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College of Law

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Journal Homepage : <http://tujr.tu.edu.iq/index.php/t>

HUMAN CAPITAL AND SLAVERY: DOES THE ONE INDICATE THE OTHER?

Dr. Lecturer. Salim Ibrahim Ali

College of Law, Alhadba university college ,Nineveh, Iraq

dr.salim.ibrahim@hcu.edu.iq

Assist. Lect. Maher Sabah Habib Al-Khattabi

College of Law, Tikrit University, Salahuddin, Iraq

maher19946jh@gmail.com

Article info.

Article history:

- Received 7 March 2024
- Accepted 7 May 2024
- Available online 1 June 2024

Keywords:

- human capital
- slavery
- human domestication.

Abstract : A Harvard ponder reports that American senior directors presently request more noteworthy open clarity almost how a commerce organization's individuals make esteem for the partners, to interface human capital execution with trade results. This article's objective is to explore the plausibility of any relationship between human capital and subjugation. Human capital is the display esteem of a person's future salary from his claim work. Present day administration bookkeeping bargains with how businesses can demonstrate human creatures as corporate capital resources. The term 'slavery' implies, "the status or condition of a individual over whom any or all of the powers connecting to the proper of possession are worked out, and 'slave' implies a individual in such condition or status" The presence of human taming raises the plausibility of a few kind of continuum of scale for servitude. The address emerges as to whether the body of grant on the term 'human capital' constitutess a assortment of the meaning of the term 'slavery', and in case so, in what way. This article tries to show that the term 'human capital' suggests an apparently non-violent form of slavery characterised as arrangements for human domestication. Human capital is an imposed process of human differentiation, which must inevitably affect human breeding.

Human capital appears to be unavailable for recognised consideration by classes of servants, as Shultz had seized control of its very idea, when he created a recognised monopoly of thinking in the field. The international law proscribes the state exercising a power of property over human beings. Masterfully manipulating the breeding of large groups of human beings is exercising a power of property of human beings. Some relevant parts of the U.S. Code appear to ground arguments against human capital.

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رأس المال البشري والعبودية: هل يرتبط أحدهما بالآخر؟

م.د. سالم ابراهيم علي

كلية القانون ، كلية الحدباء الجامعة ، نينوى ، العراق

dr.salim.ibrahim@hcu.edu.iq

م.م. ماهر صباح حبيب الخطابي

كلية القانون، جامعة تكريت، صلاح الدين ، العراق

maher19946jh@gmail.com

معلومات البحث :

تواريخ البحث:

- الاستلام : ٧ / آذار / ٢٠٢٤

- القبول : ٧ / ايار / ٢٠٢٤

- النشر المباشر : ١ / حزيران / ٢٠٢٤

الكلمات المفتاحية :

- رأس المال البشري

- العبودية

- ترويض الإنسان.

الخلاصة: هدف هذا المقال هو دراسة إمكانية وجود أي علاقة بين رأس المال البشري والعبودية. رأس المال البشري هو القيمة الحالية للدخل المستقبلي الذي يكسبه الشخص من عمله الخاص. تتناول المحاسبة الإدارية الحديثة كيف يمكن للشركات أن تجعل من البشر كأصول رأسمالية للشركات. ويعرف مصطلح "العبودية" حالة الشخص الذي تمارس عليه السلطات المرتبطة بحق الملكية بعضها أو جميعها، كما إن وجود مقبولة العبودية يثير احتمال الاستمرارية في العبودية. السؤال الذي يطرح نفسه هو ما إذا كانت مجموعة الأبحاث حول مصطلح "رأس المال البشري" تشكل مجموعة متنوعة تعطي نفس معنى مصطلح "العبودية"، وإذا كان الأمر كذلك، فإن هذا المقال يحاول إظهار أن مصطلح "رأس المال البشري" يشير إلى شكل من أشكال العبودية غير العنيفة، والذي يتميز بأنه ترتيبات لتدجين الإنسان وترويضه. إن رأس المال البشري هو عملية مفروضة وواقعية من التمايز البشري، والتي يجب أن تؤثر حتماً على التكاثر البشري. ويحظر القانون الدولي على الدولة ممارسة سلطة الملكية على البشر.

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Introduction:

A new study by Harvard reports that senior managers in American and financial investors now are demanding clarity about how the people of business organizations create Importance for the stakeholders, as it appears these business metrics are not being reported publicly.¹ These people have now expressed a greater to relate human capital effectuation with business results.² While researching the history of managerial practices, Caitlin Rosenthal, when a Harvard-Newcomen Fellow in Business History at Harvard Business School, found it to be significant that many of the management

¹ Aaron Bernstein & Larry Beeferman, 'Corporate Disclosure of Human Capital Metrics', from the Harvard Law School Pensions and Capital Stewardship Project.

² Sandy Smith, 'Harvard Study: Companies Not Reporting 'Human Capital' Metrics Like Occupational Safety', *EHS Today*, Oct 24, 2017.

techniques developed by 1800s slave owners still were used extensively in today's business management.¹ Rosenthal found that many plantations had used an accounting system explained in Affleck's *Plantation Record and Account Books*.² These books contained instructions on how to calculate depreciation of plantation slaves, in order to determine the plantation's actual capital costs. Therefore, , this paper aims to examine the ability of any link between slavery and human capital.

Chen defined "human capital as the present value of a person's future income from his own labour,"³ without actually identifying this capital's ownership. Nevertheless, it is clear that new accounting of management deals with how businesses can make human beings as corporate capital benefits.⁴ This sounds like an attempt to transfer a person's human capital into someone else's hands, as if dealing in property. The term 'slavery' means, "the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised, and 'slave' means a person in such condition or status",⁵ suggesting a concern for business managers in the extent of their dealings with employees. However, domestication is where humans transform wild animals and plants into more useful products, by controlling their breeding. The scholarship also suggests the existence of human domestication,⁶ which which raises the probability of some type of continuum of slavery scale. From this, the question arises as to whether the group of scholars on the term 'human capital' constitutes a difference in the meaning of the term 'slavery'. We try to show that the term 'human capital' suggests an apparently non-violent form of slavery characterised as arrangements for human domestication.

Research Methodology

The article's methodology is library research, specifically because both slavery and human capital are primarily theoretical constructs, manifesting in many species. The research is a cross-disciplinary synthesis of economics, anthropology, natural law, international law, and some aspects of United States statutory law. To this extent, this synthesis must mirror the constituent components of business. The term 'human capital' is principally a term in the field of economics. Thus, the research must first construct its critical literature review, of this term, from within the field of economics. This will require anthropological inputs as well. Considering that significant ideas continue to inhere over time, the article's argument looks at all aspects of a suggested continuum of slavery. It is based on a legal narrative analysis of the development of ideas of slavery, with human domestication at the more benign lower limit, and brutal forced enslavement at the more malignant end of the suggested continuum.⁷ This methodology will allow human capital to be placed at its most likely locus along this continuum.

¹ Katie Johnston, 'The Messy Link Between Slave Owners And Modern Management', *Forbes*, January 16, 2013.

² Thomas Affleck, *The Cotton Plantation Record and Account Book, No. 1. Suitable for a Force of 40 Hands, or Under*, 5th edn, B. M. Norman, New Orleans, 1854.

³ Peng Chen, Roger G. Ibbotson, Moshe A. Milevsky and Kevin X. Zhu, 'Human Capital, Asset Allocation, and Life Insurance', *Financial Analysts Journal*, vol. 62, no. 1, 2006, pp. 97-109, p. 97.

