How free was wage labour in England 1500-1700? The case of servants

Jane Whittle, University of Exeter[1]

Introduction

In around 362 B.C. Xenophon wrote his work, *Oeconomicus*, describing the ideal household and estate economy of the ancient Athenian state. It was a slave economy, and the household and estate workers he described were slaves. When this work was published in English in 1532 as *Xenophon's Treatise of the Household* slavery was barely mentioned. Instead the workers were largely described as servants. As a consequence of this translation, the form of management described by Xenophon fitted remarkably closely to the ideals of sixteenth-century English gentlemen, and it became a popular book. The argument of this paper is that we need to think more carefully about the similarities between slaves and servants. That is not to say that service was equivalent to slavery, but rather that it had a number of common elements that are often overlooked, and should cause historians to think more carefully about the classification of service as a form of 'free' wage labour.

The dominant narratives in European history consistently assume that all wage labour was free, in contrast to serfdom or slavery.[2] Yet the conditions under which people worked for wages varied a great deal, and often included elements of unfreedom. This paper focuses on servants in early modern England and asks: how free was their labour? It is split into six sections and a conclusion. The first briefly surveys the existing historiography of service in England and examines what is known about the proportion of wage workers in the population, and proportion of wage workers that were servants. Section two measures the freedom of servants against a 'scale of freedom' suggested by the historian of modern slavery, Robert Wright. Section three focuses examines how the English labour laws reinforced the elements of unfreedom embedded within service in early modern England. Section four returns to the issue of translation to consider how service was understood in English society and culture. It looks at the interchangability of service and slavery not just in Xenophon but also in the Bible and asks how this should be understood. Section five contrasts service with two other forms of even less-free service that also existed in the English realm of the seventeenth century: pauper apprenticeships and indentured service. Section six anticipates counter-arguments by considering briefly how workers actually experienced service in early modern England, with evidence of good and bad relationships between servants and their employers.

1. Historiography and context

Servants formed a significant proportion of the English population from at least the late thirteenth century onwards. Recent estimates by Humphries and Weisdorf suggest that in c.1290 18% of the male population were employed on annual contracts, with the majority of these in service.[3] Using household listings from 1574-1821 Kussmaul found that 13.4% of the population were servants.[4]

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[2] Steinfeld pointed out the problematic nature of this assumption three decades ago: Robert J Steinfeld, *The Invention of Free Labour* (University of North Carolina Press, 1991) p.1.
[3] Estimated by Jane Humphries and Jacob Weisdorf, 'Unreal wages? Real income and economic growth in England, 1260-1850' *Economic Journal* 129 (2019), p.2882., estimated from data in Bruce M. S. Campbell, *The Great Transition: Climate Disease and Society in the Late Medieval World* (CUP, 2016), Table 3.4.
[4] Ann Kussmaul, *Servants in Husbandry in Early Modern England* (CUP, 1981).

Servants made up a large proportion of the wage labour force. Muldrew's analysis of the 1608 Gloucestershire Muster Lists shows that there were 1.9 male servants to every male day labourer. In predominantly rural household listings (as studied by Kussmaul) from 1688-1750 there were 1.7 servants for every labourer; while Arthur Young's survey of 250 large farms in the 1760s still recorded 1.6 servants for every day labourer.[5] This indicates that servants provided the majority of wage labour, particularly in rural areas. In terms of the quantity of work provided the proportion was even greater, as servants worked more days in the year and often longer hours than day labourers. The dominance of service as the main form of wage labour was particularly marked for women, who were rarely employed as full-time labourers but frequently worked as servants. Kussmaul found that the ratio of male to female servants was 107:100, rising to 121:100 in farming households.[6] My own research using bequests in wills shows that women were more likely to be employed as servants in less wealthy households and in pastoral regions, where the numbers of female servants recorded typically outnumbered male servants.[7] An example of the rural wage labour force in the sixteenth century is provided by the village of Marsham in Norfolk. It had a mixed economy of arable and pastoral farming with some cloth production and a population of around 300 people. In 1566 this population included 17 female servants, 11 male servants, 7 (male) day labourers and 3 craftsmen who depended on wages.[8] This meant servants made up around 6% of the population but 74% of the regular contracted employees in the village (not all servants earned wages). In short, wage labour was an established part of the English economy from the late medieval period onwards, and in rural areas at least, servants provided that majority of that labour until the late eighteenth century.

