

In 1866 there was published in Madrid a book on slavery in Cuba by a layman resident in Havana.⁽²¹⁵⁾ He provides a brief interpretation of texts of Holy Scripture in an anti-slavery sense, especially "Love your neighbour as yourself" and "Do to others as you would that they should do to you". He also shows that St. Paul's moral directives for slaves and masters may not be interpreted as a divine authorization of the institution of slavery.

Between 1865 when the Spanish Abolitionist Society was founded and the year 1873, a large number of pamphlets were published in Spain, as well as 34 issues of a journal *El Abolicionista Español*, with the object of promoting the abolition of slavery in the Spanish West Indian colonies.⁽²¹⁶⁾ The inspiration of all this propaganda, with the exception of a single speech concerning Catholicism, is humanist, political and economic. The Christian motivation for slavery-abolitionism is noticeably absent.

- (ix) (5) *Catholic resistance to anti-slavery opinions and abolitionism, and the reiteration in North America of the common Catholic teaching, 1836-1864.*

Already in 1836 the propaganda of Christian anti-slavery movements had achieved considerable force in North America and Europe, and at this date the lay editor of a Catholic journal considers that the Christian abolitionists should be regarded as a sect since they differ from all other Christians in believing that slave-holding is a sin against God.⁽²¹⁷⁾

The publication in 1840 of the first volume of a work on moral theology by Bishop Kenrick of Philadelphia provided guidance for the Catholic

⁽²¹⁵⁾ Armas y Céspedes (F. de): *De la esclavitud en Cuba*. 1866. 331-7.

⁽²¹⁶⁾ See frontispiece to pamphlets published by Sociedad Abolicionista Española, 1873.

⁽²¹⁷⁾ Webb (B.J.), editor: *Catholic Advocate*, April 2, 1836.

clergy concerning domestic slavery in the Southern slave-holding States. The author regrets the legislation which prohibits the freedom of movement and the education of the Negro slaves, and in some places restricts their exercise of religion. But he judges that since such is the state of things, nothing should be attempted against the laws, nor anything be done or said that would make the slaves bear their yoke unwillingly.⁽²¹⁸⁾ And beginning in the same year 1840 Bishop John England of Charleston, South Carolina, wrote a series of long letters on slavery (which were subsequently published) in which he reiterates the common Catholic teaching. He proves that the recent encyclical of Pope Gregory XVI in 1839, see (vii) (1) above, condemned merely the Negro slave trade and not the institution of domestic slavery as practised in the Southern States. He describes how at the subsequent Fourth Provincial Council of Baltimore, at which a majority of the Bishops were from the slave-holding States, this encyclical was unanimously accepted without any Bishop thinking that it demanded any change in the existing practice concerning domestic slavery.⁽²¹⁹⁾ In 1841 he publicly wrote that he was not friendly to the existence or continuation of slavery but that he saw the impossibility of abolishing it at that time in South Carolina.⁽²²⁰⁾

In France the growing anti-slavery opinions were in sharp conflict with the common Catholic teaching. In 1846 the Superior of the Seminary of the Holy Spirit in Paris, which trained missionary priests for work in French colonies, felt constrained to write a reply to the Catholic press on the burning question of the doctrine on slavery taught at the Seminary;

⁽²¹⁸⁾ Kenrick (F.P.): *Theologia Moralis*. I. Tr.V, c.VI, n.38 and Tr.VIII, c.IV, n.2.

⁽²¹⁹⁾ 1st and 2nd Letters to the Hon. John Forsyth, Secretary of State, United States. September 29, and October 7, 1840. *Works*, 1849, III 115-9.