⁴ Arthur O'Sullivan & Steven M. Sheffrin, *Economics: Principles in Action*, Pearson Prentice Hall, Upper Saddle River, 2003. p. 5.

⁵ *Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery*, 226 U.N.T.S. 3, entered into force April 30, 1957, art 7(b).

⁶ Helen M. Leach, 'Human Domestication Reconsidered', *Current Anthropology*, vol. 44, no. 3, 2003, pp. 349-368, p. 340.

⁷ For a description of the structure and purpose of "legal narrative", see Frank J. D'Angelo, *Composition in the Classical Tradition*, Allyn and Bacon, New York, 2000.

The article's argument is structured to begin with a major section on the character of slavery, covering first a brief anthropological literature review on slavery, then examining natural law and slavery in critical context. The next link in the chain of argument will be a short briefing on the relevant issue of human domestication, by way of comparison with the more violent forms of inducement into slavery. With this essential groundwork laid, argument moves to an investigation into the scholarship of human capital theory and its foundations, as an apparently new field of inquiry. This analysis leads to a critical investigation of the organisational consequences of this new field, as what the scholarship calls a human capital revolution. Following these links in the chain of argument, the article will present a short briefing into the development of international law definitions of slavery

The research outcomes will strongly suggest that human capital is an imposed process of human differentiation, by the master onto the servant, which must inevitably affect human breeding. The creation of human capital can be seen as an indicium of voluntary slavery by means of human domestication. Human capital appears to be unavailable for recognised consideration by classes of servants, as Shultz had seized control of its very idea, when he created a recognised monopoly of thinking in the field. Human capital must be an idea for the social class of masters, arguably the state. The international law proscribes the state exercising a power of property over human beings. Masterfully manipulating the breeding of large groups of human beings is exercising a power of property of human beings because it argues for their enhanced usefulness. Some relevant parts of the U.S. Code appear to ground nascent arguments against human capital.

Slavery: A Critical Literature Review

A Brief Anthropological Literature Review on Slavery

Most of the classical social evolutionists seriously considered theories of slavery. Tylor viewed its genesis in the economic use of prisoners of war.¹ Morgan regarded its source in the ascent of private property.² Maine framed it as a legal theory, majority of which is still to be understood in the new analysis.³ Sumner & Keller⁴ Spencer,⁵ and Westermarck⁶ each dedicated to slavery an entire chapter. Landtman, however, studied it comprehensively within three sections⁷ In early 20th century witnessed Nieboer's extensive ethnological comparative discourse.⁸ All of these writers, except Nieboer, gave prominence to ancient Graeco-Roman slavery, allowing them a further correct view of the slavery institution than adherence to the dominant Afro-American slavery model might allow.

This initial corpus of anthropological theory circumscribed several issues. The scholars appear to have been aware that slavery had been a widespread ethnographic and historical occurrence. They regarded slavery as a fundamental characteristic of certain early stages in social progress. Concurrently, they regarded primeval slavery as an enlightened development. In 1896, Spencer opined: "undisciplined primitive man will not labour continuously, and it is only under a regime of compulsion that there is acquired the power of application which has made civilization possible".⁹ Rubin discussed an abstract labor concept formulated by Marx. He contended that Marx perceived labor in a mechanical-naturalistic manner. According to Rubin, Marx saw labor as a detached utilization of physical and mental energy, devoid of any specific objective and disconnected from the worker's volition. This idea portrayed labor as purely mechanical, yet it failed to encompass the evaluation of contemporary knowledge-based work.¹⁰ In 1927, Sumner & Keller resonated the view that slavery superseded "the earlier law of massacre and cannibalism ... it was in the school of oppression, of which enslavement was a salient feature, that the human race learned steady industry".¹¹

All authors suspected a connection between slavery and economic class. Hunter-gatherers generally do not enslave, because controlling a slave was difficult and unprofitable for them. Tribes of fishermen, however, could and did employ captive slaves. Slavery flourished along with agriculture. As for pastoralists, there was in the 19th century common disagreement about their stage of evolution. Nieboer, treated slavery among pastoralists as an anomaly arising from external circumstances.¹²

¹ E. B. Tyler, *Introduction to the Study of Man and Civilization*, Appleton, New York, 1900, 448 pp., pp. 434 ff.

² L. H. Morgan, *Ancient Society, Or Researches in the Lines of Human Progress from Savagery through Barbarism to Civilization*, Kerr, New York, 1877, p. 549.

³ H. S. Maine, *Ancient Law: Its Connection with the Early History of Society and Its Relation to Modern Ideas*, Murray, London, 1861, pp. 156-61.

⁴ W. G. Sumner & A. G. Keller, *The Science of Society, Vol. 1*, Yale University Press, New Haven, 1927.

⁵ H. Spencer, *The Principles of Sociology*, Appleton, New York, 1896.

⁶ E. Westermarck, *The Origin and Development of the Moral Ideas, Vol. 1*, 2nd edn, Macmillan, London, 1924.

⁷ G. Landtman, *Inequality of the Social Classes*, Kegan Paul, Trench, Trubner, London, 1938.

⁸ H. J. Nieboer, *Slavery as an Industrial System*, 2nd edn, Nijhoff, Hague, 1910.

⁹ H. Spencer, *The Principles of Sociology*, Appleton, New York, 1896, p. 465.

¹⁰ I. I. Rubin, *Essays on Marx's Theory of Value*, Aakar, Delhi, 2008, 132.

¹¹ W. G. Sumner & A. G. Keller, *The Science of Society, Vol. 1*, Yale University Press, New Haven, 1927. pp. 231-232.

¹² H. J. Nieboer, *Slavery as an Industrial System*, 2nd edn, Nijhoff, Hague, 1910; Igor Kopytoff, 'Slavery', *Annual Review of Anthropology*, vol. 11, 1982, pp. 207-230, p. 209.

Thurnwald viewed slavery as starting off in the pastoral phase.¹ Nieboer and Hobhouse gave statistical cross-cultural sustenance to these empirical correlations.²

Most of the writers, with the exception of Nieboer, regarded as significant the gradations and variations in the idea of slavery. They discussed at least two forms of slavery: the early domestic type and the later chattel form. They identified the following as significant: (a) slaves' status varied, sometimes occupying high positions, not always dissatisfied with their standing; (b) most societies legislated limits to the masters' rights over slaves; (c) slaves generally had certain rights over themselves; (d) slaves owned property, sometimes including their own slaves; (e) there were masterless slaves; and, (f) sometimes slaves and free people intermarried.³

The writers understood labour as only one of the many social uses for slaves. Slaves were also concubines, wives, warriors, high officials, bureaucrats, professionals, artisans, clerks, and more. All individuals with the exception of Nieboer comprehended these empirical variations in the status of slaves as conflicting with the notion of defining slaves merely as property. Westermarck objected to Nieboer's characterization of a slave as an individual subject to the unrestricted control of an owner "the notion of ownership does not involve that the owner of a thing is always entitled to do with it whatever he likes".⁴

The scholars, as proponents of evolutionary theory, regarded slavery primarily as a historical phenomenon rather than a clearly defined entity. Their focus was not on delineating logically coherent definitions as crucial components in any synchronous empirical examination. Where the modern act of definition seeks to establish limitations, they sought to establish sources, paths, and changes over the course of the institution's development. In this way, Sumner and Keller recognised slavery simply as the seizing of men. It was directly analogous to the appropriation of fire or animals. Necessarily, the mature shape of this kind of slavery institution was permitted its natural time to evolve.⁵

While the early scholars knew slaves came from trade, wars, kidnapping, legal punishment, debts, self-sale and sale of relatives, they preferred war and conquest as the better explanation.⁶ Tylor stated "slavery appears as soon as the barbaric warrior spares the life of his enemy, when he has him down, and brings him home for him and to till the soil".⁷

¹ R. Thurnwald, *Werden, Wandel und Gestaltung von Staat und Kultur*, De Gruyter, Berlin, 1935, pp. 202-226.