2. Measures of freedom in work

A number of studies offer useful frameworks for considering the degree of freedom in different forms of labour.[9] However, I want to experiment here by using a checklist suggested by the historian of slavery, Robert Wright, who devised a list of 20 questions to differentiate free from coerced labourer.[10] What happens when we measure service, as it existed in early modern England, against these, as shown in table 1? By my assessment service is unfree according to 11 of the questions, and free with regard to the remaining nine. This emphasises its 'less-than-free but not completely unfree' nature. Wright compiled his list of questions with reference to modern definitions of slavery

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[5] Craig Muldrew, *Food, Energy and the Creation of Industriousness: Work and MMaterial Culture in Agrarian England, 1550-1780* (CUP, 2011), p.222-3.

[6] Kussmaul, p.4.

[7] Jane Whittle, 'Housewives and servants in rural England, 1440-1650: evidence of women's work from probate documents', *Transactions of the Royal Historical Society*, 6th Series, Vol.15, (2005).

[8] Jane Whittle, *The Development of Agrarian Capitalism: Land and Labour in Norfolk 1440-1580*, (OUP, 2000), p.233.

[9] E.g. Robert J. Steinfeld and Stanley L. Engerman, 'Labor - Free or Coerced? A Historical Reassessment of Differences and Similarities', in *Free and Unfree Labour. The Debate Continues*, ed. Tom Brass and Marcel van der Linden (Bern, 1997); Marcel van der Linden, 'Dissecting Coerced Labor', in *On Coerced Labor: Work and Compulsion after Chattel Slavery*, ed. Marcel van der Linden and Magaly Rodríguez García (Leiden, 2016), 293–322; Christian G. De Vito, Juliane Schiel and Matthias van Rossum, 'From Bondage to Precariousness? New Perspectives on Labor and Social History', *Journal of Social History* Winter (2020), 1-19: I am grateful to Carolina Uppenberg for these references. Also useful in quite different ways are: Andrea Komlosy, *Work: The Last 1000 Years* (Verso, 2018) and Alice Rio, *Slavery after Rome, 500-1100* (OUP, 2017). There is a large literature that compares serfdom and slavery, e.g. Peter Kolchin, *Unfree Labor: American Slavery and Russian Serfdom* (Harvard University Press, 1987); M. L. Bush ed. *Serfdom and Slavery: Studies of Legal Bondage* (Longman, 1996).

[10] Robert E Wright, *The Poverty of Slavery: How Unfree Labor Pollutes the Economy* (Palgrave Macmillan, 2017), pp.25-7.

provided by the ILO and Anti-Slavery International, but he also consulted definitions suggested in the historical literature relating to ancient, medieval and early modern slavery. He notes that 'some researchers might want to weight the answers to questions 5 and 10 in this "scale of freedom" more heavily': both these questions show servants to be clearly restricted in their freedoms.[11]

Table 1: Service measured against Wright's 'scale of freedom'

Question	No = servants were unfree workers Yes = servants had significant rights/freedoms	
1. Is the labourer paid primarily in cash or other liquid asset such as company stocks	No	Servants were paid predominantly with board and lodging + a small cash wage
2. Can the labourer own property on the same terms as his or her employer?	Yes	There were no restrictions on servants owning property
3. Is the labourer free from physical restraints?	No	It was acceptable (and advised) for masters to punish servants physically
4. Is the labourer free from psychological restraints?	No	Hard to say, but probably not, given servants lived with their employers
5. Is the labourer not legally required to work?	No	It was illegal to be unemployed and punishments could be severe
6. Is the labourer unalienable	Yes	Servants could not be sold to other employers
7. Is the labourer incapable of owing their employer significant sums (in such a way as create debt bondage)	Yes	Although servants might get wages in advance they were unlikely to be significantly indebted to their master
8. Has the worker not been subjected to 'seasoning' designed to break his/her will to find other employer?	Yes	There is no evidence of this, although there was a social expectation that young people would enter service
9. Does the labourer have freedom of movement in order to search for other employment?	Yes	Yes – but only at the end of the contract or after significant notice has been given and agreed
10. Can the labourer quit without monetary or other loss?	No	The servant can only leave at the end of the contract and can be prosecuted and punished for leaving earlier
11. Can the labourer control their work schedule?	No	One of the defining features of service is that servants must do whatever is requested by their employer
12. Can the labourer control the total hours they work?	No	Servants must work whatever hours requested, although some periods of leisure were customary
13. Can the labourer control the tempo of their work?	No	Tasks are set by the employer and slow work can result in physical punishment.
14. Is the labourer not legally dead, socially dead, or otherwise alienated from formal/dominant social order?	Yes	Servants have some legal rights – those similar to children. These are greater than chattel slavery.
15. Does the labourer not belong to a group that has been dishonoured?	Yes	Apart from differences in age and wealth, servants belong to the same social group as their employers

[11] Wright, p.25.

