work are consensual, whereas others are forced and are as brutal as any other form of slavery.
100. The International Labour Organization defines the characteristics of child labor that should be eliminated. See the ILO International Programme on the Elimination of Child Labour, under "About child labour," <http://www.ilo.org/ipecl/facts/lang-en/index.htm> (accessed November 25, 2009).
101. Free the Slaves, <http://www.freetheslaves.net> (accessed October 30, 2009).