² H. J. Nieboer, *Slavery as an Industrial System*, 2nd edn, Nijhoff, Hague, 1910; L. T. Hobhouse, G. C. Wheeler, & M. Ginsberg, *The Material Culture and Social Institutions of the Simpler Peoples: An Essay in Correlation*, Routledge & Kegan Paul, London, 1915, pp. 233-37.

³ G. Landtman, *Inequality of the Social Classes*, Kegan Paul, Trench, Trubner, London, 1938, pp. 229, 250; H. S. Maine, *Ancient Law: Its Connection with the Early History of Society and Its Relation to Modern Ideas*, Murray, London, 1861, pp. 157, 160; H. Spencer, *The Principles of Sociology*, Appleton, New York, 1896, pp. 464-65, 474-75; E. Westermarck, *The Origin and Development of the Moral Ideas, Vol. 1*, 2nd edn, Macmillan, London, 1924.

⁴ E. Westermarck, *The Origin and Development of the Moral Ideas, Vol. 1*, 2nd edn, Macmillan, London, 1924, p. 670.

⁵ W. G. Sumner & A. G. Keller, *The Science of Society, Vol. 1*, Yale University Press, New Haven, 1927, p. 221.

⁶ G. Landtman, *Inequality of the Social Classes*, Kegan Paul, Trench, Trubner, London, 1938, pp. 232, 285-86; H. Spencer, *The Principles of Sociology*, Appleton, New York, 1896, pp. 465-67; W. G. Sumner & A. G. Keller, *The Science of Society, Vol. 1*, Yale University Press, New Haven, 1927, pp. 222, 231, 237; E. Westermarck, *The Origin and Development of the Moral Ideas, Vol. 1*, 2nd edn, Macmillan, London, 1924.

⁷ E. B. Tylor, *Anthropology: An Introduction to the Study of Man and Civilization*, Appleton New York, 1900, pp. 434-35; Igor Kopytoff, 'Slavery', *Annual Review of Anthropology*, vol. 11, 1982, pp. 207-230, p. 210.

This probably derived from a narrow-sighted view of the Roman theory of slavery, to the exclusion of others, where the master attained a status of claiming aggregate rights over his war captive, simply by the free choice of sparing his life. The evolutionary framework discussed above can also be extended to Marx's analysis of slavery, placing Marx within the cohort of other evolutionary thinkers from the 19th century. He was older than most of the other early scholars, cited above, and arguably, therefore, his ethnographic knowledge of slavery was more limited. He possessed deep knowledge of classical scholarship, viewing ancient Graeco-Roman slavery in a more chattel-like manner compared to contemporary perspectives. Marx interpreted the ancient slave not merely as a component of the labour-capital relationship, but as an integral part of the land and a progression of property.¹

Marx also saw slavery as process-oriented, However, its sources were not observed as lying in war and violence: "the slavery which is latent in the family only develops gradually with the increase of population and of needs, and with the extension of external intercourse, either war or trade".² Marx perceived slavery as an antiquated institution that stood out as an anomaly within the capitalist framework, thereby evolving into a distinct form of labour.³ Marx distinguished himself from the evolutionists by regarding slavery as a historical progression originating in ancient classical society, characterized by distinct social systems compared to Germanic, Slavonic, and Asiatic societies.⁴

Nieboer's work, *Slavery as an Industrial System*, focused exclusively on slavery, particularly from an ethnological perspective, and disregarded the classical world. The theoretical framework presented in Nieboer's volume was discussed in a synchronic manner. The study commenced with a precise delineation of the concept of slavery "as a man who is the property of another, politically and socially at a lower level than the mass of the people, and performing compulsory labour".⁵ He added "the great function of slavery can be no other than a division of labour",⁶ even prompting him to disregard chattel slavery as genuine slavery, except when slaves were abundant.⁷

Nieboer thus saw slavery as an entirely economic institution, and provided for it a wholly economic theory, within the economic context of land-labor-capital.⁸

Nieboer did not envision free labour as being more efficient than slave labour. His view of efficiency was context dependent. Given the availability of open resources, unpaid labour would become economically unfeasible for the entrepreneur. To retain such labour, the entrepreneur would need to compensate more than the value that the worker could independently generate. With open resources gone, the discipline of unemployment made wage labour into a willing and efficient resource. The

¹ K. Marx, *Pre-Capitalist Economic Formations*, ed. E. J. Hobsbawm, ed. J. Cohen, trans, Lawrence & Wishart, London, 1964, pp. 89, 91.

² K. Marx, *Selected Writings in Sociology and Social Philosophy*, T. B. Bottomore & M. Rubel, eds, T. B. Bottomore, trans, Penguin, Harmondsworth, 1963, p. 126.

³ K. Marx, *Capital, A Critique of Political Economy*, Kerr, New York, 1906, p. 591.

⁴ K. Marx, *Pre-Capitalist Economic Formations*, ed. E. J. Hobsbawm, ed. J. Cohen, trans, Lawrence & Wishart, London, 1964.

⁵ H. J. Nieboer, *Slavery as an Industrial System*, 2nd edn, Nijhoff, Hague, 1910, p. 5.

⁶ H. J. Nieboer, *Slavery as an Industrial System*, 2nd edn, Nijhoff, Hague, 1910, p. 7.

⁷ H. J. Nieboer, *Slavery as an Industrial System*, 2nd edn, Nijhoff, Hague, 1910, p. 302; Igor Kopytoff, 'Slavery', *Annual Review of Anthropology*, vol. 11, 1982, pp. 207-230, p. 211.

⁸ Igor Kopytoff, 'Slavery', *Annual Review of Anthropology*, vol. 11, 1982, pp. 207-230, p. 212.

unstated variables were the quantum of the labourer's potential surplus, and, the inquiry into who could appropriate it, and how.¹

At the theoretical abstract level proposed by Nieboer, "slavery can only exist when subsistence is easy to procure without the aid of capital",² However, he concretely processed what it means. He broke it down into land labour-capital terms for a start and then assigned specific meanings to each of these words. Open resources would then be free land. Where on-site labour is inducted, however, will become slave labour. All non-labour profits were agricultural surplus. Economic activity means moving people away from one task so they can concentrate solely on another. Nieboer felt awkward about introducing slave-like labour into agricultural societies where "land" and "capital" merge in their economic-with mixed sense.³

Nieboer's research drew criticism on many fronts. In his critique, Westermarck pointed out that the demand for slaves did not mean it was always possible to find what you were looking for, as so many of those imported into Mediterranean economies were unhealthy specimens bred for short-term labour; he even suggested that some literary heroes from Ancient Greece had more in common with sadists than idealists (von Worms).⁴ Keller & Sumner foresaw the view of many modern critics,⁵ that slavery required an infrastructure for controlling the slaves and it "thus comes to be an issue of the regulative or political organization quite as much as the economic".⁶ For example, a series of pieces by MacLeod systematically criticized slavery on the basis of wrongs suffered by American Indians.⁷ In spite of the fact that Landtman performed the most valuable ethnographic survey derived from analysis of all materials available,⁸ his work was more than enough for future researchers to grow from.⁹ Nevertheless, situating slavery in the fields infers operation of natural law.

