

The Closed Exit

Racialisation, Emancipation, and the Making of Anti-Blackness

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Introduction

In 1615 a merchant named Sa‘īd ibn Ibrāhīm al-Jīrārī, from the Saharan oasis of Tuwat, wrote to a scholar in Timbuktu with a difficulty of a practical kind. The captives passing through his hands were claiming to be Muslim, and he wanted to know what the law required of him. The scholar was Ahmad Bābā al-Timbuktī, recently home after two decades of enforced residence in Marrakesh, and his reply, the *Mi‘rāj al-Ṣu‘ūd*, left no room for doubt. The peoples al-Jīrārī had named had never been conquered in lawful war. They had accepted Islam of their own volition, and so could not be enslaved by fellow Muslims. On the question of who could be held as a slave, black Muslims stood exactly where other Muslims stood.

Fifty-two years later the Virginia General Assembly took up a difficulty phrased in almost the same terms. “Some doubts have risen,” the preamble to the September 1667 session records, over whether children born into slavery who had received baptism should “by vertue of their baptisme be made ffree” (Hening 1823, II, 260). The Assembly decided that they should not. Baptism, the act declares, “doth not alter the condition of the person as to his bondage or ffreedome.” With the doubt removed, masters could now “more carefully endeavour the propagation of christianity.”

Two legal traditions with no contact between them faced the same question within two generations of each other, and answered it in opposite directions. The question in both cases is whether religious status can protect a person from enslavement. Put more simply, it is whether conversion is a way out.

The Argument

This thesis takes that question as its organising problem, and its argument can be stated briefly. Racialisation is best understood not as the invention of a difference, whether of colour, blood, lineage or physical type, but as the closure of an exit. A subordinate status becomes racial when the routes out of it are shut: conversion refused, manumission withdrawn, kinship voided, emancipation granted without restitution. The claim that the

subordinated are inherently and permanently what they are does not cause the foreclosure. It arrives afterwards, and it is produced to explain a closure that has already taken place.

Two refinements carry most of the weight, and the thesis stands or falls on them.

The first is that closure is not an event but a practice. It has to be performed again and again, and the instrument changes over time. Virginia in 1667 shut the religious exit by statute, in a text that states its own reasoning on its face. A labour market in the present century can shut the same kind of exit without any statute at all, through the decisions of employers, lenders and landlords who never have to explain themselves, and who cannot be brought to account for a decision they are not obliged to justify. What emancipation changes is not whether closure happens but who performs it and by what means. That is why the legal abolition of a status so reliably fails to dissolve the group it named. Abolition removes the instrument that was easiest to challenge and leaves the others standing.

This matters for a claim that runs through the whole thesis and is easily stated badly. Conditions for Black people in the United States, and in Britain, have improved over the last century, in some respects a great deal. Wages, education, legal protection and political representation are all better than they were. Yet the relative position of Black people, measured against everyone else, has moved much less than those improvements would suggest, and on some measures hardly at all. The two observations are compatible, and the appearance of paradox comes from running them together. Improvement is movement within a position. Closure governs whether the position itself can be left. An individual can rise a long way inside a category that has not moved, and the evidence assembled in Chapter IV suggests that the same effort carries a Black applicant less far than it carries others. The formal exit is open. The category does not dissolve.

The second refinement concerns what sets anti-Blackness apart from the many other hereditary closures with which it shares this structure. Nearly every such closure is local. A *converso* was marked as such in Iberia and nowhere else; a *burakumin* in Japan; an *andevo* in the highlands of Madagascar. Outside the society that made them these marks meant nothing, because nobody outside knew how to read them. Blackness is different. The trans-Saharan, Indian Ocean and Atlantic trades moved people of African descent across much of

the world, and the mark travelled with them and stayed legible on arrival. Anti-Blackness, on this account, is the closure that became portable.

Race, and What Kind of Concept It Is Here

The thesis uses a deliberately elastic concept of race, and it is better to defend that choice at the outset than to have it discovered later. I follow Geraldine Heng in treating race as “a structural relationship for the articulation and management of human differences, rather than a substantive content” (Heng 2018, 3), and David Nirenberg in declining to say either that pre-modern societies “had race” or that they did not. Nirenberg treats such comparisons as “a source of productive deceit,” of utility as a provocation to look again rather than as a description of what was there (Nirenberg 2007, 87).

The obvious objection concerns breadth. Vanita Seth finds Heng’s account “striking for the sheer breadth of her definition,” and asks, with William Chester Jordan, whether “every hatred [is] a form or variant of racism,” though she goes on to allow the definition a genuine merit (Seth 2020). The worry is a fair one, and the answer to it is not a narrower definition but closer specification. In each case that follows I try to say which exit was closed, by whom, by what means, and whether the group it closed upon survived as a category once the legal status had gone. An elastic concept applied with precision can be tested. A loose concept applied loosely cannot.

A second objection bears on the word in the subtitle. Annie Olaloku-Teriba has observed that although anti-Blackness now organises a great deal of writing about race, “no concerted effort has been made to establish what ‘anti-blackness’ means,” and that the framework rests upon “the absence of a coherent and historically informed definition of ‘black’” (Olaloku-Teriba 2018). This is a fair criticism, and the thesis tries to answer it directly rather than step around it. The definition offered here is the one already given: anti-Blackness is closure that became portable. Whether it survives the rest of her critique is the subject of the final sections of Chapter IV.

What Is New Here and What Is Not

The broad conclusion is not new, and it would be an error to present it as though it were. Rinaldo Walcott argues that “emancipation is not freedom,” and that the long emancipation, wherever and whenever it came, has not amounted to Black freedom (Walcott 2021, 36). Saidiya Hartman describes emancipation as a “nonevent” and its aftermath as “the afterlife of slavery” (Hartman [1997] 2022; 2007, 6). This thesis agrees with them. What it tries to add is a mechanism, the closure of exits, and a comparative record that shows the mechanism at work in places that had nothing to do with the Atlantic: a Saharan legal opinion of 1615, the Merina kingdom and its Betsileo neighbours, Meiji Japan.

The more specific contribution is a comparison that, as far as I have been able to establish, has not been made. The *Miʿrāj* and the Virginia statute are read here as answers to one question. The long history of interpretation attached to Genesis 9, the so-called Curse of Ham, is read as the manufacture of the idea that both texts were arguing about. Each of these is well studied within its own field. The fields do not read one another, and the argument depends upon putting them side by side.

This places the thesis in the third of the three positions a historiographical introduction can occupy. It is not that nobody has written on these materials, nor that there are gaps in an otherwise settled account. It is that a good deal has been written, in separate literatures, and that reading them together complicates what each concludes on its own. Goldenberg’s account of the Curse of Ham does not need Virginia to be true. Gerbner’s account of how “white” displaced “Christian” in colonial lawbooks does not need Timbuktu. The claim here is that the sequence they jointly describe, essence manufactured, exit closed, essence invoked to explain the closure, becomes visible only when the two are set against each other.

Three Threads

Three lines of inquiry pass through the chapters rather than having chapters of their own, because on this account they turn out to be describing the same thing from different sides.

The first is Marxist. It asks who owns the labour and how the surplus is extracted, and it explains a great deal about why slavery took the forms it did: why Atlantic slavery was hereditary where Roman slavery was replenished by conquest, and why the Merina state converted emancipation into forced labour in 1877. Its limit, to which Chapter IV returns, is that it predicts that improving the terms on which labour is sold should improve the position of those who sell it. The evidence is that this happens only partly, and that the shortfall is patterned by race.

The second is feminist and womanist. Hereditary status is passed on through birth, which means that the rules governing slavery were always, at their fundamentals, rules about women's bodies and their children. Virginia decided in 1662 that a child's condition followed the mother's, and in the same motion made the father legally irrelevant. Islamic law, in its treatment of the enslaved mother of her master's child, made the father's status count instead. The choice of parent decided whether the children could leave, and it is the single most consequential technical decision in the legal history considered here. Womanist theology, through Delores Williams's reading of Hagar, supplies the scriptural counterpart of that rule, and Chapter II takes it up.

The third is religious. It ponders to what extent religion is a doctrine one holds and to what extent it is a status one is assigned, and it recurs in these chapters as the exit that was tried most often and closed most deliberately: from the Saharan jurist insisting that faith protected, to the Virginia Assembly deciding that it did not, to an Indian court in 2026 holding that a Dalit who had converted to Christianity could no longer claim the protection of the atrocities legislation. The closure does not forbid conversion. It converts religion from a status into an observance, which is more durable than prohibition because no one has been refused anything.

All three return to one question: who passes status on to children, and can anything interrupt it? Closure is what happens when the answer to the second part is no.

Method, and a Defence of the Comparison

The method is comparative and textual. The thesis reads legal and religious texts closely and sets them against one another, using the secondary literature to establish context. No new archival or field research has been undertaken, and the argument does not depend upon any.

Comparative history of this kind has a well developed critical literature, and it is better to meet it than to hope a reader has not read it. In Theda Skocpol and Margaret Somers's classification, the design used here is a parallel demonstration of theory: cases are assembled to show that one posited mechanism operates across settings that differ in almost every other respect (Skocpol and Somers 1980). They identify the characteristic weakness of that design precisely. Because the cases are chosen by the theory, "the juxtaposed historical trajectories are not used to establish controls, only to show the theory at work again and again" (Skocpol and Somers 1980, 191).

The answer taken here is to build the controls in. Chapter I exists for that purpose. It assembles four societies in which the mechanism this thesis posits was available and did not produce the outcome: hereditary subordination, a vocabulary of descent, sometimes a vocabulary of colour, and an exit that worked. If closure were everywhere, the thesis would be unfalsifiable and therefore of no utility. Madagascar does the same work a second time in Chapter IV, from the other direction: a population majority African in ancestry, a full hereditary closure with a colour vocabulary, and no anti-Blackness produced by it.

Two further objections deserve naming. Heinz-Gerhard Haupt, summarising the methodological debate, notes that historical studies "must limit the number of case studies a comparative study can analyze," and that "normally, it is not possible to integrate more than two or three realities in a research project" (Haupt 2007, 702). The thesis has five principal cases and a contemporary coda, which is a provocation. The response is that the comparison here is deliberately asymmetrical rather than accidentally shallow. Two cases,

the *Mi'rāj* and the Virginia statutes, are read as texts in Chapter III and carry the argument. The others serve either as controls or as independent instances, each introduced to test one component of the argument, and they are handled through the specialist secondary literature rather than presented as independent histories. Declared asymmetry is a defensible design; undeclared asymmetry is not.

The second objection is the danger Haupt describes as ideal-type Eurocentrism, in which non-European material is appropriated to establish a European type. Given that two of the cases here are Saharan and Malagasy and a third is Japanese, the risk is real. The guard against it is that the type being established is not European. Virginia is not the model against which Timbuktu and Antananarivo are measured. If anything the direction runs the other way, since it is the Malagasy case that supplies the clearest documented instance of an exit and its removal, and the Japanese case that shows the operation working with no European involvement at all.

Limits

Three limits should be stated plainly.