16. Can the labourer control their own name?	Yes	Up to a point. Servants are normally known by their first name only – but it is their own given name
17. Can the labourer determined what to consume and where to buy consumption goods?	No	Servants have no control over the food and housing they consume, although they usually control clothing
18. Can the labourer choose their place of residence?	No	Servants live with their employer in accommodation provided for them
19. Is the labourer able to marry on the same terms as his or her employer?	Yes	Servants can marry, but marriage must be delayed to the end of a contract
20. Does the labourer have control over their own children on the same terms as their employer?	No	Servants who have children must find someone else to care for them while they are employed

3. The English labour laws 1349-1800

The majority of the restricted freedoms experienced by servants as listed in table 1 were determined by customary elements of the contract of service which existed before the first labour laws were passed in 1349, and continued to exist alongside the labour laws during the early modern period. For instance these determined that servants were largely paid in kind and that they lived with their employer. Thus they could not have a household of their own or care of their own children.[12] It was understood that employers were responsible for servants' morality and practice of religion, and that employers had a duty to physically punish disobedient or insufficiently subservient servants. Servants had little overt control over the type of work they did, or its duration or intensity; nor could they control their living accommodation or food consumption, which were provided by the employer. Contracts could not be broken at will.[13]

The labour laws reinforced these arrangements in three important ways.[14] First they made unemployment and intermittent employment illegal. Second, they made breaking contracts of service a criminal offence punishable with imprisonment rather than a civil offence.[15] Third, they set maximum wage rates which could be paid to different types of worker.[16] Of these measures the illegality of unemployment was arguably the most important. The law stated that anyone, male or female, under the age of 60 without a certain amount of property or a skilled craft, must enter service.[17] Those out of work could be placed in compulsory service. Unemployed people travelling in search of work or working intermittently without the proper documentation could be prosecuted as vagrants, with punishments including whipping, mutilation and imprisonment.[18] A statute in 1547 even introduced temporary slavery as a punishment for vagrancy, but this was revoked after two

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[12] Occasionally married couples were employed as servants and provided with accommodation as a separate household, but this was quite rare.

[13] See Steinfeld pp.55-8.

[14] For a more detailed discussion of the labour laws.See Whittle 2000, pp.275-301 and Jane Whittle, 'Attitudes to wage labour in English labour legislation 1349-1601' in Jane Whittle and Thijs Lambrecht ed., *Labour laws in preindustrial Europe: the coercion and regulation of wage labour, c.*1350-1850, forthcoming, 2021.

[15] Steinfeld pp.28-9.

[16] Steinfeld lists 4 key implications of the labour laws (p.22). His fourth one is the clause regarding service by the usual term – but this was less clear in statutory terms than the other three.

[17] This is the first clause of the first law of 1349, and was repeated in 1563.

[18] On the interaction between the labour and vagrancy laws see A. L. Beier, '"A new serfdom": labor laws, vagrancy statutes and labor discipline in England, 1350-1800' in A. L. Beier and Paul Ocobock ed. *Vagrancy and Homelessness in Global and Historical Perspective* (Ohio University Press, 2008), and Whittle 2021.

years as unworkable.[19] In practice married people with their own household were exempt from compulsory service, but unmarried people, even if they had a home and casual work, were liable. Records of the enforcement of compulsory service are patchy, but do show it was enforced in some places and some periods.[20] As enforcement did not necessarily involve the courts, we should not expect it to be well documented. In 1563, when the medieval labour laws were revised and re-enacted, the provisions for compulsory service were extended to craft workers and townspeople and elaborated rather than reduced.

As I have argued in a recent article, the sheer quantity of labour and vagrancy legislation demonstrates this was a major concern of those in power from 1349 onwards, creating a new type of legal system geared towards the control of the poorer sections of society.[21] The concerns and language of these statutes make it clear that rather than seeking to ensure a smoothly functioning labour market, the overriding aim of these laws was not only to 'banish idleness' but ensure subservience. People were reminded not of their duty to work, but to 'serve'. Casual employment and even the ownership of a small amount of property were not sufficient to exempt people from this duty and service was preferred over day labour.