¹ S. L. Engerman, 'Some Considerations Relating to Property Rights in Man', *Journal of Economic History*, vol. 33, 1973, pp. 43-65, p. 56.

² H. J. Nieboer, *Slavery as an Industrial System*, 2nd edn, Nijhoff, Hague, 1910, p. 302.

³ H. J. Nieboer, *Slavery as an Industrial System*, 2nd edn, Nijhoff, Hague, 1910, pp. 262, 294; Igor Kopytoff, 'Slavery', *Annual Review of Anthropology*, vol. 11, 1982, pp. 207-230, p. 212

⁴ E. Westermarck, *The Origin and Development of the Moral Ideas*, Vol. 1, 2nd edn, Macmillan, London, 1924, p. 672.

⁵ See for example, E. D. Domar, 'The Causes of Slavery or Serfdom: A Hypothesis', *Journal of Economic History*, vol. 30, 1970, pp. 18-32; S. L. Engerman, 'Some Considerations Relating to Property Rights in Man', *Journal of Economic History*, vol. 33, 1973, pp. 43-65, p. 29.

⁶ W. G. Sumner & A. G. Keller, *The Science of Society*, Vol. 1, Yale University Press, New Haven, 1927, p. 226.

⁷ W. C. MacLeod, 'Debtor and Chattel Slavery in Aboriginal North America', *American Anthropology*, vol. 27, 1925, pp. 370-80, p. 381; W. C. MacLeod, 'Some Aspects of Primitive Chattel Slavery', *Social Forces*, vol. 4, 1925-1926, pp. 137-141; W. C. MacLeod, 'Economic Aspects of Indigenous American Slavery', *American Anthropology*, vol. 30, 1928, pp. 632-50; W. C. MacLeod, 'The Origin of Servile Labor Groups', *American Anthropology*, vol. 31, 1929, pp. 89-113.

⁸ G. Landtman, *Inequality of the Social Classes*, Kegan Paul, Trench, Trubner, London, 1938.

⁹ Igor Kopytoff, 'Slavery', *Annual Review of Anthropology*, vol. 11, 1982, pp. 207-230, p. 213.

Natural Law and Slavery

Salter deliberated on methodology for analysis of the relationship between natural law and slavery, saying it could proceed by the dual meaning of the term "natural". Thus, "natural" referred both to a common and universal understanding by mankind, and second, to an ideal.¹

For both the Stoics and the Roman lawyers, natural law articulated first the belief that men were free and equal in nature, and second, the actual laws common to mankind.² As legally permitted slavery was omnipresent in the ancient world, this was a recognized encounter between the nations' actual practices and natural precepts of equality and freedom.³ Natural law writers softened this obvious conflict rhetorically, by describing freedom less as external constraints on people than as internal freedoms related to purity of the soul. Thus, natural law writers, such as Aquinas and Suarez, shifted the ground to a somewhat tendentious claim that the omnipresence of slavery implied its utility and that such a useful institution as slavery could therefore not be contrary to the divine duty of self-preservation.⁴

Grotius refined, and carried into the modern natural law tradition, this utility-based justification for slavery. Grotius's experiential method, of synthesising philosophers' ideas and nations' legal codes as the necessary manifestation of natural reason, led him to adopt his predecessors' views about the institutions of private property and slavery. His view was therefore that slavery was recommended by its usefulness. According to Grotius, they were permitted, but not necessarily prescribed, by natural law.

According to Grotius, legal slavery had its two sources in (a) self-sale for gaining the means for self-preservation, and (b) capture during a just war: "To every man it is permitted to enslave himself to any one he pleases for private ownership, as is evident both from the Hebraic and from the Roman law".⁵ Such an exchange can elevate to total slavery: "which owes lifelong service in return for nourishment and other necessities of life; and if the condition is thus accepted within natural limits it contains no element of undue severity".⁶ Grotius regarded this total slavery, in contradistinction to the more temporary kinds of serfdom and debtor bondsmen, as appropriate to naturally weak people.⁷ He rejected the view that some were born slaves,⁸ but endorsed Aristotle's view that some men were slaves by nature.⁹ Grotius justified the right of enslavement of war captives, saying it was an incentive to the conqueror to spare the slaves' lives: "the captors, mollified by so many advantages, might willingly refrain from recourse to the utmost degree of severity, in accordance with which they could have slain the captives, either immediately or after a delay".¹⁰

¹ John Salter, 'Adam Smith on Slavery', *History of Economic Ideas*, vol. 4, no. 1/2, 1996, pp. 225-251, p. 228.

² John Salter, 'Adam Smith on Slavery', *History of Economic Ideas*, vol. 4, no. 1/2, 1996, pp. 225-251, p. 228.

³ G. H. Sabine, *A History of Political Theory*, George G. Harrap & Co. Ltd, London, 1971; A. P. D'Entreves, *Natural Law: An Introduction to Legal Philosophy*, Hutchinson's University Library, London, 1970. The Stoic influence on Roman law imparted to it the assumption that actual customary law was an approximation to natural law. In fact, the Roman lawyers distinguished three types of law: *ius naturale*, *ius gentium* and *ius civile*. The first two terms were often regarded as interchangeable but some writers distinguished between them over the issue of slavery.

⁴ D. B. Davis, *The Problem of Slavery in Western Culture*, Cornell University Press, Ithaca, 1966, p. 109.

⁵ H. Grotius, *The Law of War and Peace*, F. W. Kelsey, trans, Clarendon Press, Oxford, 1925, I. III. VIII. 1.

⁶ H. Grotius, *The Law of War and Peace*, F. W. Kelsey, trans, Clarendon Press, Oxford, 1925, II. V. XXVII. 2.

⁷ H. Grotius, *The Law of War and Peace*, F. W. Kelsey, trans, Clarendon Press, Oxford, 1925, II. V. XXVII. 2.

⁸ H. Grotius, *The Law of War and Peace*, F. W. Kelsey, trans, Clarendon Press, Oxford, 1925, II. XXII. XI.

⁹ H. Grotius, *The Law of War and Peace*, F. W. Kelsey, trans, Clarendon Press, Oxford, 1925, I. III. VIII. 4.

¹⁰ H. Grotius, *The Law of War and Peace*, F. W. Kelsey, trans, Clarendon Press, Oxford, 1925, III. VIII. V.

Pufendorf's 1673 revision of Grotius's work on slavery, in his *On the Duty of Man and Citizen According to the Natural Law*,¹ was significant in natural law thought. Pufendorf posited that rights, in Grotius's sense, as opposed to powers, required correlated obligations. This generated his argument that there could not be any rights in a pure state of nature, because rights could only be the result of agreement.² From this, Pufendorf postulated the idea of a qualified state of nature, where the institutions of marriage, private property and slavery arose because of agreements.³ This facilitated the argument that such institutions were natural, in this qualified sense, and, as they arose from agreements, were compatible with individuals' equality and liberty. These arguments clarified the sense, in which slavery and private property were natural but not prescribed in a pure state of nature.⁴ Pufendorf argued:

"Since nature has made all men equal, and since slavery cannot be understood apart from inequality....it is understood that naturally, or apart from any antecedent deed, all men are free. A natural aptitude or the presence of qualities required for a certain state does not immediately place someone into that state".⁵

However, people's natural abilities differed, some able to look after themselves and some with the capacity to govern: "Hence, if these two types of men establish a sovereignty of their own accord, it is surely congruent with nature that the authority to command be conferred upon the former and the necessity to obey laid upon the latter, for in this way both interests will be served".⁶ Pufendorf's arguments also had the effect of making self-sale the central proposition.