⁽²²⁰⁾ *U. S. Catholic Miscellany*, February 17, 1841.

he insisted that the teaching of the professors was that of the generality of theologians and of the Catholic Church, and that it would be impossible for them to accept any other teaching without betraying their trust.⁽²²¹⁾

The priest-editor of the journal which published Bishop John England's letters on slavery expressed admirably the contemporary opinion that the common Catholic teaching on slavery was unchangeable; here are his words:

There is no danger – no possibility, on our principles – that Catholic theology should ever be tintured with the fanaticism of abolition. Catholics may and do differ, in regard to slavery, and other points of human policy, when considered as ethical or political questions. But our theology is fixed, and is, and must be the same now as it was for the first eight or nine centuries of Christianity. . . . In Catholic theology the question is a settled one.⁽²²²⁾

However, there was an element of unreality in any claim of North American Catholics to be loyal followers of the common Catholic teaching. For they must have been well aware that the form of slavery which existed under the inhuman slavery legislation in the slave-holding States was an extreme form of chattel-slavery.⁽²²³⁾ And it was precisely this form of slavery which moralists for over 200 years had commonly regarded as unjust. In 1850 there was no public Catholic movement in the Southern States for the amelioration of the slavery legislation, although at that date, according to the returns of the seventh census of the United States, there were 167,822 Roman Catholics in the 16 slave-holding States. On the contrary, it was a Catholic, Chief Justice Roger Taney, who was one of the Judges

⁽²²¹⁾ *L'Univers Religieux*, November 4, 1846.

⁽²²²⁾ Reynolds (I.A.) in Bishop John England's *Works*, 1849, III, 107-8.

⁽²²³⁾ See Goodell (W.): *The American Slave Code in Theory and Practice – its Distinctive Features shown by its Statutes, Judicial Decisions and Illustrative Facts*. London, 1853.

of the Supreme Court which was responsible for the judicial decision that Negro slaves were not intended by the Declaration of Independence to be included as a part of the people, and had been regarded as beings of an inferior order and altogether unfit to associate with the white race in social or political relations, and as so far inferior that they had no rights which the white man was bound to respect, and that Negroes might justly and lawfully be reduced to slavery for their own benefit.⁽²²⁴⁾ This famous Dred Scott decision was another expression of the Aristotelian theory of natural slavery, see (v) (1) above.

By 1860 it would appear that the common Catholic teaching concerning slavery, which was supported by the majority of Catholic clergy and laity in North America, was being expressed in the formula that "slavery is not intrinsically wrong".⁽²²⁵⁾ In other words, if it were "intrinsically evil", like idolatry or blasphemy, God could never have permitted it for destitute Israelites, Church Councils could never have imposed it as a penalty, and Christian Princes could never have imposed it upon non-Christians captured in just warfare. However this specious argument is merely stating that slavery is a physical evil, less evil than involuntary death either in battle or by starvation, but more evil than involuntary torture, flogging or imprisonment; it is merely restating the patristic insight that slavery, to be just, may be imposed only as a consequence of moral evil or sin, (iv) (3) above. This formula "slavery is not intrinsically wrong" does not apply to the case of the child of the slave-mother – and the vast

⁽²²⁴⁾ 19 Howard 393. *Dred Scott v. John F. A. Sandford*. March 6, 1857. Compare the pagan Roman law: *Servile caput nullum jus habet*. D.IV. 5, 3, 1.

⁽²²⁵⁾ Rice (M.H.): *American Catholic Opinion in the Slavery Controversy*. 1944, Chap. VIII, 152-7.

majority of American Negro slaves in 1860 were held by this title of birth. For the child of the slave-mother is innocent of all personal sin and is unjustly penalized by suffering all the pain and sorrow and deprivation of human rights that the condition of slavery necessarily entails.

Writing an unsigned article in his diocesan journal in 1862, Archbishop John Hughes of New York is forced equivalently to the admission that he knows of no moral justification of the slave-owner's title to the Negro slaves born from slave-parents in America:

The terrific part of the question is, that not only the individuals brought to the American continent or islands are themselves to be slaves, but their posterity, in like manner, for all time to come. This is the only terrific feature about American slavery. And yet it is not alien from the condition of mankind in general. Original sin has entailed upon the human race its consequences for time and eternity. And yet the men who are living now had no part in the commission of original sin.⁽²²⁶⁾

There seems to be little appreciation here of the distributive injustice involved in this description of Negro slavery. Emancipation was held to be desirable because of the existence of recognized abuses in the slave-system, particularly concerning the marriages of slaves, not because of any intrinsic injustice in the system itself; but such emancipation should be gradual. Abolitionism without compensation of the slave-masters was condemned as an unjust denial of property-rights.