The first is language. The thesis relies on English-language scholarship and on published English translations of Arabic sources. A substantial part of the historiography of Madagascar is in French, and the Malagasy sources are available to me only as other scholars have reported them. Where a French source is cited, as with Louis Molet in Chapter I, the English rendering is a working translation rather than my own. The Malagasy material is therefore used for a narrow comparative purpose, and not as the basis of an independent history.

The second is scale. The comparisons range from ancient Rome to contemporary India, and at this length none of them can be treated fully. The cases are chosen because each tests a different part of the argument, not because together they cover the history of race.

The third concerns what a textual method can establish. That a text does not contain a claim which later readers found in it is a fact about the text. That the claim appeared when

it became useful is a fact about chronology. Neither is a demonstration of motive. Where the thesis infers that an essentialising narrative was produced to explain a foreclosure already under way, the inference rests on the order of events, and it is stated as an inference.

The Chapters

Chapter I establishes that hierarchy without closure is the ordinary case. Rome, Islamic law, medieval Europe and the pre-colonial Malagasy highlands all held people in hereditary subordination, and all had ways out. Chapter II turns to Genesis 9, a text that curses Canaan and says nothing about colour, and follows the later interpretation that attached blackness to it, in a documentary record whose layers can be dated. Chapter III reads the *Mi'rāj* and the Virginia statutes together. Chapter IV follows the operation into the period after legal emancipation, in Madagascar in 1896 and Japan in 1871, and then into the present, where the failure of class, gender and religion to account for racial inequality turns out to be one finding rather than three. It closes with Olaloku-Teriba's challenge and with the Coloured case in South Africa. The Conclusion states what would have to be true for the argument to be wrong.

Chapter I

Exits That Worked

Hereditary hierarchical structure of one's kin is quite common. Hierarchies from which there is no way out are not. The distinction between the two is foundational for everything that follows, as an argument that turns on closure is worth nothing if closure exists in every other place. This chapter parses through four societies that held people in hereditary subordination while allowing them, or their children, to exit structured subordination. They are here to illustrate what the absence of closure looks like, so that its presence can be recognised later. This allows for falsification against the thesis.

Rome

Rome is the clearest case of hereditary subordination and exit. Rome was a society built on slave labour on an immense scale, and it freed slaves routinely rather than exceptionally. A slave formally freed by a Roman citizen had the capability to integrate into Roman society via citizenship, a *libertus*, with real if restricted rights.

The restrictions were genuine, and the Augustan legislation made them inelastic. The *lex Fufia Caninia* of 2 BC capped testamentary manumission on a sliding scale: an owner of between two and ten slaves might free up to half of them, an owner of between ten and thirty up to a third, of thirty to a hundred up to a quarter, of a hundred to five hundred no more than a fifth, with an absolute ceiling of a hundred freed persons however many were owned (Gaius, *Institutes* 1.42–46). The *lex Aelia Sentia* of AD 4 required that a slave be over thirty, held in Quiritary ownership, and freed by one of the three statutory procedures, by the rod, by the census or by will, if manumission was to confer citizenship (Gaius 1.17); a manumitter under twenty could free only by the rod and only with adequate cause shown before a council (Gaius 1.38–41). Slaves who had been branded, tortured or made to fight as gladiators and were then freed became not citizens but *peregrini dediticii*, assimilated to defeated enemies who had surrendered at discretion (Gaius 1.13–15). Those freed under thirty or by informal means became Junian Latins, free but not exactly citizens,

“Latins because they are assimilated to colonial Latins, Junian because they owe their freedom to the *lex Iunia*” (Gaius 1.22). The date of the *lex Iunia* is disputed and no firm one is asserted here; Pedro López Barja argues for around 7 BC or later, and describes the statute as giving juridical status to those who were living in de facto freedom while simultaneously excluding them from the citizenship (López Barja 2023, 93).

Freedmen also carried what Roman writers called the *macula servitutis*, the stain of slavery. Henrik Mouritsen devotes the second chapter of his study to this concept (Mouritsen 2011, ch. 2, 10–35), and his reading of it is not that it was a racial mark but that it pertained to one who had a dubious character, a working model concerning how a servile life may condition a slave, within a society that never justified slavery by nature or by descent.

The aspect with the most concern relates to the subsequent generation. In Niall McKeown’s summary of Mouritsen’s argument, “the absence of any justification of slavery based on race or ‘nature’ created, according to M., a situation where any ‘stain’ of slavery was largely a suspicion of the moral effect of a slave’s life experience upon an individual. This meant that any stigma from slavery largely disappeared with the children of ex-slaves” (McKeown 2013, 277). In cases where the sons of freedmen were attacked in politics, McKeown reports Mouritsen arguing, it was for their *novitas*, their newness, rather than their *servilitas*. Elizabeth Meyer’s review grasps the same interpretation and locates it at Mouritsen’s page 265, highlighting freedmen and their sons as “unmarked by a stigma of slavery” (Meyer 2011).

Both formulations are reviewers’ summaries rather than Mouritsen’s own words, which I have not been able to read directly, and the claim is attributed accordingly.

The picture is not perfectly clean, and McKeown himself immediately complicates it. He objects that “when he suggests, however, that freedmen and their children were largely stigmatised because they represented parvenus par excellence who had risen from nowhere rather than because of their connections with slavery, one wonders why the ex-slave ‘origins’ of individuals could sometimes be cast in their face many generations after the fact (e.g. Aulus Gabinius, cos. 58 B.C.)” (McKeown 2013, 278). The example repays a

moment's care. The allegation of servile descent attaches to an earlier Aulus Gabinius, tribune in 139 BC, whom the *Oxford Classical Dictionary* records as allegedly the grandson of a slave; the consul of 58 was probably his grandson in turn. No currently surviving text attacks the consul himself on that ground, and Cicero's jibe at the tribune, "ab homine ignoto et sordido" (*De legibus* 3.35), is an attack on obscurity rather than on slavery.

That qualification advances in favour of the thesis rather than against it. Even on McKeown's own example, what survives four generations is a rumoured ancestral lineage, not a structured status. The sentiment outlived the condition and the condition did not form a category. Descent from a freedman did not cement one's own legal position, their social manoeuvrability or their place in the city, and within subsequent generations it ceased to mark anyone at all.

Islamic Law

Islamic law offers a second case, and a more complicated one, because the exits it provided were open in principle and, for one population, closed in practice.

The law gave several routes out of slavery. Manumission was an act of religious merit, and in a set of specified cases it was a required expiation, *kaffāra*. The Qur'ān prescribes it for unintentional homicide, where the killer "must free a believing slave and pay blood-money to the victim's family" (Q 4:92); as one option among three for a broken oath, alongside feeding or clothing ten poor people (Q 5:89); and for retracting the formula of *ḡihār*, where the husband "must free a slave before they touch each other" (Q 58:3). Classical jurisprudence adds a fourth, from hadith rather than from the Qur'ān: breaking the Ramadan fast by intercourse. Al-Ḥalīmī's treatment, translated by Jonathan Brown, states that God "made manumission obligatory in expiations (*kaffārāt*), as He did in providing food and clothing as well as fasting," and records the same four occasions (Brown 2024, translating al-Ḥalīmī).

The *mukātaba* contract, grounded in Qur'ān 24:33, allowed a slave to purchase freedom in instalments. Ramon Harvey translates the relevant clause as an instruction to

owners that “those who desire an indenture (*al-kitāb*) from amongst your slaves, write [a mutual contract] with them (*fa-kātibūhum*) if you see good (*khayr*) in them and give them from God’s wealth (*māl Allāh*) that he has given you” (Harvey 2019, 68). The contract gave the *mukātab* a legal status distinct from that of other slaves, typically a total price payable over a set term.

What the schools disagreed about was whether an owner had to accept such a request. Harvey’s reconstruction of the early exegesis is that an initially dominant emancipatory reading of the verse as an obligation within early Medina is preserved for over a century in Mecca, finding a home in Basran Ibādī scholarship of the late second or eighth century, while the dominant proto-Sunnī approach, centred in Iraq, adopts the formerly minority opinion that the contract is merely permissible (Harvey 2019, 76–87). On the obligatory side he places ‘Umar, ‘Uthmān, Ibn ‘Abbās, the early Meccans following Ibn ‘Abbās, and the Ibādīs; on the permissive side ‘Alī, al-Ḥasan al-Baṣrī, Abū Ḥanīfa, Mālik b. Anas and Sufyān al-Thawrī.

The most important provision for this thesis concerns the enslaved woman who bore her master’s child. Such a woman, the *umm al-walad*, could not be sold, and became free on her master’s death. Younus Mirza traces the rule to the caliph ‘Umar, who intervened when such a woman was sold, and shows that all four Sunni schools incorporated his ruling into their authoritative opinions, while the Shi‘i schools followed ‘Alī, who had permitted the sale (Mirza 2017, 298–314, at 306). The child of such a union was born free (Bashir 2026).

The rule matters because it is a route out of slavery that runs through a woman’s body and her children, and because it makes the father’s status, not the mother’s, the one that counts. Chapter III sets it against the rule Virginia adopted in 1662, which did the reverse. The comparison shows that whether a child inherits bondage is a legal choice about which parent to follow, and that the choice decides whether the exit stays open.

Doctrine and practice, though, came apart, and the gap is where the interesting work happens. In his study of the Niger Bend, Bruce Hall shows that the categories *bīdān* and *sūdān*, usually translated “whites” and “blacks,” did not follow skin colour. Scholars in

West Africa and the Maghrib “almost always defined people who claimed Berber or Arab origins as ‘*Bidan*’ or ‘Whites’, regardless of their actual skin colour” (Hall 2011). What decided the matter was genealogy, a claim to Arab or Berber Muslim ancestry, and people who could not make that claim were placed on the other side of the line. A body of law with unusually open exits was, for people classified as black, much harder to use. Chapter III picks that up.

Medieval Europe

A third case comes from medieval Europe, and here the historiography is useful because it cuts against a position this thesis might be expected to take.

Robert Bartlett’s study of how medieval writers used words such as *gens* and *natio* concedes a great deal to those who find race before modernity. Those terms, he notes, “imply, etymologically, a concept of races as descent groups,” and belong to “the genealogical idiom of much medieval thinking,” in a world “in which blood and descent were seen as fundamental” (Bartlett 2001, 44). But he raises the resemblance to modern racism only in order to set it aside: “although it may seem that medieval racial thinking was just as biological as modern pseudoscientific racism, it had as inbuilt components the common descent of all human beings with, as a necessary corollary, the implication that races had developed over the course of time” (2001, 45).

His conclusion therefore goes the other way. “For the majority of medieval writers,” Bartlett writes, “ethnicity was defined by and manifested in culture as much as, or more than, descent” (2001, 46). When Regino of Prüm distinguished nations by “descent, customs, language and law,” only the first of the four was biological, and “customs, language, and law are the outcome of socialization and hence are changeable.” Nor, Bartlett adds, “do *gentes* have to be immutable”: after the Viking conquests, the Northumbrians and the Angles “coalesced with the Danes into one *gens*” (2001, 43). And because medieval writers traced all peoples back to the lineage of Adam and Noah, peoples were historical formations that had come into being and could change, rather than fixed types.