As Buckle explained, this limited both sides of the bargain,⁷ according to the following formulation. Because all rights, even the right of necessity, arose from agreements, the industrious would be unlikely to consent to a general right of necessity, because it would undermine property agreements. This limited the right of necessity to the unwittingly destitute. Thus, voluntary slavery was necessary only in the case of the non-industrious - the lazy. This voluntariness of slavery also implied that slavery could not be totally rightless, the slave alienating all his physical and moral powers, since no rational person could so consent.⁸ Voluntary slaves could not even be assigned by sale to another master: "because he voluntarily chose this master, not another one; and it matters to him who he serves".⁹

Pufendorf also considered the rights of slaves and slavery's natural limits. He accepted that, in fact, slavery went beyond its prescribed limits. He appealed to slave owners' humanity to restrain their handling of slaves: "since humanity bids us never to forget that a slave is in any case a man, we

¹ S. Pufendorf, *On the Duty of Man and Citizen According to the Natural Law*, Frank Gardner Moore, trans, Hayes, Cambridge, 1682.

² R. Tuck, *Natural Rights Theories: Their origin and Development*, Cambridge University Press, Cambridge, 1979, pp. 159-61.

³ L. Krieger, *The Politics of Discretion: Pufendorf and the Acceptance of Natural Law*, University of Chicago Press, Chicago and London, 1965.

⁴ John Salter, 'Adam Smith on Slavery', *History of Economic Ideas*, vol. 4, no. 1/2, 1996, pp. 225-251, p. 230.

⁵ S. Pufendorf, *On the Duty of Man and Citizen According to Natural Law*, Cambridge University Press, Cambridge, 1991, p. 129.

⁶ C. L. Carr, *The Political Writings of Samuel Pufendorf*, M. J. Seidler, trans, Oxford University Press, Oxford, 1994, p. 163.

⁷ S. Buckle, *Natural Law and the Theory of Property: Grotius to Hume*, Clarendon Press, Oxford, 1991, pp. 82-83, 119.

⁸ S. Buckle, *Natural Law and the Theory of Property: Grotius to Hume*, Clarendon Press, Oxford, 1991, pp. 82-83, 119.

⁹ S. Pufendorf, *On the Duty of Man and Citizen According to Natural Law*, Cambridge University Press, Cambridge, 1991, p. 130; John Salter, 'Adam Smith on Slavery', *History of Economic Ideas*, vol. 4, no. 1/2, 1996, pp. 225-251, p. 231.

should by no means treat him like other property, which we may use, abuse and destroy at our pleasure".¹

Locke's theory is now the accepted categorical censure of slavery by self-sale. He stated "Though the Earth, and all inferior Creatures be common to all men, yet every man has a Property in his own Person. This no Body has any Right to but himself".² Differing with Grotius and Pufendorf, Locke reasoned that this property could not be sold or given away.

Locke designated this state as the perfect condition of slavery "which is nothing else but the State of War continued, between a lawful Conqueror, and a Captive".³ He articulated strongly that as soon as an agreement takes place between the captive and the conqueror, limiting the conqueror's powers, the state of war ceases, and therefore, so does the state of slavery. The relationship which is the outcome is one of master and servant, and no longer of conqueror and slave. A right-less state of slavery is only possible, therefore, when the slave moves outside the social contract by, for instance, instigating unjust warfare. The slave can re-execute the social contract, by agreement with the conqueror, thereby acquiring the rights of a servant.⁴ Such sudden removal of brutality suggests an alternate form of slavery.

Domestication

The term "domestication" currently means that process where humans transform wild animals and plants into more useful products, by controlling their breeding.⁵ There appears to be a long-established paradigm of human control over domestication, by artificial selection. Since the early 1900s, parallels in these domestic changes with homo sapiens is rarely cognised. Only symbolic and social domestication is accepted in the case of homo sapiens.⁶

After the Pleistocene era, some human groups and their associated animals began to show parallel reductions in stature and size, cranial shape, tooth crowding, and a reduction of tooth size. Although there was no recent explanation for this parallelism, some selection factors not arising from intentional breeding are now identified for animals, which overlap with those in the scholarly literature on human evolutionary change.⁷

The one common essential factor identified was sedentism, the settling down for longer than was possible for foraging groups. This suggested house construction, plant-processing tools and machines, cooking methods, food accumulation, and reduced distances for human travel. Gradually, increasing

¹ S. Pufendorf, *On the Duty of Man and Citizen According to Natural Law*, Cambridge University Press, Cambridge, 1991, p. 130.

² J. Locke, *Two Treatises on Government*, Cambridge University Press, Cambridge, 1988, II. 27.

³ J. Locke, *Two Treatises on Government*, Cambridge University Press, Cambridge, 1988, II. 24.

⁴ Compare this with T. Hobbes, *Leviathan*, Cambridge University Press, Cambridge, 1991, pp. 141-42. For interpretations of Locke which discuss how this justification of slavery can be used to justify African and American slavery see W. Glausser, 'Three Approaches to Locke and the Slave Trade', *Journal of the History of Ideas*, vol. 51, no. 2, 1990, pp. 199-216, and J. Tully, 1993 'Rediscovering America: the Two treatises and Aboriginal Rights', in J. Tully, ed, *An Approach to Political Philosophy: Locke in Contexts*, Cambridge University Press, Cambridge, 1993; John Salter, 'Adam Smith on Slavery', *History of Economic Ideas*, vol. 4, no. 1/2, 1996, pp. 225-251, p. 233.

⁵ Helen M. Leach, 'Human Domestication Reconsidered', *Current Anthropology*, vol. 44, no. 3, 2003, pp. 349-368, p. 340.

⁶ Helen M. Leach, 'Human Domestication Reconsidered', *Current Anthropology*, vol. 44, no. 3, 2003, pp. 349-368, p. 349.

⁷ Helen M. Leach, 'Human Domestication Reconsidered', *Current Anthropology*, vol. 44, no. 3, 2003, pp. 349-368, p. 355.

sedentism also preceded the visible signs of animal and plant domestication.¹ This homo sapiens domestication hypothesis relied on an artificially protective human-made environment, shared increasingly with plants and animals. It contributed to either conscious or unconscious intervention in breeding. For the human, a built environment, enhanced consistency in diet, and reduced mobility, implied morphological changes clearly parallel to those observed in domestic animals.²

Jacoby drew a parallel, through extensive argument, between animal domestication after the Neolithic Revolution and the origination of slavery. He characterised slavery as the domestication of human beings, by a master's urge to control, which was just as strong as in the subjection of wild beasts.³ It constituted a view by a class of masters.

Theory of Human Capital

Although the concept of human capital developed in the 20th century,⁴ economists John Stuart Mill, Adam Smith and Alfred Marshall have articulated this concept in previous centuries. In his 1906 textbook, Irving Fisher outlined the basic principles that united early economic thought with modern human finance. In 1776,⁵ Adam Smith published *Investigations Concerning National Wealth*. His first words foretold that human power was the source of all wealth.⁶

What followed were Smith's two most important points, which became the foundation of all productive structures. Labour input is not high. It includes the qualitative characteristics of "the acquired and usable capacity of the entire community or its members."⁷

About 1848, Mill argued that human potential isolated from the individual cannot qualify as wealth.