It was not until 1864, during the Civil War, that the Catholic Bishop of Florida issued an appeal to the Catholics of the Southern Confederate States to ameliorate the existing legal system of chattel-slavery and divest it of the features which would

⁽²²⁶⁾ Quoted by Hassard (J.R.G.): *Life of John Hughes, first Archbishop of New York*. 1866. 436.

make it odious to God and man. But he states that the law of God does not reprove slavery. He proposes that as a means of setting the Confederacy upon a solid basis, a servile code should be drawn up and adopted, defining clearly the rights and duties of slaves.⁽²²⁷⁾

- (ix) (6) *The correction of the common Catholic teaching concerning slavery, 1888 to the present day.*

The preparations for the first Vatican Council (1869-70) and the revival of the study of scholastic philosophy had led to a critical re-appraisal of mediaeval notions concerning human society and human relationships. Some moralists were more ready than hitherto to jettison ancient principles of Roman civil law which did not measure up to nineteenth century developments in secular jurisprudence. By 1888 the transatlantic Negro slave-trade had long since been suppressed by the navies of the maritime powers. Motivated both by "liberal" revolutionary humanism as well as by Christianity, the governments of most of the European and American nations had passed municipal and international legal prohibitions directed against all slavery and slave-trading, including the enslavement of prisoners of war and convicted criminals. Slavery had been abolished by law in Chile in 1823, in Spain in 1837, in the Dominican Republic in 1844, in Ecuador in 1851, in Argentina in 1853, in Venezuela in 1854, in the United States of America in 1865, in Brazil in 1888.

Two letters of Pope Leo XIII on slavery, one in 1888 addressed to the Bishops of Brazil, another in 1890 addressed to the Bishops of the whole world, indicate that the Pope was concerned to provide doctrinal and pastoral guidance even though slavery

⁽²²⁷⁾ Bishop Augustine Verot: *Freeman's Journal*, New York, July 9, 1864.

had ceased to be a serious political issue for most of the governments of Christian States. There was the question whether the common Catholic teaching, rooted mainly in principles of Roman civil law, could now be modified or altered.

The answer of Pope Leo XIII, or his advisers and "ghost-writers", was to try and interpret some of the ecclesiastical documents of the ordinary *magisterium* from the past in an "anti-slavery" sense. As mentioned above, (ix) (4), a few Catholic historians had been re-writing the history of slavery "from the Catholic angle", (omitting references to the common Catholic teaching), from which it might be inferred that the Catholic Church had always and constantly been abolitionist. It would appear that the Catholic historians who helped to write these two letters for Pope Leo XIII had come to believe that this was the truth. As a consequence, both these two letters lack historical accuracy.

In his earlier letter of 1888 the Pope refers to the patristic view that the state of slavery arose as a penalty for sin, both original and personal, (iv) (3) above; he refers to the Thomistic teaching that the system of slavery is wholly opposed to that which was originally ordained by God, that is to say, to the "first intention" of nature, (v) (1) above; he refers to the "dogmatic theology" of St. Paul concerning the fraternal unity in Christ of the members of the Church, as adopted sons of God the Father, which prevails over the distinction between slave and freeman; he refers to the Apostolic "moral theology" concerning the mutual duties and rights of masters and slaves, (iii) above; he refers to the patristic teaching concerning duties of charity and piety, including the masters' obligation of emancipating slaves, (iv) (7) above.⁽²²⁸⁾

⁽²²⁸⁾ Letter *In Plurimis* to the Bishops of Brazil, May 5, 1888. *Collectanea S. C. de Prop. Fide*, (1907), II, n.1688. Paragraphs 7-15.