Bartlett is often cited by scholars who argue that race existed in the Middle Ages, because he took medieval ideas of descent seriously. His real finding diminishes their case, and on the argument made here it is the stronger piece of evidence. A vocabulary of descent with an open exit is not racialisation. Bartlett serves this thesis as a measure of control: a society that thought in terms of blood and lineage and still treated the groups it named as changeable.

The Iberian *limpieza de sangre* statutes of the fifteenth century onwards are the obvious counter-instance, and they belong to the other side of the argument rather than to this chapter. What makes them different is precisely that conversion had happened and was ruled insufficient. The *converso* had taken the exit and found it did not lead anywhere, which is the structure Chapter III describes in Virginia.

The Malagasy Highlands

The fourth case is the closest to this thesis's concerns, and the one that calls for the most care.

Merina society in the highlands of Madagascar ordered people according to descent, and the architecture of that ranking has four positions rather than three. Marco Gardini states it precisely: "In Imerina, individuals who were not enslaved belonged to three, generally endogamous, categories: the *andriana* ('nobles', i.e. people belonging to families with kinship ties with current or past sovereigns), the *hova* (the commoners), and the *mainty* (literally 'black people', who were 'servants' of the king and often enjoyed important political and economic positions). All these categories were equally exposed to *fanompoana* due to the sovereign, albeit often with different tasks according to their status. Slaves (*andevo*) belonged to a fourth statutory group that was excluded from *fanompoana*; they were legally considered to be the exclusive property of their masters, they were not recognized as legal parents of their children, and they were socially perceived as impure and dirty (*maloto*)" (Gardini 2022, 234).

Three features of that passage matter here. On Gardini's account the *mainty* were not enslaved, and often held position and property. Obligation to the sovereign,

fanompoana, ran across all three free categories and was a mark of inclusion rather than of belittlement, which is why exclusion from it defined the enslaved. And the legal disability that defined the *andevo* was a kinship disability: they “were not recognized as legal parents of their children.” Natal alienation, in Patterson’s term, is written into the definition.

The third category is harder to place than that summary suggests, because the sources disagree about its status. Louis Molet, in a study of the Malagasy vocabulary of slavery, gives its fuller name, *Mainty enin-dreny*, the “Blacks of the six mothers,” and says it was bestowed by Andrianampoinimerina when he gathered three groups, the *Tsiarondahy*, the *Manisotra* and the *Manendy*, into a single caste and settled them in villages of their own. All three, on Molet’s account, were freed people, *affranchis*; but he ranks them below the free *hova*, and treats the *mainty* and the *andevo* as together forming one caste (Molet 1974, 56, 58). Jacqueline Ravelomanana, working from the Malagasy *Firaketana*, calls the *Maintienindreny* a hierarchy of royal slaves, and then qualifies this herself: the *Manisotra* and *Manendy* “remained free families like the Ambaniandro, while still belonging to the category of ‘the Blacks of the six mothers’.” The category seems to have been mixed, free in some of its parts and servile in others, and to have sat on the boundary between freedom and slavery rather than clearly on one side of it. The course taken here is to follow Gardini’s four-category scheme, the most recent account and the one available in English, while recording that the line it draws between the *mainty* and the *andevo* was contested.

Against the view that the Black-White binary is simply a European colonial export, the vocabulary of the broad division, *fotsy* and *mainty*, “white” and “black,” is inherited from the Austronesian language family rather than borrowed from Europeans, and this can be directly cited rather than asserted. The Austronesian Comparative Dictionary reconstructs Proto-Malayo-Polynesian **putiq*, “white,” with Malagasy *fótsi* among its reflexes alongside Tagalog *putí?*, Malay *puteh* and Javanese *putih*; and Proto-Malayo-Polynesian **qitem*, “black,” with the stative prefix giving **ma-qitem*, of which Malagasy *ma-inty* is the regular reflex (Blust and Trussel, ACD). That *mainty* is transparently **ma-*

plus **qitem* is itself the evidence of inheritance. The colour terms are older than any contact with Europe by a drastically large margin.

What the words do not show is that the binary is equally old, and the scholarship is clear that it is not. The racial sense of *mainity* is recent. Gardini describes it as a category “that, from being a privileged one in the past, slowly became a synonym of *andevo* and African origin” (Gardini 2022, 236), and he records that the change began when, “after abolition, many slaves tried to be recognized as *mainity* in order to avoid the stigma of slavery” (2022, 236 n. 9). David Graeber, who is careful not to call the terms simply the product of missionary influence, adds that they “go back to 19th century social classifications which, however, originally had a very different meaning” (Graeber 1997, n. 15). Molet makes the same observation about the Merina in the older period: the *mainity* were generally darker-skinned than the *hova*, but colour, he says, never really carried discriminatory weight (Molet 1974, 58). Among the southern Betsileo, meanwhile, the idiom of slave descent is not colour-coded at all; it is the language of clean and unclean.

That is not a weakness in the case. It is the thesis in miniature. An old word for a privileged category acquired an essentialising, racial content only once abolition had closed the older ways out of slavery, and it acquired that content through the very people who tried to use it as an exit. The vocabulary is Austronesian. Its racial meaning followed the closure.

The sharpest form of evidence for how people left slavery in the highlands comes from the Betsileo to the south of Imerina, and it should not be read as evidence about the Merina without that qualification. Denis Regnier’s fieldwork was in a southern Betsileo community of about five thousand people, which he calls Beparasy (Regnier 2015). Among his sources is a nineteenth-century manuscript by a Betsileo noble named Isambo describing a ritual called *manozala*, “washing the tongue,” a variant of the *mikao-dela*, or “scratching of the tongue,” still described to Regnier by people in the area. The ritual, he writes, “is presented as a ritual that could be performed with two different aims: to reintegrate people who had been freed from slavery, or to reintegrate children who had been previously repudiated by their parents” (Regnier 2015, 162). Once this ritual had finalised, the family could count the person again as one of its members, and he or she could be

buried in the ancestral tomb (2015, 163). Regnier's conclusion is that "it was always possible to ritually remove the deep uncleanness associated with enslavement" (2015, 162). Slaves could also, he notes, "work in addition to their duties, save money and buy themselves back from their masters" (2015, 161).

The ritual is worth dwelling upon because of where it put the freed person back. In the highlands the family tomb was the epicentre of kinship, the proof of belonging to a line, and the claim to its land. To be buried in it was to be counted among the ancestors. The exit from slavery therefore ran through kinship: it did not simply release a person from a master but readmitted them into a family, living and dead. Chapter IV shows what happened when that route was removed.

As a prerequisite, two limits need stating. Isambo was himself a free-born noble who had been kidnapped and sold, so the documented case is of someone restored to a status he had lost. Regnier's evidence on those born into slavery cuts both ways. On one side he finds "no historical evidence that a strong stigma or taint comparable to that of today's slave descendants was attached to having been a slave during part of one's life or to having ancestors who had been enslaved" (Regnier 2015, 163), which is an argument from silence, but a telling one. On the other, the ritual worked by returning a person to a descent group, and "a large number of slaves whose forebears had been born into slavery for several generations had been severed from the links with their descent groups" (2015, 164). The exit was genuine for those with a family to return to, and much harder in practice for the slave-born, who had none. And the evidence is Betsileo, not Merina. Even with these limits, the southern highlands had a hereditary servile category, a lexicon of colour, and an exit that worked, at least for those who had been freed.

What the Cases Show

Set side by side, the four cases show exits of varying systems. Rome offered a legal exit through manumission, and one that worked across generations, irrespective of whatever insults survived it. Islamic law offered a contractual exit through self-purchase and a reproductive one through the *umm al-walad*, though practice restricted both for

people classed as black. Medieval Europe offered a cultural exit, through language, law and custom. The Betsileo offered a ritual exit back into kinship, into the family tomb.

None of this makes these good places to have been a slave, and the chapter is not an argument that they were. The claim is narrower. Hereditary subordination, even harsh and long-lasting subordination, is not in itself racialisation. In each of these societies the group at the bottom could, in principle and often in fact, be left. What needs explaining is not hierarchy, which is common, but the closing of the ways out, which is not. The rest of the thesis follows three places where they closed.

Chapter II

Genesis 9, and the Manufacture of Essence

A Text That Does Not Say What It Is Taken to Say

The text on which four centuries of Atlantic slaveholders, and their predecessors in the Islamic world, rested a theory of hereditary bondage is nine verses long, and it does not say what it is taken to say.

After the flood Noah plants a vineyard, drinks the wine, and lies uncovered in his tent. Ham, his son, stumbles upon his father's nakedness and tells his brothers, who walk in backwards and cover him without looking. Noah awakes, learns of the situation, and invokes a curse. The curse falls not on Ham but rather on Canaan, Ham's son, who does nothing in the narrative at all, and its content is servitude. Skin colour appears nowhere in the passage. Neither does the continent of Africa. The Hebrew Bible's references to Kush, conventionally rendered Ethiopia, carry no pejorative charge.

David Goldenberg, whose account this chapter follows, puts the two omissions in a single sentence: "The Bible says nothing about skin color in the story of Noah, but this feature was somehow woven into the biblical text" (Goldenberg 2017b). And on the identity of the cursed: "Even putting aside for the moment the fact that according to the Bible it was Canaan, not Ham, who was cursed, why was Ham identified with black Africa?" The received name of the doctrine, the Curse of Ham, contains an error about its own text.

This chapter is here for a methodological reason as much as a substantive one. Everywhere else in this thesis the essentialising narrative has to be inferred from its effects. Here it can be watched accumulating, in a textual tradition whose layers can be dated, and the order of events can be established rather than reconstructed.

How the Fusion Happened, and When

Goldenberg's argument is that the fusion of blackness, curse and slavery is a post-biblical development, layered onto the text by later interpreters in societies that were

already enslaving black Africans (Goldenberg 2003; 2017a). As Molly Levine summarises the earlier book, the passage “neither uses the Hebrew word for black (Kushi) nor curses Ham”; the theme becomes “common in Near Eastern sources” from the seventh century and surfaces in Western Christian writers only much later (Levine 2004).

Goldenberg’s own account of the causes is a list of four, and it is quoted here in full because it is unusually candid about how much of the doctrine is accident:

“In sum, in regard to Noah’s curse, four factors were at play during the first six or seven centuries of the Common Era: explanation, an attempt to make sense of the Bible; error, a mistaken recollection of the biblical text [that Ham was cursed]; environment, a social structure in which the Black had become identified as slave; and etymology, a mistaken assumption that Ham meant ‘black, dark.’ The combination of these factors was lethal: Ham, the [assumed] father of the black African, was cursed with eternal slavery. The Curse of Ham was born.” (Goldenberg 2003, 167; quoted in Adams 2005, 157.)

Three of the four are intellectual accidents: a misremembering, a false etymology, and the ordinary exegetical impulse to make sense of an obscure passage. The fourth is not an accident at all. “A social structure in which the Black had become identified as slave” is not a mistake about a text. It is a description of a world, and it is the one that does the work. The other three supply the material; the social structure supplies the motive for assembling it in that particular way.