The laws not only attempted to ensure people entered service, but also increased punishments for breaking contracts.[22] These measures, along with wage regulation, reduced the ability of servants to negotiate their working conditions and remuneration. Broken service contracts are the most common type of case citing the labour laws found in court records. Thus while the great majority of servants entered their contracts freely, they could not leave freely, even if mistreated, until the end of their term. The length of contracts and form of payment (mostly in food and accommodation) gave employers such a high degree of control over servants, and led to the government (and employers) preferring service over day labouring as means of securing a labour force in agriculture and elsewhere. The labour laws and vagrancy legislation make it clear that service was understood as a means of social control, and particularly as a means of controlling the young, propertyless people.

4. Translating 'slave' as 'servant'

When late medieval and early modern Englishmen translated ancient texts such as Xenophon and Aristotle from Greek or the Bible from Hebrew or Latin, they translated 'slave' as 'servant'. This section examines the context in which these translations were made and considers their wider implications. It is argued that these translations not only indicate the servants and slaves could fulfil very similar roles in society, but also that the elite men who read and wrote these works considered service to be a servile form of labour. That is, they considered servants and slaves to have a similar function and status. Nonetheless, there were limits to this, and when slaves are described being bought and sold, or bound in chains, translators instead used the terms bond servant and bondman,

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[19] C. S. L. Davies, 'Slavery and protector Somerset: the vagrancy act of 1547' *Economic History Review* 19:3 (1966); see appendix to this paper.

[20] The best evidence is for East Anglia: Whittle 2000, pp.276-96; Tim Wales, '"Living at their own hands": policing poor households and the young in early modern rural England', *Agricultural History Review* 61:1 (2013).

[21] There were 38 Statutes concerned with the regulation of labour (including vagrancy) between 1349 and 1601. Of the 145 parliaments held in this period 52 or 36% discussed labour regulation. See Whittle 2021.

[22] Steinfeld regards this as more significant than the compulsory service clause although he notes how the two measures interacted, see p.23.

drawn from the terminology of English serfdom. As a consequence ideas about service, serfdom, and slavery interact within these early modern translations.

In her study of the *Social Universe of the English Bible* (2010) Naomi Tadmor includes an extended discussion of slaves and servants. As well as noting the conventions of translation described above, she emphasises two wider social implications that resulted from transforming biblical slaves into early modern servants. First, quotations from the Bible were regularly used in household advice books – sometimes books published by the translators of the Bible themselves, and these quotations were used specifically to emphasise the obedience and subservience due from servants to their employers.[23] Thus for example William Tyndale, as well as translating the Bible, wrote a treatise on *The Obedience of a Christian Man* in which he states that 'The master is unto the servant in god's stead' and so the servant 'ought to obey him as God'.[24] Another Bible translator, Lancelot Andrews, composed a special prayer for servants as part of a work on the Ten Commandments. In this prayer the servant asks God to 'give me humble and obedient heart, and make me contented with this condition of life, as allotted to me by thy providence … and that I may not murmur against them, or envy those that are seated in a higher estate: that I may obey them in all their honest commands, in all fear and true respect'.[25] Tadmor's second important conclusions is that this method of translation very largely removed any references of slavery from the Bible itself, and thus precluded any sustained discussion of slavery as an institution in sixteenth and early seventeenth century English society. Sixteenth century England was not ignorant of what slavery was – as mentioned above the 1547 Vagrancy Act instituted temporary slavery as a punishment.[26] Nonetheless these translations did allow people to separate the idea of slavery from their system of Christian beliefs.[27]

The similar slippage in translation that occurs in the English edition of Xenophon's *Oeconomicus* demonstrates that these linguistic manoeuvres were not unique to the Bible or works concerned with Christian belief. Xenophon's text takes the form of a dialogue about the best way to run a household and estate, and dwells at some length on how train and manage both the estate-owner's wife and his slaves to his greatest benefit.[28] In the 1532 English edition the word slave appears only once, and in most cases slave is translated as servant, or occasionally bondman.[29] The translations of slave to servant can be grouped into those examples which work well and the terms are easily interchanged,[30] those which are slightly awkward,[31] and those that are inappropriate.[32] The last are perhaps the most interesting as they emphasise the boundary between service and slavery.

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[23] Naomi Tadmor, *The Social Universe of the English Bible: Scripture, Society and Culture in Early Modern England* (CUP, 2010), pp.108-112.

[24] Quotations taken from Tadmor p.108.

[25] Quotations from Tadmor, pp.109-10.

[26] See appendix to this paper.

[27] See Tadmor on this, p.89 and pp.113-18.

[28] Sarah B. Pomeroy, *Xenophon* Oeconomicus*: A Social and History Commentary with a New English Translation* (OUP, 1994).