However in both these two letters Pope Leo XIII singled out for special praise twelve Popes who, he wrote, had made every effort to abolish slavery and prevent its recurrence. His later letter of 1890 addressed to the Bishops of the whole world begins as follows:

From the beginning, almost nothing was more venerated in the Catholic Church which embraces all men with motherly love, than the fact that she looked to see a slavery eased and abolished which was oppressing so many people. . . ; she undertook the neglected cause of the slaves and stood forth as a strenuous defender of liberty, although she conducted her campaign gradually and prudently so far as times and circumstances permitted. . . ; nor did this effort of the Church to liberate slaves weaken in the course of time; indeed the more slavery flourished from time to time, the more zealously she strove. The clearest historical documents are evidence for this. . . and many of our predecessors including St. Gregory the Great, Hadrian I, Alexander III, Innocent III, Gregory IX, Pius II, Leo X, Paul III, Urban VIII, Benedict XIV, Pius VII and Gregory XVI, made every effort to ensure that the institution of slavery should be abolished where it existed and that its roots should not revive where it had been destroyed.⁽²²⁹⁾ [Emphasis added].

With the greatest respect to Pope Leo XIII this is historically inaccurate. In his earlier letter of 1888 he had made selective use of a number of documents written by these same 12 Popes to suggest that there had been a constant "anti-slavery" tradition in the Catholic Church.⁽²³⁰⁾ But a number of other conciliar and Papal documents, as well as canons of general Church Law, are simply ignored; all these 12 Popes who are given especial commendation had only condemned what they and contemporary moral theology held to be *unjust* methods of enslavement or *unjust* titles of slave ownership. Five of the Popes mentioned were the authors of other

⁽²²⁹⁾ Letter *Catholicae Ecclesiae*, November 20, 1890. *Leonis Papae Allocutiones*, 1898, IV, 112.

⁽²³⁰⁾ *In Plurimis*. Paragraphs 15-18. The historical statements referring to Pope Pius II appear particularly inaccurate, see (vi) (1) above.

public documents which actually authorized enslavement either as an institution or as a penalty for ecclesiastical crimes or as a consequence of war. The historical inaccuracy of writing that these five Popes "made every effort to ensure that the institution of slavery should be abolished where it existed and that its roots should not revive where it had been destroyed" is proved as follows:

Pope Alexander III with the Fathers of the Third General Council of the Lateran in 1179 authorized the penalty of enslavement for captured Christians who had assisted the Saracens, and *Pope Innocent III* did the same with the Fathers of the Fourth General Council of the Lateran in 1215, (v) (2) above; and *Pope Gregory IX* repeated this enactment in a letter to the English in 1235. *Pope Leo X* in 1514 followed the example of three of his predecessors in authorizing the Kings of Portugal to invade and conquer the newly discovered territories of the New World, to reduce the non-Christian inhabitants who lived there to perpetual slavery and to expropriate their possessions, (vi) (2) above. Finally *Pope Paul III* in 1535 sentenced King Henry VIII of England to the penalty of being exposed for capture and enslavement by the Catholic Princes of Europe, (v) (2) above, and in 1548 gave full permission for all persons, clerical and lay, to own, buy and sell slaves in the City of Rome, and abrogated the privilege of the *conservatori* of Rome to emancipate Christian slaves, (vii) (2) above.

Finally there was no condemnation by any of the Popes mentioned of the capture and enslavement of Moslem prisoners of war by the galleys of the Pontifical squadron in the innumerable naval actions which are well documented from about 1500 to about 1800, (vii) (3) above.

The significance of these two letters of Pope Leo XIII is that it was no longer individual Catholics,

whether lay or clerical who were expressing "anti-slavery" sentiments, it was the Pope himself. For the Popes who were held up for especial praise were those who (whether historically accurately or not is here irrelevant) had "made every effort to ensure that the *institution* of slavery should be abolished where it existed and that its roots should not revive where it had been destroyed." No distinction was made between just and unjust enslavement; it was the institution as such which was equivalently condemned.