The dating supports the reading. On Goldenberg’s account the identification emerges in Muslim literature after the seventh-century conquests, at the point when, in the phrase Stirling Adams’s review preserves, “the Black became strongly identified with the slave class in the Near East, after the Islamic conquest of Africa” (Adams 2005). Christian writers in the West adopt it much later, and it is in the sixteenth century that its most damaging form comes to full fruition there.

That form is the most crucial one, and Goldenberg distinguishes it carefully. There is a *single* curse, in which blackness is the mark of a people cursed with slavery, as in the Syriac *Cave of Treasures*; and there is a *dual* curse, in which the curse itself produces both

the blackness and the bondage. His comparison is exact: “As opposed to seeing blacks as the descendants of the one cursed with slavery, as in the Syriac *Cave of Treasures* (‘... and his descendants were reduced to slavery, and they are the Egyptians, the Kushites, the Indians, and the Musraye’), a dual curse more profoundly and more insidiously ties blackness to servitude, for dark skin is now either a result of the curse of slavery or occurs with it as part of the curse” (Goldenberg 2017b). The dual form appears in al-Kisā’ī’s *Tales of the Prophets*, where Noah says: “May God change your complexion and may your face turn black! ... May He make bondswomen and slaves of Ham’s progeny until the Day of Resurrection!”

The distinction is not antiquarian. Under the single curse, blackness is an identifying feature of a people who happen to be under a curse of servitude: it labels them. Under the dual curse, blackness *is* the servitude, visible on the body, and the two cannot be separated because the same act produced both. That is the difference between a mark and an essence, and it is the precise textual form of what this thesis means by an essentialist claim.

Goldenberg’s conclusion concerning the transatlantic career of the doctrine is equally exact about what it was for: “From Europe the Curse of Ham came to British colonial America, where it was used to justify black slavery as early as 1700 and continued well into the 20th century. As in Europe, in America too the dual-curse version was common, and as in Europe the popularity of the dual curse was a reflection of the increasing debasement of black skin. There is, however, a significant difference between Europe and America. The percentage of those resorting to the Curse to justify black slavery as opposed to explaining the origin of dark skin is much greater in America than in Europe” (Goldenberg 2017b, citing *Black and Slave*, 146–59).

Read against the thesis, that is a finding about function. The very same story is available on both sides of the Atlantic. In Europe it is used mostly to explain where dark skin came from. In America it is used to justify captivity. The story does not change; what it is wanted for does.

The Persian Evidence, and an Objection

The same amalgamation is legible in Persian sources, and one article assembles them. Minoo Southgate surveys tenth- to fourteenth-century Iranian writings and finds the curse circulating there too. The geographer al-Qazwīnī (1203–83) states that “It is said Noah cursed his son Ham and Ham’s color turned black,” which is the dual curse in a dated Persian source; and al-Mas‘ūdī traces the Nubians, Beja, Zanj, Zaghawa, Kanim, Maranda, Songhai, Gao and Ghana back to Ham (Southgate 1984, 14).

Southgate also documents the competing naturalistic explanation, which matters for Chapter III. In her summary, Avicenna held that an intemperate climate “stunts certain peoples’ development, rendering them suitable to be slaves,” and in the *Book of Healing* he allotted menial work to the Turks and “the blacks in Africa,” calling them “peoples who are by their very nature slaves” (Southgate 1984, 14–15). Ibn Khaldūn, she notes, “attempts to prove the biblical story invalid and to expound the climate theory and its implications” (1984, 15). That is worth holding onto: when Ahmad Bābā cites Ibn Khaldūn against the curse in Chapter III, he is citing an authority who had replaced one essentialism with another.

Southgate’s own conclusion is a direct objection to this thesis and should be met instead of avoided. She writes that “the theory that such images are invented to justify the enslavement of a certain group is weakened by the fact that slavery was accepted in ancient and Islamic Iran, and there was no need for its justification,” and that it “is further shaken when we consider that there were many groups of slaves in Iran, and only blacks were the object of violent racial attacks” (1984, 26). Her own preferred explanation is colour-consciousness and the perception of blacks as the Other, which she concedes is “at best only a partial one.”

Two replies. The first is that she misplaces what needed justifying. What required a criterion was never slavery as such but who might lawfully be enslaved, and in Islamic law that question is ineluctable, because Muslims may not enslave Muslims. Her own earlier pages establish the stakes, describing a Persian Shirazi dynasty ruling the East African

coast for more than five hundred years and prospering through a flourishing slave trade (1984, 6).

The second is that her strongest objection is this thesis's most potent testament. She reports that "little stigma was attached to the slave status of the mamluks and palace *ghulams*, some of whom rose to high positions and married into the royal family" (1984, 9), while the *Qabusnamah* "does not recommend blacks even for kitchen service" (1984, 8). Turkish slaves rose to command and founded dynasties; Slavs, Armenians and Hindus were slandered, but none of them became the object of an attack like the one reserved for the Zanj. A single society, a single legal status, and two outcomes. The reason only blacks attracted the fierce attack is not that Persians found them stranger. It is that only their category failed to dissolve, and the invective is what a closed category generates. Southgate has the correlation and reads it in the wrong direction.

Two further items from her survey belong here. In the *Darabnamah*, the Zanj "pretend to accept Islam and are massacred when this falsehood is discovered" (1984, 21): conversion offered, disbelieved, and punished, which is the structure of Chapter III appearing in a Persian romance. And in Rumi's *Masnavi* the Prophet rewards an Ethiopian slave by blessing him white, so that "the Abyssinian negro became white as the full moon" (III, 3166–73, at 1984, 12). Set beside the proverb Southgate records, that you cannot wash the Zangi white, the exit is first declared an impossibility and then made possible only by a literal miracle.

Two cautions belong with this evidence. Southgate herself notes that "Persian sources revealing prejudice against blacks are not numerous," and that many of the medieval works she examined "make no mention of blacks" (1984, 4). Her sources, moreover, are romances, poetry, proverbs, geographies and works of philosophy: what they document is the imagination of a literate elite rather than a measure of everyday social attitude. The article also belongs to its moment. Southgate reads her material alongside Bernard Lewis's *Race and Color in Islam* (1984, 10), and she explains that she undertook it in 1979, after Khomeini's release of the black American hostages, "to set the record

straight” (1984, 3). None of this weakens the textual evidence she assembles, but it is a reason to rest the argument on the texts she quotes rather than on her reading of them.

Braude, and Why the Two Accounts Are Complements

Benjamin Braude’s work offers the European half of the story, and is complementary to Goldenberg’s rather than any antithesis to it. Goldenberg cites him in support, as one of the studies that challenge the older view that Christian writers took the idea from rabbinic sources (Goldenberg 2017a, 18 n. 16).

Braude shows, in David Brion Davis’s summary, that “medieval and Renaissance writers often identified Ham with Asia, not Africa,” and Davis adds that “the supposed curse of Ham was used to justify European serfdom as well as the medieval enslavement of Slavs, Turks, and other peoples” (Davis 2006, summarising Braude 1997). In Latin Christendom, then, the curse was for a long time a general-purpose justification for servitude, unattached to any distinct people or group. It began to settle on Africans once the Portuguese were trading in them: Davis singles out Gomes Eanes de Zurara’s chronicle of 1453, written as the Portuguese trade on the West African coast was getting under way, as the most famous early example of the idea in a Christian nation (Davis 2006). Braude’s wider work dates the firm attachment later still, to the Atlantic trade of the eighteenth century (Adams 2005).

The two accounts are not in dispute, and the point matters for the argument. Put together, they narrate something more precise than “the curse was racialised.” The same story operated differently in different places, and in each place it settled on black Africans at the point where black Africans became the people being enslaved. Braude’s medieval Europe, which had the text and used it on Slavs, is the control case for Goldenberg’s Near East, which had the text and used it on Africans. A claim can sit in the exegetical literature for centuries without doing much. What the thesis wants to know is when the story became available to explain a foreclosure, and on both accounts the answer is the same: when the enslaving began.

What This Chapter Can and Cannot Establish

Two caveats are necessary here, and the first is not merely a matter of tact.

Jews appear in this thesis in two capacities: as a population subjected to descent-based exclusion, in medieval England and in the Iberian *limpieza de sangre* statutes, and as transmitters of an exegetical tradition in which some of this material first appears. Both are historically real, and Goldenberg, who is a scholar of rabbinic literature, handles the doubling with care. The consequential career of the Curse of Ham was overwhelmingly Christian and Islamic, contrary to the assumption that it was rabbinic, and Goldenberg and Braude agree on the point. The rabbinic material is early and comparatively marginal to what the doctrine later became, and the thesis says so here rather than leaving a reader to assume otherwise.

The second caveat concerns inference. That a text does not contain a claim which later readers found in it is a fact about the text, and one that is documented precisely. By itself it is not evidence about why they found it there. The inference this thesis draws, that the accretion served to explain an enslavement already under way, is supported by the ordering of events rather than demonstrated by it.

That ordering is the same one Barbara Fields identifies for the American case. A commonplace, she writes, “holds that people are more readily oppressed when they are already perceived as inferior by nature. The reverse is more to the point. People are more readily perceived as inferior by nature when they are already seen as oppressed” (Fields 1990, 106). Genesis 9 is a case where that sequence is legible in a documentary record rather than reconstructed from its outcomes, which is why it earns its own chapter. It is also, for the same reason, the chapter where the thesis is least exposed. If the essentialist claim really did come first, the exegetical record would show the fusion of blackness and curse preceding the identification of black people with the slave class. On Goldenberg’s dating, it does not.

Hagar, and the Other Enslavement in the Same Book

There is a second enslavement in Genesis, and it has a separate scholarly tradition attached to it.

Hagar, Egyptian, enslaved, made a surrogate at her mistress's instruction, and then expelled into the wilderness with her son, has been the central figure of womanist theology since Delores Williams's *Sisters in the Wilderness* (1993). Williams reads Hagar's story as one of survival and quality of life rather than of liberation. In Gary Dorrien's summary, the story "shows God helping Hagar to survive and to achieve a minimal quality of life by her initiative," and taking it seriously "precludes any claim that God always works to liberate the oppressed" (Dorrien 2022). Williams faulted James Cone and the liberation theologians for working, as Dorrien puts it, "with only one strand of the Bible, looking past the fates of the oppressed in it": the Exodus delivers the Hebrews, but the enslaved woman is not delivered. When Hagar first flees, God "tracked her down in the wilderness, telling her to return to Sarah and slavery" (Dorrien 2022).

Read against the present thesis, the relevant features of the narrative are structural. Hagar is sent back into slavery once and then expelled without being freed, which is exit without manumission, the precise combination that Chapter IV finds in Madagascar after 1896 and in Japan after 1871: released from a relation and left with nothing that would let the release take effect. And her son's condition follows hers, which is the reproductive rule the whole argument turns on. The same book supplies the text used to justify hereditary bondage and the text through which the reproductive mechanism of that bondage has been most closely read. That is not an ad hoc connection the thesis has had to manufacture, and it is one reason the religious thread and the feminist thread in this argument arrive so insistently at the same place.