These words are always misinterpreted. The mill asked the market exchange to determine the value before defining the specific wealth. Mills viewed human potential as an economic activity, a means of achieving wealth. He emphasized that all activities lead to their development. The actual mill can be evaluated based on the following.

Marshall said that by the 1890s, many people were making investments. Following Smith, Marshall advised, "We may define personal resources to include all those strengths, talents, and habits which are essential to the success of men in industry."⁸ Marshall also accepted Smith's ideas and defined capital in general so that private personal property could be understood as capital.

While Marshall agreed with Smith's ideas, he based his economic ideas on human capacity, starting from the fact that workers are responsible for producing wealth, similar to Mill's definition of

¹ Helen M. Leach, 'Human Domestication Reconsidered', *Current Anthropology*, vol. 44, no. 3, 2003, pp. 349-368, p. 360.

² Helen M. Leach, 'Human Domestication Reconsidered', *Current Anthropology*, vol. 44, no. 3, 2003, pp. 349-368, p. 360.

³ K. Jacoby, 'Slaves by nature? Domestic animals and human slaves', *Slavery & Abolition*, vol. 15, 1994, pp. 89-99, pp. 89-90.

⁴ B. F. Kiker, *Human capital: In retrospect*, University of South Carolina, Bureau of Business and Economic Research, College of Business Administration, Columbia, 1968.

⁵ I. Fisher, *The Nature of Capital and Income*, Macmillan, New York, 1906.

⁶ A. Smith, 'An Inquiry into the Nature and Causes of the Wealth of Nations', in R. M. Hutchins & M. J. Adler, eds, *Great books of the Western World*, Vol. 39, Adam Smith, Encyclopaedia Britannica, Chicago, 1952, (Original work published 1776).

⁷ A. Smith, 'An Inquiry into the Nature and Causes of the Wealth Of Nations', in R. M. Hutchins & M. J. Adler, eds, *Great books of the Western World*, Vol. 39, Adam Smith, Encyclopaedia Britannica, Chicago, 1952, (Original work published 1776), p. 119.

⁸ A. Marshall, *Principles of Economics*, 8th edn, Macmillan, New York, 1948, p. 58.

economic activity. This led Marshall to eliminate human potential as capital because he never did any analysis to determine the market's value.

Fisher relaxed the requirements of both Smith's and Marshall's definitions of human potential by incorporating qualities that he said were stronger than market values. He emphasized the practical challenges of valuing human potential while asking economists to find practical solutions.¹

Fisher later made clear that "wealth in its broadest sense includes people."² He also emphasized that human participation in production is a form of capital: "In a full analysis of the relationship of human capital to productive activity, it is necessary in the first stage to take into account no more human machines than grain processing machines."³

Although the concept of human capital was formally established in the 1960s,⁴ much research in this area has been conducted in the past decade.⁵ Mincer described a model to investigate the nature of inequality in individual income. His theory is that education and skills (human capital) play an important role in income distribution.⁶ He also emphasized that "some industries, such as non-human capital, have large amounts of capital,"⁷ requiring them to recoup their investment in training for workers.

In order to measure formal and informal training, the model had variables for years of education and years of work experience. Worker age was used to imply work experience. Mincer found that years of work sacrificed for additional education were compensated with higher monetary earnings. Occupations requiring higher levels of education provided higher compensation. Mincer also found these two distinct correlations: "As more skill and experience are acquired with the passage of time, earnings rise",⁸ and "in later years aging often brings about a deterioration of productive performance and hence a decline in earnings".⁹ Mincer also saw a lesser decline in later work years for the high earners, inferring "that patterns of age-changes in productive performance differ among occupations as well as among individuals".¹⁰

A soak life way of profit can be outlined by a high-skill calling, such as surgery, where profit reflected compensation for both formal instruction and for value-added work encounter. Mincer's conclusion was "interoccupational differentials are therefore a function of differences in training.... Intra-occupational differences arise when the concept of investment in human capital is extended to

¹ I. Fisher, *The Nature of Capital and Income*, Macmillan, New York, 1906.

² I. Fisher, *The Nature of Capital and Income*, Macmillan, New York, 1906, p. 51.

³ I. Fisher, *The Nature of Capital and Income*, Macmillan, New York, 1906, p. 168; Scott R. Sweetland, 'Human Capital Theory: Foundations of a Field of Inquiry', *Review of Educational Research*, vol. 66, no. 3, 1996, pp. 341-359, p. 344.

⁴ M. Blaug, 'The Empirical Status of Human Capital Theory: A Slightly Jaundiced Survey', *Journal of Economic Literature*, vol. 14, 1976, pp. 827-855.

⁵ M. Blaug, *Economics of Education: A Selected Annotated Bibliography*, Pergamon Press, New York, 1966; B. F. Kiker, *Human capital: In retrospect*, University of South Carolina, Bureau of Business and Economic Research, College of Business Administration, Columbia, 1968.

⁶ Jacob Mincer, 'Investment in Human Capital and Personal Income Distribution', *The Journal of Political Economy*, vol. 66, no. 4, 1958, pp. 281-302.

⁷ Jacob Mincer, 'Investment in Human Capital and Personal Income Distribution', *The Journal of Political Economy*, vol. 66, no. 4, 1958, pp. 281-302, p. 299.

⁸ Jacob Mincer, 'Investment in Human Capital and Personal Income Distribution', *The Journal of Political Economy*, vol. 66, no. 4, 1958, pp. 281-302, p. 287.

⁹ Jacob Mincer, 'Investment in Human Capital and Personal Income Distribution', *The Journal of Political Economy*, vol. 66, no. 4, 1958, pp. 281-302, p. 287; Scott R. Sweetland, 'Human Capital Theory: Foundations of a Field of Inquiry', *Review of Educational Research*, vol. 66, no. 3, 1996, pp. 341-359, p. 345.

¹⁰ Jacob Mincer, 'Investment in Human Capital and Personal Income Distribution', *The Journal of Political Economy*, vol. 66, no. 4, 1958, pp. 281-302, p. 287

include experience on the job".¹ He acknowledged the potential for restrictive income distributions, and stated "even perfect equality of ability and opportunity implies neither income equality nor symmetry in the income distribution".²

Fabricant examined Joined together States efficiency, over the period 1889 to 1957.³ He found that the strategies and presumptions underlying productivity calculations regularly belittled intangible capital speculation and so exaggerated efficiency.

Fabricant contended that a few intangible capital may well be accounted for by basically weighting the work list to reflect certain qualities.⁴ This bookkeeping for intangible capital inputs came basically from the 1956 ponders of Abramovitz,⁵ who appeared that national yield expanded at a speedier rate than standard inputs might clarify. Abramovitz named this difference, between output and explained inputs, as a "measure of our ignorance".⁶ Fabricant noted that this measure of ignorance had grown at a faster rate through the period 1889-1957. By drawing expanded consideration to this explanatory elision of "measure of ignorance", Fabricant may have started macroeconomic intrigued within the possibility of human capital hypothesis.