Pope Leo XIII offered no explanation for this change of theological attitude. He did not indicate in these two letters whether it was a correction of Scriptural exegesis, or the beginnings of the movement for revision of the canon law of the Church, or a correction of the philosophical analysis of the very nature of slavery, or a growing awareness that economic and social circumstances and conditions in many countries had completely changed, or a realization that rationalist humanists and Protestant Christians could have been assisted by the Holy Spirit. Clearly, this was already about 100 years too late to be of any effective value in the anti-slavery campaigns and civil wars and revolutions of the nineteenth century; the lay reformers and abolitionists had won their campaigns without much effective help or moral leadership from the teaching authority of the Catholic Church which had hitherto consistently refused to condemn the institution of slavery or the practice of slave-trading as such.

In 1888 Pope Leo XIII encouraged the members of the Society of African Missions (White Fathers) to form a Catholic anti-slavery movement, and Cardinal Lavigerie made lecture tours, speaking on the evils of slavery, and collecting funds for anti-slavery work.

Finally on May 15, 1891, Pope Leo XIII issued

the well-known Encyclical Letter *Rerum Novarum*. In his Encyclical the Pope referred, amongst other matters, to the labour and wages of employees in an employment-contract, which he declared was "of great importance and in regard to which, if extremes are to be avoided, right notions are absolutely necessary." He stated that human labour is:

... personal since the active force inherent in the person cannot be the property of anyone other than the person who exerts it, and it was given to him in the first place by nature for his own benefit.⁽²³¹⁾

This was a Papal refutation of the theory, held by many moral theologians ever since the seventeenth century, see (viii) (7) above, that a human being can be alienated from his acts and work so that another human being can be in full possession of them, can use them, be the "usufructuary" of them. This false theory had been applied not only to slavery, but also to the contract of master and servant. In other words, all through the time of the industrial revolution in Europe and the United States, it had been an acceptable philosophical notion amongst Catholic moralists that an employer who hired workers could "use" the acts of his employee for his own exclusive benefit in the same way that he could use a hired animal or hired machine, provided that he paid his employee a just hire for the "use", and "provided that he did not infringe his employee's human rights".⁽²³²⁾ In the growing national economies of countries which were undergoing the industrial revolution, this false

⁽²³¹⁾ Paragraph 34. The original Latin text reads: *Quia vis agens adhaeret personae, atque eius omnino est propria, a quo exercetur, et cuius est utilitati nata.*

⁽²³²⁾ See for example Bonacina (M.): *Summa Moralis Theologiae*, Antwerp, 1635, II, De Contractibus, Q. VII, Punct. I; Catalanus (P.) S. J.: *Theologia Moralis*, Venice, 1728, I, De Contractibus, Q. XXI, Cap. XI, 1; Ballerini (A.)-Palmieri (D.): *Opus Theologicum Morale*, Prato, 1889-1894, III, De Contractibus, nn.505, 507.

theory contributed to the many injustices suffered by employees, for it was used to justify the exclusion of employed personnel from any equitable right whatever to any share in the benefits of industrial and agricultural growth and development.⁽²³³⁾

In 1956 the Catholic Bishops of Colombia provided some comments upon the above words of Pope Leo XIII:

... Because the character of labour as a personal and human activity can never be ignored in order to degrade it to the level of a simple material thing, the wage-contract is not a contract of sale, nor are the relations between workers and employers simple commercial relationships, unless, in contravention of natural justice, an attempt is made to separate the work from the person, the living, intelligent and free being who produces the work; because, as Leo XIII warns, "the primary characteristic of all human labour is that it is that of a personal being, since the active force inherent in the person cannot be the property of anyone other than the person who exerts it, and it was given to him in the first place by nature for his own benefit". The human person can have superiors who govern him, but not masters who possess him, because he is inalienable; and that which is inalienable is not for sale. Therefore the wages-contract cannot, for this reason, be either morally or legally a contract of sale.