Chapter III

1615 and 1667

Al-Jīrārī's difficulty concerned pragmatics rather than theology. As a merchant of the trans-Saharan trade he handled captives, moving them north across the unforgiving climate of the Sahara. Among them he met people who said they were Muslim, and Islamic law placed fundamental limits on the enslavement of Muslims. A wrongly held Muslim was not simply a bad bargain but a transgression of God's law, and the merchant who held him was in sin and would require expiation. So he consulted the most eminent scholar available, and the scholar answered at length.

Ahmad Bābā's reply turned on the legal grounds of enslavement rather than on the identity of the enslaved, and that is what creates utility for our understanding. Enslavement was lawful only through a legitimately constituted jihad against unbelievers. Only a handful of wars met the criteria. Muslims could not make war on other believers, and where they did so they could not lawfully enslave those who had submitted to Muslim authority. Applied to al-Jīrārī's cases, the conclusion followed directly: the peoples in question had never been conquered but had accepted Islam of their own volition, and so could not lawfully be held captive by fellow Muslims. By law, Black Muslims were to be treated exactly as other Muslims with respect to "enslaveability."

The treatise also takes on the Curse of Ham succinctly, which is where Chapter II and this one intersect. Timothy Cleaveland describes the *Mi'rāj* as a work that "criticised the association of 'Black' Africans with slaves, especially through the racialised version of the curse of Ham" (Cleaveland 2015). Ahmad Bābā rejected the story as inauthentic and grounded enslavement in unbelief rather than descent.

Bruce Hall's reading of the treatise bears this out, with one qualification. Ahmad Bābā, Hall finds, "seems non-committal about the question of the Hamitic origins of the 'Blacks'" but "does reject the story of Noah's curse of Ham," "although he later suggests that perhaps the curse on Ham was effective on most of Ham's descendants, but not all of them" (Hall 2005, 351). The principle on which he rests the matter is stated plainly: "you

know that the cause of enslavement is unbelief” (Hunwick and Harrak 2000, 27, quoted in Hall 2005, 351–52). He then turns to Ibn Khaldūn’s environmental theory of racial difference (Hall 2005, 351), and Ibn Khaldūn had already disposed of the scriptural reading: “The curse of Noah upon his son is there in the Torah. No reference is made there to blackness” (Ibn Khaldūn, *Muqaddimah*, trans. Rosenthal, quoted in Hall 2005, 349–50).

So the *Mi‘rāj* does two things at once. It rejects the scriptural story that had been orchestrated, over the previous nine centuries, to tie blackness to bondage, and it refuses the practical closure of the religious exit that the story was being used to justify. Chapter II traced how that story was made. Here it meets someone arguing against it, half a century before Virginia, in Arabic, in a Black West African city.

It would be an error, though, to make the treatise simpler or more congenial than it is. The same text, Cleaveland notes, “defined much of West Africa as non-Muslim or lightly Islamised, and thereby sanctioned the targeting of these peoples for enslavement” (Cleaveland 2015). Ahmad Bābā narrowed the category of the enslaveable by religion, and in the same motion drew a map of where it remained lawful to take people. He was holding the religious exit open, and marking out who stood outside it. A criterion that protects the converted necessarily specifies the unconverted, and in a slaving economy that specification is a commercial document as well as a legal one.

The Answer from Virginia

The Virginia Assembly’s preamble records a difficulty of the same shape, arriving from the other direction. Masters had been declining to permit the baptism of enslaved children, uncertain whether the sacrament would carry emancipation with it.

The act, Act III of the September 1667 session, is titled “An act declaring that baptisme of slaves doth not exempt them from bondage.” Its text runs: “WHEREAS some doubts have risen whether children that are slaves by birth, and by the charity and piety of their owners made pertakers of the blessed sacrament of baptisme, should by vertue of their baptisme be made ffree; It is enacted and declared by this grand assembly, and the authority thereof, that the conferring of baptisme doth not alter the condition of the person as to his

bondage or freedom; that diverse masters, freed from this doubt, may more carefully endeavour the propagation of christianity by permitting children, though slaves, or those of greater growth if capable to be admitted to that sacrament” (Hening 1823, II, 260).

The second clause proves still more revealing, and it is the one that tends to be skipped. Having removed the doubt, the Assembly expects that masters, “freed from this doubt,” will evangelise more freely. The statute is not a restriction on the religion of the enslaved. It is a measure to make their conversion safe for property. Christianity is to be spread more energetically precisely because it has been rendered legally inert.

This is worth stating as a general form, because the thesis will address it again. The closure is not achieved by forbidding the exit. It is achieved by keeping the exit open and removing the effect of it. A person may walk through the door as often as they like; however, the door leads nowhere. That is a more durable instrument than complete prohibition, because a ban produces someone who was refused, and therefore a grievance, a complainant and a challenge, whereas this produces none at all.

The same reasoning turns up along the whole Anglophone Atlantic within sixty years, and the variations are instructive.

Maryland in 1671 passed “An Act for the Encourageing the Importacon of Negros and Slaues into this Province” (*Archives of Maryland* II, 272). Its preamble states that “Severall of the good people of this Prouince haue been discouraged to import into or purchase within this Prouince any Negroes or other Slaues,” and that those who did had “Neglected to instruct them in the Christian faith.” The act then declares that baptism “is not nor shall or ought the same be denyed adjudged Construed or taken to be or to amount vnto a manumicon or freeing.” The title is the tell. This is not a statute about doubt; it is a statute to encourage the importation of slaves, and removing the religious exit is the means.

Barbados took the opposite route to the same end. In April 1676 the island’s Assembly and Council passed “An Act to Prevent the People called Quakers, from bringing Negroes to their Meeting,” whose preamble complains that “of late many Negroes have been suffered to remain at the Meeting of Quakers as hearers of their Doctrine, and taught in their Principles; whereby the safety of this Island may be much harzarded [*sic*]” (The

National Archives, CO 30/2, 108–10). Enslaved people found at such meetings were to be forfeited if they belonged to Quakers, and other owners whose slaves attended were fined.

Four years later the argument was made in London. On 8 October 1680, the Journal of the Lords of Trade and Plantations records, the gentlemen of Barbados, Sir Peter Colleton among them, declared that “the conversion of their slaves to Christianity would not only destroy their property but endanger the island, inasmuch as converted negroes grow more perverse and intractable than others, and hence of less value for labour or sale.” The Lords resolved “to leave the Governor, Council, and Assembly to find out the best means for converting the negroes without injury or danger to property,” which became an instruction to Sir Richard Dutton, then going out as Governor. These words are those of the abstract printed in the *Calendar of State Papers*, not a transcript of the planters’ own speech (*CSP Colonial 1677–1680*, no. 1535, 611–12).

The Barbadian argument is the more honest of the two positions, and for the thesis the more useful. It concedes what Virginia’s statute conceals: that the objection to conversion was never doctrinal. Christianity was thought to make a slave harder to hold, not because the law said so but because a person who has been told he has a soul behaves like one. Virginia solved that by legislating the legal consequence away. Barbados solved it by keeping the enslaved out of the meeting house. Both are closures of the religious exit; they differ only in which end of it they block.

The metropolitan seal came in 1729, when the Attorney General, Sir Philip Yorke, and the Solicitor General, Charles Talbot, gave the opinion “that a Slave coming from the West Indies To [Great Britain] or Ireland, with or without his Master, doth not become free; And that his [Master’s] property or Right in him is not thereby determined or varied; And that Baptism doth not bestow freedom upon him, or make any Alteration in his Temporal [Condition] in these Kingdoms” (Northumberland Archives, ZMD 114/261). The opinion was given informally, “over after-dinner wine” at Lincoln’s Inn (Wiecek 1974, 93), and George Van Cleve observes that it “cited no authority, and provided no rationale. Yet it was written to be relied upon and was widely published” (Van Cleve 2006, 619). It was

nonetheless treated as an authoritative statement of English law for more than forty years, until Somerset's case in 1772.

What the Divergence Shows

It would be a great error to read the two answers as a contrast of moral temperature, and the thesis is not making that comparison.

Ahmad Bābā was not an abolitionist. The *Mi'rāj* argues about who may lawfully be enslaved, not about whether enslavement is lawful, and it leaves the institution entirely intact. Virginia's assemblymen were not uniquely callous; they were resolving a doubt that their Maryland and Barbadian counterparts resolved in their own ways within the same decade, and that English law officers would resolve the same way sixty years later.

The difference lies within the groundworks, as both societies had reached a point at which religious status could no longer be allowed to determine servile status, because the enslaved were converting and the religious criterion was consequently failing as a criterion. It was doing the opposite of what a criterion is for: instead of sorting people, it was dissolving the sort. Ahmad Bābā's response was to insist that the criterion be honoured and the conversions given effect. Virginia's was to remove the criterion's effect entirely while keeping the sorting.

Once the religious criterion was removed, something else had to do the work of marking who could be held. Katharine Gerbner, in an interview given after the publication of *Christian Slavery* (2018), describes that transition in a single sentence: "Over time, as enslaved people fought their way into Protestant churches, 'white' replaced the word 'Christian' in colonial lawbooks" (Gerbner 2019).

That sentence, from a historian of the Protestant Atlantic with no interest in Timbuktu, describes exactly the mechanism this thesis is arguing for. The religious marker fails. The boundary is redrawn on a ground that conversion cannot cross. The new ground is race. And the sequence runs in the order the thesis predicts: the closure comes first, as a practical necessity of holding property, and the new essential ground is found afterwards, to do the job the old one could no longer do.

Ahmad Bābā won the argument and lost the case. The later history of the trans-Saharan trade, and of black Muslims within it, is the record of that loss. The most evident instance comes before the century was out. In late seventeenth-century Morocco the sultan Mawlay Ismā‘īl ordered the enslavement of all black Moroccans, *ḥarāṭīn* included, for his black army, the ‘Abīd al-Bukhārī, whether or not they were free and whether or not they were Muslim (El Hamel 2013, 160–64). Chouki El Hamel titles that chapter “‘Racializing’ Slavery: The Controversy of Mawlay Isma‘il’s Project,” and it is hard to improve on the phrase.

The Moroccan case is the very outcome Ahmad Bābā’s treatise was written to prevent, arriving less than a century later within the same legal tradition. It is not that his argument was refuted *per se*, but rather that the criterion he was defending was overridden by an order, in exactly the way Virginia overrode it by statute. There were two legal systems with two instruments that both fell to the same result: religion stops protecting while descent becomes the deciding factor.

The *ḥarāṭīn* deserve more than the clause they have been given here, because they are the sharpest available instance of the thesis’s hypothesis. They were a free or freed population of black Moroccans, and Mawlay Ismā‘īl’s order treated that freedom as revocable. El Hamel’s own account says as much. The sultan commanded his officials “to enslave those who were free, including the Haratin (meaning free blacks or freed ex-slaves),” and the project “constructed a slave status for all black people, even those who were free” (El Hamel 2010, 89). The ground was colour and origin, not faith: “Skin color and the history of black slavery in Morocco were causes for enslavement, regardless of black people’s long integration into Moroccan society as full-fledged Muslims” (El Hamel 2010, 90). The *ḥarāṭīn* of Fez, “conscious of their freedom,” protested against the order in 1699 (El Hamel 2010, 92). A category whose members were recognised as free, and who could nonetheless be re-enslaved by decree on the ground of descent, is a category that has not dissolved.