Becker searched personal incomes differentials accruing to United States college graduates.⁷ He tried to determine if national expenditures on higher education were adequate, and whether American college student quality could be enhanced. Becker's methodology compared college graduates personal incomes with incomes of high school graduates, mathematically deriving a rate of return on investment in college education. His 1960 research hypothesis was, "If this rate of return was significantly higher than the rate earned on tangible capital, there would be evidence of underinvestment in college education".⁸ Although Becker could never directly support his hypothesis, the design of his study provided him with a new methodology for analysis of human capital investments. Four years later, his human capital theory monograph was published.⁹ It, and its subsequent two editions, specifically used this methodology.¹⁰

¹ Jacob Mincer, 'Investment in Human Capital and Personal Income Distribution', *The Journal of Political Economy*, vol. 66, no. 4, 1958, pp. 281-302, p. 301.

² Jacob Mincer, 'Investment in Human Capital and Personal Income Distribution', *The Journal of Political Economy*, vol. 66, no. 4, 1958, pp. 281-302, p. 302.

³ S. Fabricant, *Basic Facts on Productivity Change*, National Bureau of Economic Research, New York, 1959.

⁴ Scott R. Sweetland, 'Human Capital Theory: Foundations of a Field of Inquiry', *Review of Educational Research*, vol. 66, no. 3, 1996, pp. 341-359, p. 346.

⁵ M. Abramovitz, *Resource and Output Trends in the United States since 1870*, National Bureau of Economic Research, New York, 1956.

⁶ M. Abramovitz, *Resource and Output Trends in the United States since 1870*, National Bureau of Economic Research, New York, 1956, p. 11.

⁷ G. S. Becker, 'Underinvestment in College Education?', *The American Economic Review*, vol. 50, no. 2, 1960, pp. 346-354.

⁸ G. S. Becker, 'Underinvestment in College Education?', *The American Economic Review*, vol. 50, no. 2, 1960, pp. 346-354, p. 347.

⁹ G. S. Becker, *Human Capital: A Theoretical and Empirical Analysis, with Special Reference to Education*, National Bureau of Economic Research, New York, 1964.

¹⁰ G. S. Becker, *Human Capital: A Theoretical and Empirical Analysis, with Special Reference to Education*, 2nd edn, National Bureau of Economic Research, New York, 1975; G. S. Becker, *Human Capital: A Theoretical and Empirical Analysis, with Special Reference to Education*, 3rd edn, National Bureau of Economic Research, New York, 1993; Scott R. Sweetland, 'Human Capital Theory: Foundations of a Field of Inquiry', *Review of Educational Research*, vol. 66, no. 3, 1996, pp. 341-359, p. 347.

Schultz constructed his analysis within a 1961 published article, based mainly on his experience in agricultural economics, to sustain human capital theory and its many attached methodologies.¹

To reinforce his 1960 studding of rate of return, Schultz stated the following proviso: "It is essential to distinguish between the return and the rate of return for reasons already presented. It must be borne in mind that the measured return to schooling is simply that part of earnings attributed to education".² He compared Denison's study as considering total return, with Becker's study as considering rates of return: "When the aim is to estimate the rate of return, the important unsettled question is: What part of the costs of schooling is being invested in producer capabilities?".³

To indicate the crucial significance of this divergence, Schultz repeated the need to discuss the pure consumption portion of costs. Becker digressed from the total returns approach to investigate rates of return from human capital investments in education and training.⁴

Becker's calculations inferred a 12.5% minimum,⁵ and a 25% maximum.⁶ All this groundwork readied it to become an institution.

The Human Capital Revolution

Much of the impetus for the "human capital revolution" of the late 1950s and early 1960s came from the earlier neoclassical growth model.⁷ This model tried to provide a quantitative assessment of market economies sources of economic growth. This neoclassical model emphasised conventional measures of labour and physical capital as the basic inputs. Early users of the model recognized a large unexplained residual, generally ascribed to the role of technology.⁸ The labour input quality, measured by education, skill, and entrepreneurship, was obviously missing in this accounting experiment, probably setting the stage for considering investment in human beings. Also, the neoclassical model did not address sources of wage disparity and personal income distribution. The work of Schultz on knowledge and ability in accounting for productivity growth,⁹ and Mincer on investment in human capital as a determining factor of personal earnings, might have been attempts to fill the research gap.¹⁰

¹ T. W. Schultz, 'Investment in Human Capital', [Presidential address delivered at the annual meeting of the American Economic Association, Saint Louis, MO, December, 1960], 1961.

² T. W. Schultz, *The Economic Value of Education*, Columbia University Press, New York, 1963, p. 58.

³ T. W. Schultz, *The Economic Value of Education*, Columbia University Press, New York, 1963, pp. 58-59.

⁴ G. S. Becker, *Human Capital: A Theoretical and Empirical Analysis, with Special Reference to Education*, National Bureau of Economic Research, New York, 1964.

⁵ G. S. Becker, *Human Capital: A Theoretical and Empirical Analysis, with Special Reference to Education*, National Bureau of Economic Research, New York, 1964, p. 118.

⁶ G. S. Becker, *Human Capital: A Theoretical and Empirical Analysis, with Special Reference to Education*, National Bureau of Economic Research, New York, 1964, p. 120; Scott R. Sweetland, 'Human Capital Theory: Foundations of a Field of Inquiry', *Review of Educational Research*, vol. 66, no. 3, 1996, pp. 341-359, p. 351.

⁷ Robert M. Solow, 'A Contribution to the Theory of Economic Growth', *Quarterly Journal of Economics*, vol. 70, no. 1, 1956, pp. 5-94.

⁸ Robert M. Solow, 'Technical Change and the Aggregate Production Function', *The Review of Economics and Statistics*, vol. 39, no. 3, 1957, pp. 312-320, p. 317; Edward F. Denison, *The Sources of Economic Growth in the United States*, Commercial Economic Development, Washington, DC, 1962.

⁹ Theodore W. Schultz, 'Investment in Man: An Economist's View', *The Social Service Review*, vol. 33, no. 2, 1959, pp. 109-117; Theodore W. Schultz, 'Investment in Human Capital', *The American Economic Review*, vol. 51, no. 1, 1961, pp. 1-17.

¹⁰ Jacob Mincer, 'Investment in Human Capital and Personal Income Distribution', *The Journal of Political Economy*, vol. 66, no. 4, 1958, pp. 281-302.

The human capital literature received its initial major impetus through a collection of influential papers in the 1962 Special Issue of the *Journal of Political Economy*, entitled “Investment in Human Beings”, edited by Schultz.¹ This masterwork published together nearly all the major arguments and directions human capital theory took over the ensuing decades, arguably still persisting to this day.²

Many scholars, both within and outside economics, disagreed with the term “human capital”, as it equated humans with slaves or machines.³ However, two influential books, published after the 1962 *Journal of Political Economy* symposium, gave the concept of “human capital” its empirical and theoretical bases. Becker’s *Human Capital* provided far-reaching analytical bases for comprehending investments in human capital.⁴ The personal distribution of educational accomplishments and earnings was explained by the parallel development of Mincer’s “human capital earnings function” as summarized in his *Schooling, Experience, and Earnings*.⁵ This literature profoundly impacted the measurement of rates of return from schooling and training. It also suggested significant insights into observed labour market outcomes. These included wage differentials, choice of occupational, “specific” and “general” training, employer and employee bonding, optimum wage contracts, and sources of inequality in labour income distribution.⁶

As a result, the institution of human capital was presently fully operational. It acted to distinguish the capital values of individuals through their diverse sorts of value to the ace course of society. This was not a personal relationship between Ace and the slave. It was an oppressing state advertising clear free choice to a mass slave course. In this manner, the universal law gets to be significant, to see in case the state had crossed the line of property in human creatures.