It has been called a contract of hire, and that is what St. Thomas termed it: "Workmen hire out their labour".⁽²³⁴⁾ This name can be given inasmuch as the employer takes the worker's labour as a service to himself, though without acquiring it as a property; but it is clear that the hiring of personal activities cannot be entirely equated to the hiring of any completely material and impersonal thing. It will always be a contract *sui generis*, of very special nature and with very special conditions, which can only by analogy be termed a hiring. Roman law made the slave the property of his master, and also decreed that the work of his freed serfs should go to the exclusive benefit of the citizen. Natural law, and with far greater clarity, Christian law,

⁽²³³⁾ For a fuller discussion of this false theory of the contract of master and servant see J. F. Maxwell: "Should Christians Press for Revision of Company Law?" *University of Detroit Law Journal*, 40 (October 1962) 1, 42-51.

⁽²³⁴⁾ *S. T. I. II. Q. 105, a.2., ad 6.*

do not allow this view of the worker as a slave nor as a bondsman graciously freed, but only as a free man . . . ⁽²³⁵⁾

On June 7, 1912, Pope St. Pius X wrote a letter deploring the condition of persons of servile status in Brazil. ⁽²³⁶⁾

The new Code of Canon Law for Western Catholics became effective on May 19, 1918. Existing Church law on the subject of slave-trading is as follows:

A lay person who has been legitimately declared guilty of the crime of . . . selling a human being into slavery or for any other evil purpose . . . shall automatically be deprived of the right to legal ecclesiastical actions and of every position which he may have in the Church . . .

If a cleric has committed [the above crime] . . . he shall be punished by the ecclesiastical court in proportion to his guilt with penances, censures, deprivation of office, benefice and dignity, and even with deposition, if the circumstances demand it . . . ⁽²³⁷⁾

The natural vocational right to choice of work and recreation can be infringed not only by the slave-owner but also by any government which, though not claiming rights of slave-ownership, nevertheless imposes forced labour upon its subjects. The nature of this moral evil of forced labour therefore sheds light upon the nature of the moral evil of slavery which has this same effect. This question of forced labour in developing countries under colonial governments occupied the attention of the International Labour Office during the years between the two recent world wars. ⁽²³⁸⁾ Here is an extract from a memorandum which was submitted to the I.L.O.

⁽²³⁵⁾ Episcopal Conference of Colombia: "Instruction on Work" (1951), in *Conferencias Episcopales de Colombia, 1908-1953*, Bogotá, 1956, 216-217.

⁽²³⁶⁾ Letter *Lacrimabili statu Indorum*. AAS. 4(1912), 521-525.

⁽²³⁷⁾ C. J. C., Canon 2354, §1 and §2.

⁽²³⁸⁾ See the long and detailed documentation on forced labour in *La Documentation Catholique*, Vol. XXIV, 1930, cols. 81-115, 223-249, 387-433.

before its session in 1930 by a group of Catholic laymen:

The natural law which imposes the obligation of work upon every man, leaves each person free, under his own individual and social responsibility, to choose the time, place and character of this work. Any form of positive obligation which, apart from certain urgent and exceptional needs, takes away from him this freedom and compels him under any sort of penalty to perform labour for which he has not, entirely of his own freewill, offered himself, and especially any labour which exceeds his strength and capacity, is therefore contrary to the natural law. It is for this fundamental reason that forced labour must in principle be anathematized and condemned.

Due recognition must be given to the fact that there are exceptions to this condemnation: firstly, compulsory work which derives from military duties which are lawfully imposed on all the adult men of a community; secondly, certain forms of work which take the place of an equitable and moderate tax whose payment would naturally be obligatory; thirdly, work which would be the consequence of a penal conviction. But none of these exceptions should come to degenerate into a constraint which, as a result of an extension which would be an abuse, would finish by suppressing in practice the essential freedom of choice of work which the natural law recognizes as belonging to every human person.⁽²³⁹⁾

In spite of the teaching of *Rerum Novarum*, several modern Catholic moral theologians have continued to teach, right up to the middle of the twentieth century, the view that slavery as such (under due conditions and with proper safeguards) is not intrinsically morally wrong, supporting this view with the theory of the *dominium utile* of the slave-owner over the acts of the slave, and often referring to the legal titles (of Roman law) to slave-ownership.⁽²⁴⁰⁾

⁽²³⁹⁾ Union Catholique d'Etudes Internationales: "2nd Memorandum on Forced Labour", approved by several Catholic international and national associations. *La Documentation Catholique*, July 19, 1930, col. 103.