Ahmad Bābā's Own Position

The *Mi'rāj* is not the work of a man defending his own people, and I think the thesis is stronger for saying so explicitly than for neglecting it.

Timbuktu had absorbed a racial vocabulary well before Ahmad Bābā was born. The Sankoré quarter, where the town's Berber and Arab scholarly families lived, his own among them, takes its name from a Songhay phrase sometimes glossed as "white masters" or "white nobles," the "white" corresponding to the Arabic *bīḍān*. The gloss is contested. Houdas and Delafosse, the French translators of the *Tarikh al-fattash*, are reported to have rendered the name simply as the quarter of the nobles or lords, with no colour term in it, and nothing below depends on the etymology.

Stated conditionally, the point is this. If the usual reading holds, a racial hierarchy was written into the street plan of a black West African city, in an African language, with no European involvement whatever. That is a hard fact for any account that treats race as a European colonial export. It should be handled carefully rather than deployed triumphantly, both because the etymology is disputed and because a place name is weak evidence for a social structure. What can be said without the etymology is that Hall's *bīḍān* and *sūdān* categories were operating in the Niger Bend in this period, that they turned on genealogy rather than complexion, and that Ahmad Bābā's own classification was contested in writing.

It was contested in a revealing way. Moroccans sometimes gave him the *nisba* al-Sudani. One of his Moroccan students wrote specifically to clarify that the term referred to residence rather than to race. West African scholars preferred al-Takruri, which named a region without naming a race. Ahmad Bābā used al-Takruri, al-Sanhaji, al-Masini and al-Timbukti of himself, and on the evidence available never al-Sudani. His patriline, the Aqits, claimed Berber and Arab descent. That a student found it necessary to settle his teacher's racial identity in writing is itself evidence of the line's existence and of its consequence.

So the author of the most substantial early refutation of racial slavery in the Islamic west did not consider himself to be on the enslaveable side of the line he was defending. His principal teacher, Muhammad Baghayogho al-Wangari, was of Mandé origin and in all

likelihood black. Mandé and Fulani scholarly families were on good terms with his own. The intellectual culture of Timbuktu in this period was predominantly West African, and scholarship crossed the line freely, while enslaveability did not.

That gap is the finding of great utility, and it generalises. A closure can be socially porous in one register, in teaching, patronage, friendship, shared scholarship, while remaining absolute in another. Ahmad Bābā's biography and his treatise are consistent with each other precisely because the line he was arguing about was not a line that governed whom he could learn from. It governed who could be sold.

This is worth carrying into Chapter IV, because it is the structure of the objection most often made to arguments of this kind in the present. The observation that a category is socially permeable, that people marry across it, work alongside one another, share a culture, is offered as evidence that the category is weakening. Timbuktu in 1615 suggests otherwise. Permeability in the registers that are visible is entirely compatible with closure in the register that decides what can be done to a person.

Chapter IV

Afterlives

The preceding chapters concerned closures performed by identifiable authorities, in texts that state their own reasoning. This one concerns what happens after the authority has gone and the text has been repealed. Its cases are two emancipations, twenty-five years apart, on opposite sides of the Indian Ocean, and then the present.

Madagascar, 1896

The French decree abolishing slavery in Madagascar was issued on 26 September 1896, after conquest, and it distributed no land. (Regnier gives the date as 27 September.) Those freed by it emerged without *tanindrazana*, ancestral land, and without a tomb, which in highland Malagasy society is at once the unit of kinship, the title to land, and the unit through which the state had historically reached its subjects. Most remained where they were, as dependants on the land of their former masters.

There was a precedent, and it is instructive as to what emancipation had already come to mean in the highlands. On 20 June 1877 Ranaivalona II freed the slaves of Mozambican origin, the *Masombika*. Gwyn Campbell describes the result as a major forced-labour programme into which, through a partial emancipation, the Merina state “transferred some 150,000 slaves” (Campbell 2005, Introduction). Klara Boyer-Rossol reads the same figure as a minimum number freed (Boyer-Rossol 2014). Both readings are probably correct about what took place: people left one kind of bondage for another. Emancipation in nineteenth-century Madagascar has a documented history of renaming a relation rather than ending it, and the Marxist thread in this thesis has no difficulty explaining why. A state that needs labour, and has just relinquished its claim to own the labourers, will find another claim. *Fanompoana*, obligation to the sovereign, was ready to hand.

What happened after 1896 is the evidential centre of this chapter. Denis Regnier’s ethnographic and cognitive work among the southern Betsileo finds that slave descendants

are essentialised by free descendants, treated as bearing an inherent and heritable uncleanness, and he argues that this essentialism was absent before colonisation. The abolition of 1896, in his formulation, paradoxically triggered the historical process of essentialisation.

The mechanism he proposes has two parts. “In other words,” he writes, “slaves were liberated by a colonial authority that had nothing of the traditional powers that could have freed them through an appropriate administrative procedure and cleansed them through an appropriate ritual” (Regnier 2015, 164). The second part is that established marriage practices made it difficult for the freed to marry into free families (Regnier 2012). The result, in the words of his later monograph, was that slaves “were transformed only superficially into free persons, while their inner essence remained unchanged and became progressively constructed as ‘forever unchangeable’” (Regnier 2021).

It is worth noting what the first part of the mechanism actually says. The ritual described in Chapter I was not abolished. It was rendered inapplicable, because the authority that freed these people was not an authority that could perform it. The French did not close the Malagasy exit. They emancipated in a manner that bypassed it, and the exit closed itself. This is closure without an agent who intended it, and the thesis should not pretend otherwise: the argument does not require that every closure be deliberate, only that it be performed. A colonial administration that abolishes a status without knowing what made the status reversible has performed a closure as effectively as an assembly that votes for one.

There is a second closure in the same period. Gardini records, in a footnote, that “after abolition, many slaves tried to be recognized as *mainity* in order to avoid the stigma of slavery. The unexpected consequence was that *mainity* became a synonym of *andevo* (see, for instance, Ramamonjisoa 1984)” (Gardini 2022, 236 n. 9). The freed, in other words, attempted to use the one remaining exit available to them, the adjacent free category of royal servants described in Chapter I, and their attempt to use it destroyed it. The category they were trying to enter was pulled down to meet them. Gardini’s account of the present bears this out: the dichotomy most used in the city today is between *fotsy* and

mainity, the latter being a category that, “from being a privileged one in the past, slowly became a synonym of *andevo* and African origin” (Gardini 2022, 236).

That finding is of great utility, and it generalises well beyond Madagascar. An exit that many people take stops being an exit. It is not that the freed failed to reach *mainity* status; a great many of them reached it, and the status followed them down. Closure here is not a gate being shut but rather a boundary being redrawn behind the people who crossed it. Compare Gerbner’s colonial lawbooks, where the Christian exit was crossed successfully by enough people that “white” had to be installed behind them.

The closure still operates through kinship. Among the southern Betsileo today, the children of a marriage between a free person and a slave descendant take the status of the slave-descended parent. Regnier records this in a footnote: “This is a case of hypodescent (Harris and Kottak 1963) because the children are automatically ascribed the status of the ‘inferior’ parent” (Regnier 2015, 154 n. 5). The consequence is a burial rule: such children “can only be buried in *andevo* tombs or, alternatively, in a separate tomb that the *olompotsy* build for them” (Regnier 2015, 154 n. 5). The tomb, which was once the place the cleansed were allowed back into, is now the place that records who cannot be.

A materialist account of stigma predicts the opposite. If the ideology exists to justify a material relation, destroying the relation should begin to dissolve the ideology. It did the reverse. The legal category ended and the ontological claim appeared. What this suggests is not that material relations are irrelevant, but rather that the ideology was never a justification of the relation. It was a justification of the closure, and the closure survived the relation.

Two limitations should be conceded before the finding is asked to carry weight. Regnier’s fieldwork concerns one southern Betsileo community, and *fotsy* and *mainity* are a highland idiom rather than an island-wide one, so the claim should not be extended to Madagascar as a whole. And the documented pre-colonial ritual restored freed individuals; it establishes that an exit existed, not how often it was used or whether the slave-born could use it.

Madagascar earns its place here for a further reason, and it is the reason the case is in the thesis at all. Across the island the population is majority African in ancestry: on average about 59 per cent African, 37 per cent Asian and 4 per cent West Eurasian, with the largest Asian component found in the central highlands and the largest African component in the north-east (Pierron et al. 2017; as summarised in Heiske et al. 2021). It produced a full hereditary closure, with a colour vocabulary, marriage refusal and post-emancipation essentialism. And yet the category it produced is not Black in any portable sense. *Mainty* marks servile descent, not complexion, and carries no meaning outside the highlands: a Malagasy slave descendant in London is not *mainty* to anyone. A population largely of African descent, the same operation, and no anti-Blackness. What the case isolates is that African descent alone does not produce the portable mark. The trade routes and the marking regime do.

Japan, 1871

The Meiji Emancipation Edict of 1871 abolished the *senmin* status categories, including *eta* and *hinin*. Alastair McLaughlan states it plainly: “Formal discrimination against all outcastes was abolished by the new Meiji government’s 1871 Eta Emancipation Edict (*Eta Kaiho Rei*)” (McLaughlan 2006, 1).

In the same period the Household Registration Law produced the registers on which the modern Japanese state was built. David Chapman: “The creation of the *jinshin koseki* through the Household Registration Law (*koseki hō*) (introduced in 1871 and implemented in 1872) played a critical role in the formation of a modern state” (Chapman 2011). Karl Jakob Krogness records that the 1872 registers “required that each administrative household be identified by family class (*zokushō*),” with entries for nobility, samurai, lower samurai, peasant, artisan and merchant, categories that “perpetuated the status pattern of Edo era society” and were abolished only in 1947 (Krogness 2014).

The decisive detail is a separate one, and the two claims should not be run together. Krogness’s *zokushō* categories do not include a former-outcaste entry. What marked the emancipated was a different notation. Chapman: “the new registries labelled the former

outcaste households with the term ‘new commoner’ or ‘original eta’ (*shinheimin/motoeta*) maintaining an identifiable differentiated status” (Chapman 2011). Amos and his co-authors describe the same designation as one that “legally marked particular communities in relation to their former outcaste origins in ways that continued to affect the households long into the postwar period” (Amos et al. 2021), and note that the 1872 registers “are particularly problematic documents for Burakumin as they can be used to demonstrate beyond much doubt the connections between particular individuals and outcaste ancestry.”

The register therefore outlived the status by more than a century as a working instrument. Krogness gives the timetable in a single passage: “Access to koseki copies have only very gradually been limited, beginning in the late 1960s. Not until 2008 did it become required for everyone, including the person in question, to show ID when requesting a koseki copy” (Krogness 2014). Chapman dates a particular legislative reform on public access to 1976; the two are steps in the same process rather than competing dates.

The most evident instance is the *Buraku Chimei Sōkan*, a directory of buraku locations compiled for employment screening. An anonymous letter delivered to the Buraku Liberation League in Osaka on 18 November 1975 exposed it, and the scandal broke at a press conference on 9 December. According to the League’s own research institute, 223 corporations purchased copies, some of them several (Buraku Liberation and Human Rights Research Institute, *Buraku Liberation News* 137). The directory is distinct from the 1936 *Zenkoku Buraku Chōsa* survey data, which became the subject of separate litigation in 2016.