The International Law Definitions of Slavery

The League of Nations 1926 Slavery Convention provided a definition of contemporary slavery, as follows.

"(1) Slavery is the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised.

(2) The slave trade includes all acts involved in the capture, acquisition or disposal of a person with intent to reduce him to slavery; all acts involved in the acquisition of a slave with a view to selling or exchanging him; all acts of disposal by sale or exchange of a slave acquired with a view to being sold or exchanged, and, in general, every act of trade or transport in slaves".⁷

This built up a premise for states to survey servitude inside their borders. The definition attested that subjugation comprised of a circumstance in which an person was assumed beneath the total control of

¹ ‘Investment in Human Beings’, *Journal of Political Economy*, vol. 70, no. 5, 1962; Isaac Ehrlich and Kevin M. Murphy, ‘Why Does Human Capital Need a Journal?’, *Journal of Human Capital*, vol. 1, no. 1, 2007, pp. 1-7, p. 1.

² Isaac Ehrlich and Kevin M. Murphy, ‘Why Does Human Capital Need a Journal?’, *Journal of Human Capital*, vol. 1, no. 1, 2007, pp. 1-7, p. 2.

³ Gary S. Becker, *Human Capital*, 3rd edn, University of Chicago Press, Chicago, 1993.

⁴ Gary S. Becker, *Human Capital*, 3rd edn, University of Chicago Press, Chicago, 1993.

⁵ Jacob Mincer, *Schooling, Experience, and Earnings*, Columbia University Press, New York, 1974.

⁶ Isaac Ehrlich and Kevin M. Murphy, ‘Why Does Human Capital Need a Journal?’, *Journal of Human Capital*, vol. 1, no. 1, 2007, pp. 1-7, p. 2.

⁷ Slavery Convention, Signed at Geneva on 25 September 1926, art. 1.

another, as in the event that this person was the property of the other. In conjunction with a fundamental definition of modern servitude, the most concern of the 1926 Tradition was to screen endeavors towards its disallowance.¹

In spite of the definition and diagram given by the 1926 Commission, a overseeing body dependable for the assessment and observing of human rights infringement, within the frame of modern subjugation, did not exist. Moreover, there was no all-inclusive set of laws and conventions that would annul modern shapes of subjugation globally. In 1930, a Counseling Commission was made to address a few of these failings but was restricted in its impact due to secrecy assertions among states that directed what might and seem not to be uncovered freely.²

In 1945, the Joined together Countries developed as the successor to the Alliance of Countries. The 1953 Subjugation Tradition authorized the Joined together Countries to direct issues of modern subjugation. The resultant 1953 Servitude Tradition extended upon the 1926 Convention's definition of servitude to include worldwide participation in tending to the financial and social components that bolstered the presence of modern servitude.³

Extra traditions taken after the 1953 Servitude Tradition. These driven around the world endeavours to uphold the destruction of all shapes of servitude. Built up in Geneva in 1956, the Supplementary Tradition on the Abrogation of Subjugation, the Slave Exchange, and Teach and Hones Comparative to Subjugation extended the definition of modern subjugation to incorporate obligation subjugation, serfdom, the offering of ladies by their families for marriage, certain shapes of manhandle of ladies, and the buying and offering of children for work or prostitution.

By considering slavery-like practices, newly-independent UN member States were given a platform to criticise colonialism, but more so, as a further means of challenging apartheid. This happened while deflecting attention away from entrenched customs, such as child marriage and widow inheritance, which UN members did not consider to be forms of servitude.⁴ Now that aspects of property and slavery were classified as institutions, making it easy for business to operate apparently lawfully while actually exercising powers of property of human beings, it remains to assess to what extent this international law had been reduced into municipal law, in the U.S. Code.

¹ Rhona K. M. Smith, 'Human Rights in International Law', *Human Rights: Politics and Practice*, vol. 30, 2009, pp. 26-45, p. 30.

² *ibid.*, p. 32.

³ Egon Schwelb, 'Some Aspects of International Jus Cogens as Formulated by the International Law Commission', *American Journal of International Law*, vol. 61, no. 4, 1967, pp. 946-975, p. 950.

⁴ Suzanne Miers, 'Slavery and the slave trade as international issues 1890-1939', *Slavery and Abolition*, vol. 19, no. 2, 1998, pp. 16-37, p. 21.

Conclusion

Although slavery's beginnings were in the economic use of prisoners of war, Maine preferred it to be characterised as a legal rather than status theory, still unabsorbed into modern analyses. Slavery could be divided into the early domestic kind, and, a later chattel kind, with labour as only one of the many uses for slaves. This suggested that slavery could be characterised on a continuum whose limits were domestication and physically seizing the human being by force.

Slavery, in any case, is the mere act of seizing people, equally as significant, or insignificant to some, as appropriating fire or animals. Thus, the act of seizing infers the institution of property, meaning the slave is considered as having an enhanced use. When the barbaric warrior spares his enemy's life, he brings him home to do his work, usefully, as his slave. This could explain why Marx saw the ancient slave as an organic accessory of the land, and a further development of property. Marx did not see slavery's sources in war. He saw it as a latent facet of family life, no doubt measured by a person's practical usefulness within the family. It would manifest spontaneously, only with population increase and with the needs inherent in external war or trade.

However, it can now be seen that slavery required a regulative and political infrastructure for controlling the slaves, suggesting the state might not want it to wither away. To sustain this view, Grotius said that although slavery was contrary to nature, it did not conflict with natural justice that slavery should arise from a convention or a crime. The crime of kidnapping comes to mind. According to Grotius, legal slavery had its two sources in self-sale for gaining the means for self-preservation, and capture during a just war. The idea of a just war must relate to the ambient level of state appropriation of land, in as much as states can seize land during war conquests. Following this reasoning, Pufendorf proposed a qualified state of nature, where the institutions of marriage, private property and slavery arose because of agreements.

Domestication meant that process where humans transformed wild animals and plants into more useful products, by somehow controlling their breeding. Jacoby characterised slavery as the domestication of human beings, by a master's urge to control, which was just as strong as in the subjection of wild beasts. This now resonates with the idea of the barbaric conqueror, discussed as above, meaning that human domestication must amount to some kind of control over human breeding.

Smith's two principal elements of human capital were, first, the acquired and useful abilities of all the inhabitants or members of the society, in addition to the state of the skill, dexterity, and judgement with which labour is applied. Second was ability acquired through education, study, or apprenticeship, as a capital fixed and realized in the person. Thus, human capital sounds like an imposed process of human differentiation, by the master onto the servant, inevitably affecting human breeding.

Human capital as an imposed process of human differentiation, by the master onto the servant, must inevitably affect human breeding. The creation of human capital can be seen as an indicium of voluntary slavery by human domestication. The very idea of human capital appears to be unavailable for recognised consideration by servants, as Shultz seized control of its very idea, when he created a monopoly of thinking in the field. Human capital must be an idea for the social class of masters, arguably the state. The international law proscribes the state exercising a power of property over human beings. Masterfully manipulating the breeding of large groups of human beings is exercising a power of property of human beings because it argues for their enhanced usefulness. As for the relevant parts of the U.S. Code, §1584 is unlikely to refer to human capital unless the business

purports to transfer a person's human capital to another entity. §1589 and §1592 deal with a proscription of forced labor and could possibly constitute an argument against human capital.

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