⁽²⁴⁰⁾ e.g. A. Lehmkuhl S. J.: *Theol. Mor.* I. n.760, Friburg, 1893; D. M. Prümmer O.P.: *Man. Theol. Mor.* II, n.11, Barcelona, 1945; Merkelbach O.P.: *Sum. Theol. Mor.* II. 168, Paris, 1946; Aertnys-Damen C.S.S.R.: *Theol. Mor.* I. n.652, 1950; Génicot — Salsmans — Gortebecke S.J.: *Instit. Theol. Mor.* I. n.467, Bruges, 1951; T. A. Jorio S.J.: *Theol. Mor.* II. n.539, Naples, 1954; M. Zalba S.J.: *Theol. Mor. Compnd.* I. nn.1710-1711, Madrid, 1958.

If Adolf Hitler had decided to inquire from the Catholic authorities, between 1933 and 1945, whether the institution of slavery in labour camps for condemned criminals was morally legitimate, and whether it was morally right to enslave foreign non-Christian prisoners in just warfare and use them to work in German factories, there is regrettably little doubt that he would have received the reply that there was a "probable opinion" in the affirmative.

In Catholic countries the abolition of slavery has been due mainly to humanist influences. In 1945 the political philosopher Luigi Sturzo noted that the changes or corrections in ethical judgments concerning slavery, among so many Christian thinkers, did not precede but followed the social fact of its legal abolition. He considers that slavery is an institution opposed to the fundamental rights of the human person and an unjust exploitation of man by man, an unnatural institution, born of rapine and war, and kept in existence by human breeding and trade in human flesh. He regards the continuance of the slave-trade in modern times among Christian peoples ruled by "Catholic" kings as the blackest page in the history of the white race, and holds that it should be frankly condemned as wholly indefensible. He notes that before legal abolition became a *fait accompli*, it was assumed by theorists that abolition was impossible or would give rise to unacceptably serious consequences for society as a whole; but after abolition the ethical theorists began to say that one could prove the timeliness, reasonableness and moral obligation of the measures taken.⁽²⁴¹⁾

In 1959 the Bishops of Upper Volta referred to slavery in a joint pastoral letter as follows:

⁽²⁴¹⁾ "The Influence of Social Facts on Ethical Conceptions." *Thought* 20 (March 1945) 76 at 97-9.

An economic system based on slavery, which makes a man into a mere instrument of production which is negotiable at the will of the owner who completely forgets the dignity of man, can never be acceptable to God. A man never has the right to reduce his brother to servitude, to make him his slave. ⁽²⁴²⁾

Before the second Vatican Council Häring was teaching that slavery is always morally wrong since it deprives human beings of their right to human dignity, their right to the development of their personal capacities and their rights in regard to their work. And he interprets *Philemon*, v. 16, in this same sense. But he adds that the attempt in St. Paul's time to abolish slavery would have placed the human dignity of the slaves in even greater jeopardy. ⁽²⁴³⁾

In 1965 the common Catholic teaching concerning slavery was officially corrected by the Second Vatican Council; its statements are quoted at the very beginning of this book. It will be noticed that there was no attempt to draw any distinctions concerning the titles of slave-ownership in Roman civil law. From this it may be assumed that slavery even as a penalty for crime is considered as morally unlawful, since it is a punishment which is inhuman and degrading.

In conclusion it should be noticed how very slender and scarce is the Catholic anti-slavery documentation since 1888 as compared with the very large volume of Catholic pro-slavery documentation right up to the time of the second Vatican Council.

⁽²⁴²⁾ "Le Chrétien dans la Cité." January 27, 1959. *La Documentation Catholique*, 1959, 632-3.

⁽²⁴³⁾ *The Law of Christ*. Cork. 1961. I, 245-6.