An emancipation edict that abolishes a status and at the same time produces the record by which its former holders can be identified in perpetuity is structurally the same event as Madagascar in 1896, with the addition of paperwork, twenty-five years earlier, and with no European involvement.

The parallel points to something more general about how closure works when the mark is not visible. Neither buraku descent nor Malagasy *mainity* descent can be seen. Erving Goffman’s distinction between a *discredited* stigma, already evident to those present, and a *discreditable* one, concealable but ruinous if discovered, identifies the

problem exactly: where the stigma is discreditable, the stigmatised person's difficulty is managing information, and the stigmatiser's difficulty is acquiring it (Goffman 1963). Bureaucracy is the institutional solution to the second. Where the eye cannot do the work of classification an archive does it, and racial classification becomes a documentary practice rather than an optical one. Keith Breckenridge's phrase for the South African population register, "bureaucratically formed descent," names the same thing (Breckenridge 2014).

This is the point at which the thesis's portability claim can be stated with more precision. A discreditable closure is necessarily local, because the archive that sustains it is local. A *koseki* is legible in Japan and nowhere else. What distinguishes anti-Blackness is that its mark is discredited rather than discreditable, carried on the body rather than in a register, and therefore portable without any administrative infrastructure at all. That is not a claim about the moral seriousness of the two closures. It is a claim about their geography.

Three Doors

Three explanations are commonly offered for the persistence of racial inequality which would, if correct, dispense with any account like this one. Each proposes an alternative variable: class, gender, religion. On the present argument they are not three competing explanations but three instances of a single finding, because each names a route out that does not function.

Class. Devah Pager's audit study of Milwaukee employers found callback rates of 34 per cent for white applicants without a criminal record and 17 per cent for white applicants with a felony conviction; among black applicants without records, only 14 per cent received callbacks (Pager 2003, 955, 957–58). Her own summary is exact: "In fact, even whites with criminal records received more favorable treatment (17%) than blacks without criminal records (14%)" (Pager 2003, 958). Marianne Bertrand and Sendhil Mullainathan's correspondence study found that "White names receive 50 percent more callbacks for interviews," and, in the more consequential finding, that "Callbacks are also more responsive to resume quality for White names than for African-American ones" (Bertrand and Mullainathan 2004, 991). On wealth, William Darity and colleagues

report that “on average, a black household with a college-educated head has less wealth than a white family whose head did not even obtain a high school diploma” (Darity et al. 2018, 5–6).

These findings are usually read as evidence that racial disadvantage is not reducible to class. They can be read with more precision than that. What they describe is a door. The meritocratic route out, by credential and by conduct, is available, is used, and does not open. The second of Bertrand and Mullainathan’s findings is the one of greatest utility to this thesis, and it tends to be under-quoted: it is not simply that a Black applicant starts further back, but that improving the application returns less. That is the difference between a handicap and a closure, and it is the empirical form of the distinction drawn in the Introduction between movement within a position and departure from it.

Gender. Hortense Spillers’s account of the Middle Passage argues that under the conditions of captivity gender does not survive as a category: “Under these conditions, we lose at least *gender* difference in the outcome, and the female body and the male body become a territory of cultural and political maneuver, not at all gender-related, gender-specific” (Spillers 1987, 67). Page references to Spillers are to the original *Diacritics* printing. On Isabell Dahms’s reading, which I follow, the claim is not that black women were excluded from an existing category of womanhood but rather that gender assignment was suspended: “most notable is the suspension of gender and sex-role assignation, which, with the exception of the reproductive labour of birthing, do not emerge for enslaved African-Americans in this historic instance” (Dahms 2020).

The consequence for the present argument is that gender was not a door that closed. It was never open. And Spillers’s account of kinship is the theoretical counterpart of the Virginia act of 1662: “I would call this enforced state of breach another instance of vestibular cultural formation where ‘kinship’ loses meaning, since it can be invaded at any given and arbitrary moment by the property relations” (Spillers 1987, 74). Kinship that property can invade at will is not kinship, and a child who inherits condition but not name, lineage or entitlement has no line to be restored to. Compare the Betsileo tomb, which is

exactly a line to be restored to, and the reason the Malagasy exit worked while the American one did not.

The comparison with Islamic law made in Chapter I sharpens here. Two legal systems faced the same question about the child of an enslaved mother and chose opposite parents. The Virginia act of December 1662 enacted “that all children borne in this country shalbe held bond or free only according to the condition of the mother,” and in the same sentence doubled the fine for fornication between a Christian and a “negro man or woman” (Hening 1823, II, 170). It thereby made bondage heritable and paternity legally void. The *umm al-walad* provisions made the master’s paternity determinative and freed both mother and child. The direction in which descent is reckoned is not a technical detail of family law. It is the instrument by which the exit is held open or shut, and it is chosen.

Religion. The failure of the religious route is the subject of Chapter III, and its modern form is worth registering because it shows the operation running live. Paragraph 3 of India’s Constitution (Scheduled Castes) Order of 1950 provides: “Notwithstanding anything contained in paragraph 2, no person who professes a religion different from the Hindu, the Sikh or the Buddhist religion shall be deemed to be a member of a Scheduled Caste.” Sikhs were added by Act 63 of 1956 and Buddhists by Act 15 of 1990.

In March 2026 the Supreme Court of India applied it. In *Chinthada Anand v. State of Andhra Pradesh* (2026 INSC 283, decided 24 March 2026) the Court held that “for a person to be recognised as a member of a Scheduled Caste, he must be professing the Hindu religion or such other religions as are expressly recognised under the Constitution (Scheduled Castes) Order, 1950. Once the appellant converted to Christianity, the caste status, which he earlier enjoyed as a member of the Madiga community, stood eclipsed in the eyes of law” (para. 56). The consequence was that he could not invoke the protections of the atrocities legislation. The question before the Court was the narrower one of standing under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, and the ruling should be read as a decision on that question rather than as a general pronouncement on Scheduled Caste status.

The structure is the reverse of Virginia's, since the status in question is a protection rather than a bondage, and the difference should be acknowledged rather than smoothed over. But the logic is the one the Virginia Assembly used in 1667, and it is being applied by a court this year: religion is not permitted to alter what descent has fixed. In 1667 a man could convert and remain a slave. In 2026 a man can convert and cease to be protected. In both cases the conversion is real, permitted, and without effect upon the thing that matters.

What Closure Is, and What Maintains It

It would be tempting to treat the closure of the generational exit as the definition of racialisation. That cannot be sustained. It implies that a society which formally opens the exit thereby stops being racialised, and no reasonable observer of the contemporary United States would accept the implication.

The correction is the one stated in the Introduction: closure is not an event but a practice, which has to be performed continuously, and whose instrument changes. It is worth separating two forms.

Statutory closure shuts the exit by law and names its own agent. Virginia in 1667. Maryland in 1671. The Scheduled Castes Order in 1950. Its characteristic feature is that it is written down, which makes it both effective and vulnerable: a statute can be repealed, and the repeal can be demanded.

Discretionary closure leaves the exit formally open and re-closes it case by case, through the employer who does not call back, the lender, the marriage investigation, the admissions committee, the landlord. No statute is required. More importantly, none is available to contest. The decision is made by a private party who is not obliged to explain it and who, in the individual case, can almost always point to some other reason.

Emancipation does not end closure. It changes the instrument, and it changes it in a particular direction: it removes the form that was easiest to challenge and leaves intact the form that is hardest. That is why abolition is so reliably followed by a period in which everything has changed legally and very little has changed positionally.

Saidiya Hartman arrives at the same point from the other direction. In *Scenes of Subjection* emancipation “appears less the grand event of liberation than a point of transition between modes of servitude and racial subjection” (Hartman 1997). In her 2022 preface, adapted in *The New York Review of Books*, she is more explicit: “The restricted vision of freedom offered by the liberal imagination, a vision even more attenuated and hollowed out by counterrevolution, economic predation, antiblack violence, and white supremacy, would not transform the plantation, or abolish racial slavery and its badges or indices, or eradicate caste, or negate the legacy and stigma of having been chattel” (Hartman 2022).

Derrick Bell supplies a mechanism for the cases where the formal exit does open. In his account of *Brown v. Board of Education*, the “principle of ‘interest convergence’” provides: The interest of blacks in achieving racial equality will be accommodated only when it converges with the interests of whites” (Bell 1980, 523). That is discretionary closure described from the side of the law rather than the side of the labour market. The door is opened when opening it costs nothing, which is also part of the explanation for why opening it changes so little.

This meets what is otherwise the most serious objection to the thesis. Barbara Fields argues that ideology cannot be inherited or transmitted. It is, she writes, “not a material entity, a thing of any sort, that you can hand down like an old garment, pass on like a germ, spread like a rumour, or impose like a code of dress or etiquette” (Fields 1990, 110), and consequently “nothing handed down from the past could keep race alive if we did not constantly reinvent and re-ritualize it to fit our own terrain” (Fields 1990, 117). She is right, and an account in which a closure simply persists by inertia is exactly what she rules out.

But the reinvention she demands is observable, and the thesis can point to it. It is Pager’s employers, making decisions in 2001 that nobody made for them in 1667. It is the differential return to a better résumé. It is the *koseki* request. Closure is not inherited. It is performed, daily, in documented transactions, by people who could in principle be identified. Fields does not address audit studies, and whether she would accept this as

meeting her objection is my inference rather than her claim; but it is the kind of reinvention her argument requires, and it is on the record.

The correction also relocates the test of the thesis, and this is the point on which the whole argument should be judged. The question is not whether the exit is open. It is whether the category dissolves. Roman freedman status dissolved: the children were *ingenui*, full citizens, and descent from a freedman ceased within a few generations to carry legal or social consequence, whatever was shouted at Gabinius. American racial categories do not dissolve. That difference does not depend on whether any particular person escaped, which is why individual mobility, real and in some periods substantial, is entirely compatible with a categorical position that has not moved.

The (Un)Logic Objection

Annie Olaloku-Teriba's essay is the most direct challenge to what this thesis is attempting, and it is also, in places, its closest ally. Both halves need saying.

Her target is Afro-pessimism, and specifically the claim that the slave is paradigmatically black. She finds two axioms buried in it: that the position of the slave is necessarily black, understood morphologically, and that "slaveness links the Negro and the African." Together they amount to a biological definition of blackness smuggled into a theory that presents itself as structural (Olaloku-Teriba 2018). Against this she argues that blackness was made, and made by policy: "And so, the slave was not created so that the American might exist; instead, the black was created so that slavery might survive republican fervour."

That sentence is very close to the argument of Chapter III. The Virginia act of 1667 is exactly such a policy-practice, passed to keep a religious criterion from undoing servile status. On this point the thesis and Olaloku-Teriba agree, and her account of measures aimed at the free black population is a useful American instance of closure directed at people who had, in fact, got out. It is the American version of Gardini's footnote about the *mainity*.

The disagreement concerns mechanism, and what survives abolition. Olaloku-Teriba, following Fanon, makes exploitation the relation that matters. On her reading, the post-abolition forms that Afro-pessimism calls slavery's afterlife are better understood as varieties of exploitation, and treating African enslavement as exceptional obscures the fact that the blackness of the category of slave was both contingent and unstable.

The thesis accepts the contingency and rejects the substitution. If exploitation were the mechanism, then improvement in the terms of exploitation, higher wages, better credentials, a clean record, should move people, and should move them proportionally. The evidence in the preceding section is that it does not. Bertrand and Mullainathan's finding that a better résumé buys a Black applicant less is not a finding about the rate of exploitation; it is a finding about a door. Closure is what exploitation relies upon to decide who can be exploited on which terms, and it is closure rather than exploitation that reproduces the category across the abolition of the relation.

Her strongest counter-case is colonial southern Africa. There, she argues, "the contradiction between legitimacy and accumulation meant that colonial authorities frequently intervened to strengthen the hold of kinship bonds, in order to secure young men's labour in a system of indirect rule," so that "the African's primary relationship to the state was neither as a worker, nor as a black, but as Xhosa, Zulu, et cetera." If Afro-pessimism defines blackness by the destruction of kinship, this is a serious problem for it.

It is less of a problem for the argument made here, which does not define anti-Blackness by natal alienation but by the closure of exits and the portability of the mark. Southern Africa shows closure running through a different instrument, ethnicisation rather than kin destruction, which is the pattern Mahmood Mamdani describes for the colonial state generally (Mamdani 1996). The mark was still portable: the same person classified as a subject of customary law at home was classified as a native in the city.

The Coloured Case, and Who Maintains a Closure

There is also a case within southern Africa where Olaloku-Teriba's claim does not hold, and it is worth putting because she does not analyse it.

Under apartheid the “Coloured” category was defined residually. The Population Registration Act No. 30 of 1950, section 1, defines a “native” as “a person who in fact is or is generally accepted as a member of any aboriginal race or tribe of Africa,” a “white person” as “a person who in appearance obviously is, or who is generally accepted as a white person,” and a “coloured person” as “a person who is not a white person or a native.” Classification proceeded by appearance and acceptance, with descent added by amendment in 1967, and it was applied to individuals rather than to lineages.

The effect on kinship was the opposite of what Olaloku-Teriba describes for African migrant labour. Deborah Posel records that “many families were ruptured when children of the same parents received different racial classifications, or all children were classified differently from their parents” (Posel 2001). Geoffrey Bowker and Susan Leigh Star, drawing on earlier reports, cite a family in which “one twin was classified as coloured and the other as African,” and the observation that “there are today many families split down the middle” (Horrell 1958, 70, and Doman 1975, 151, quoted in Bowker and Star 1999, 217, 213). The Prohibition of Mixed Marriages Act of 1949 and the Immorality Amendment Act of 1950 prevented new kin ties from forming across the line.

Two things follow. First, the colonial and apartheid state in southern Africa did not have one policy on kinship; it strengthened kinship where kinship could be made to deliver labour through chiefs, and it severed kinship where classification required individuals to be sorted. Olaloku-Teriba’s generalisation holds for the case she takes and not for the adjacent one.

Second, and of more utility to the thesis, the Coloured case is a closure built upon an intermediate position. Mohamed Adhikari describes Coloured people as having “experienced the South African racial hierarchy as a three-tiered system in which they held an intermediate position,” and identifies the basic dynamic behind the assertion of Coloured identity as the defence of that position against relegation to the status of Africans (Adhikari 2006, 477).

That is the beginning of an answer to a question this thesis has otherwise avoided: the extent to which people who are not white maintain anti-Black closure. The answer the

Coloured case suggests is that an intermediate position is defended downwards, because its only content is not being the category below it. Zimitri Erasmus's formulation, which Adhikari quotes, is the sharpest available: not only not white, but less than white; not only not black, but better than black. A closure with an intermediate tier recruits that tier to police the boundary beneath it, and does so without needing to command anything, because the tier's own interest is sufficient.

The thesis has more material on this question than it has so far gathered in one place, and it is worth naming here rather than leaving it scattered. Hall's *bīḍān* and *sūdān* is a hierarchy among non-white people in which genealogy decides who may be enslaved. Ahmad Bābā did not regard himself as standing on the enslaveable side of the line he was defending, and a student wrote to settle the question. Mawlay Ismā'īl enslaved black Moroccans in a North African state with no European involvement. The Malagasy *fotsy* and *mainity* division operates inside a population that is majority African in ancestry. Set beside the Coloured tier, these are five instances, across four chapters, of closure maintained by people who are not white. That distribution is itself an argument for portability, because a mark that only white people can read is not portable, and the evidence is that it was read everywhere.

Finally, Olaloku-Teriba's complaint that anti-Blackness has never been defined is one the thesis has tried to answer by offering a definition. Whether closure plus portability is the right one is open to argument. That it is a definition, historically grounded and capable of being wrong, is the point of making it.

Conclusion

What Has Been Argued

The argument has been that racialisation is the closure of an exit rather than the invention of a difference; that the essentialist claim follows the foreclosure rather than causing it; that closure is a practice requiring continuous performance rather than an event with a long half-life; and that what separates anti-Blackness from the many structurally similar closures is that it alone became portable.

The chapters were arranged so that each of those claims would be capable of failing. Chapter I assembled four hierarchies with working exits, so that closure could not be said to be everywhere. Chapter II took the one case where the essentialising narrative can be dated rather than inferred, and found it arriving after the enslaving rather than before it. Chapter III set two legal answers to a single question against each other and found that the society which removed the religious criterion had to install a new one, on a ground that conversion could not cross. Chapter IV followed two emancipations that abolished a status without dissolving the group, and then showed the same operation running in a labour market that has no statute behind it at all.

What Would Show the Argument to Be Wrong

A comparative thesis of this design can only illustrate its theory unless it says what would embarrass it. Four things would.

The first would be evidence that in Rome, or in another society with routine manumission, descent from a freedman did continue to determine legal standing, marriage and office across many generations, and that the category reproduced itself rather than dissolving. That would remove the contrast the whole argument is built on, and would suggest that what distinguishes the Atlantic case is a matter of degree rather than of kind. McKeown's Gabinius is a small piece of evidence in that direction and has been quoted rather than suppressed.

The second would be evidence that the Curse of Ham in its dual form, blackness and bondage produced by the same act, circulated widely *before* black Africans were being enslaved in large numbers in the societies where it circulated. Goldenberg's dating is the load-bearing element of Chapter II, and a redating would break the sequence the thesis depends on.

The third would be a demonstration that returns to credentials, conduct and capital are in fact equal across racial categories once some further variable is controlled for, so that what looks like a door is a difference in what people bring to it. This is the live empirical dispute and the thesis does not pretend to have settled it; it has relied on audit studies precisely because they hold the application constant, and the argument would be in real trouble if that design were shown to be measuring something else.

The fourth would be a well documented case of a closure that was as local as *burakumin* or *andevo* status and yet travelled, remaining legible in a society that had no part in making it. That would defeat the portability claim, which is the least established of the four and the one this thesis offers as a proposal rather than a finding.

That last point deserves an honest paragraph rather than a brave one, and I think the thesis is stronger for giving it. What supports portability is the contrast between cases. *Converso*, *burakumin* and *andevo* status were legible only where they were made, while the categories produced by the trans-Saharan, Indian Ocean and Atlantic trades travelled with the people who bore them and stayed legible on arrival. Ahmad Bābā's captives were seized in West Africa and marked in Morocco, which is exactly why al-Jīrārī's question was necessary in the first place: the mark arrived before the man's history did. What would be required to establish the claim properly is a systematic comparison of the conditions under which a mark does and does not survive relocation, and that has not been attempted here. Jonathon Glassman's account of Zanzibar, which traces the island's racial divisions to the Omani plantation economy rather than to British rule, would test it more severely than anything in this thesis (Glassman 2011).

On Afro-Pessimism

The position that follows on Afro-pessimism is a qualified one, and the qualification runs in both directions.

Frank Wilderson's claim that the Black position is not adequately described by the categories of exploitation seems to me correct, and Chapter IV's account of what class fails to explain is consistent with it. "The worker demands that productivity be fair and democratic (Gramsci's new hegemony, Lenin's dictatorship of the proletariat), the slave, on the other hand, demands that production stop; stop without recourse to its ultimate democratisation" (Wilderson 2003, 230). That is also the point on which the thesis parts company with Olaloku-Teriba, who would make exploitation the whole of the relation.

His further claim that the position is *sui generis*, and that social death is an ontology rather than a history, does not follow from the evidence considered here, and Chapter I is the reason. Rome had social death and no surviving category. If social death were the ontological ground of Blackness, Rome should not look the way it looks. The alternative offered here is that the distinctiveness of the Black position lies in scale and portability, both of which have datable historical causes, and that this accounts for the same phenomena without requiring an ontology.

There is a methodological point in this that is worth making explicit, because it applies to the thesis as much as to the theory it is engaging. A transhistorical ontological claim cannot be embarrassed by historical cases, and a framework stated at that level converts every case into an illustration. That is the same trap, arriving from the theory side, that Skocpol and Somers identify on the method side: because the cases are selected in the first place in terms of the given theory, "the juxtaposed historical trajectories are not used to establish controls, only to show the theory at work again and again" (Skocpol and Somers 1980, 191). The reason this thesis states its claim as a historical mechanism with named instruments and datable performances is that a mechanism can be shown not to be operating. An ontology cannot. That a condition presents from the inside as timeless is not evidence that it is timeless, and the phenomenological force of the Afro-pessimist description, which is considerable, is not an argument for its ontological form.

What Remains Open

Several things remain open, and it is better to list them than to leave a reader to find them.

The Malagasy evidence for a pre-colonial ritual exit concerns freed individuals in one southern Betsileo community. Whether slave descendants could be cleansed, and whether the same held in Imerina, is not established, and the disagreement in the literature about whether the *mainity* were free royal servants or royal slaves has been recorded rather than resolved. The claim that Ahmad Bābā held the religious exit open has to sit beside the fact that he also mapped the peoples still open to enslavement, and his exact wording on the Curse of Ham has been given here through Hall rather than from the translation itself. The *ḥarāṭīn*, who are the sharpest available instance of a category surviving an open legal exit, have been given a paragraph where they deserve a chapter. The Indian Ocean case has been named and not undertaken. So has the rest of the comparative programme the argument implies: the Sahel after the French abolitions, South Asian caste after the 1950 Order, the Korean *nobi*.

The Narrow Claim

What can be said with more confidence is narrower, and the thesis ends upon it rather than upon the widest version of its argument.

In 1615 and in 1667, two societies with no knowledge of each other faced the same question about whether faith could carry a person out of bondage. One said that it must, and set out at length why. The other said that it did not, and added that masters should now feel free to evangelise. The second answer left the society that gave it needing something new to mark who could be held, and what it found was descent. Three and a half centuries later the marking no longer requires a statute, no longer names an agent, and no longer has to explain itself. It is performed in a great many small decisions by people who would, almost all of them, deny that they were performing it. That is not the afterlife of a closure. It is the closure, still being carried out.