[29] *Xenophon's Treatise of Household* (London, 1532), Bodleian Library STC 2nd Edition 26069, accessed via EEBO.

[30] E.g. work tools of slaves/servants being well organised; slave/servant being sent to buy goods at market; wife providing medical care for sick slaves/servants; the master's duty to train slaves/servants in work tasks and behaviour; the wife's role being compared to that of a slave/servant.

[31] E.g.The master ensuring that slave/servant is honest and law-abiding; slave/servant should be motivated by wanting to please their master; slave/servant being proud to work for a farming household.

[32] The slave/servant/bondmen will run away from a bad master even if held in chains; well behaved slaves/servants can have children with their master's permission; slaves/bondmen can be trained in the same way as beasts with rewards for good behaviour.

Although the translator could envisage servants running away from a bad master, he could not imagine them being held in chains, nor could he stomach the advice that that servants should be trained in the same way as beasts (horses). On the issue of children, employers of early modern servant were familiar with the idea that their servants should not 'get them with children without our consent', but the following line 'For they that be good, if they have children through our permission, they will love us the better' makes no sense at all in the context of early modern service, whereas it was relevant to slavery.[33]

We can suggest a number of reasons why 'slave' was translated as 'servant' in early modern England. The first is that this was genuinely understood as the most accurate translation – the words are very similar, particularly in Latin, and some idea of social context in the ancient world is necessary to make an accurate translation.[34] But this argument can quickly be dispelled. Translators of the Bible and works such as Xenophon frequently encountered elements of slavery described in these texts which were incompatible with their ideas of service: people being held in chains and being bought and sold, and whole groups of people being condemned to slavery. The 1547 Statute demonstrates that 16th-century Englishmen had a very clear understanding of what slavery involved and how it contrasted with service. The second possible reason is that it was done to make ancient societies seem more admirable, by playing down the extent of slavery. It is possible this might be the case with the Bible, but it is hard to explain in the translation of Xenophon. A third explanation is that it was done to make these texts more understandable and relevant to a sixteenth- and seventeenth-century English readership. This does seem to have been at least partly the case. Yet this only makes sense if at the same time we accept that such translations were possible because English translators and readers – most of whom were elite men and the employers of servants – saw servants as servile and in some ways slave-like. The labour laws emphasised the duty of the young and poor not to just to work, but 'to serve', these translations did likewise. I think this point needs to be emphasised. It suggests that many early modern employers, and certainly those who made laws and employed the largest number of servants, did not think of servants as free agents who bargained for labour contracts, but as subservient workers who had a duty to obey and fear their social superiors and were rightly subject to a range of controls on their freedom.[35]

5. Service and other less-free forms of labour

Service existed alongside other forms of less free labour within the economy, to which it was closely related. In the late medieval period it was not unusual for servants to come from unfree families who were subject to serfdom, and even in the period 1450-1550 some manorial lords attempted to trace the children of their hereditary 'bondmen of blood' as they moved around in patterns which suggest they were in service, living in a different household each year.[36]

Almost as soon as serfdom disappeared, the government began creating new forms of less free labour. From 1536 onwards laws were developed which placed children of poor parents into 'apprenticeships' which were effectively unpaid, long-term positions as servants. Apprenticeships could begin when the child was less than 10 and last until they were 18, 21 or 24. Unlike craft apprenticeships, these children were not taught specialist skills, instead they were just expected to

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[33] Xenophon, 1532.
[34] For the chronology and details of translation see Tadmor, pp.91-105.
[35] As Steinfeld emphasises, worker and employer were not seen as contractual equals before the 19th century (p.14).
[36] Whittle 2000, pp.37-46; Jane Whittle, 'Population mobility in rural Norfolk among landholders and others c.1440-c.1600' in Christopher Dyer ed. *The Self-Contained Village? The Social History of Rural Communities, 1250-1900*, (University of Hertfordshire Press, 2006).

work. Initially these were aimed at children who were caught begging or whose parents were beggars. As the Statute of 1549 put it, they were to be placed as a 'servant without wages, to what labour, occupation or service soever'.[37] These measures were consolidated in the English poor laws of 1597-1601 which remained in force until 1834. The poor laws allowed the 'children of all such whose parents shall not … be thought able to keep or maintain their children' to be placed in unpaid pauper apprenticeships until they were 21 (girls) or 24 (boys).[38] Unlike other work-creation schemes for the poor, this provision was commonly and actively pursued over the next two centuries.[39]

Historians have examined how this system was administered and considered the reluctance of householders to take in these young people – rarely however has it been considered from the perspective of the apprentices themselves. Effectively such workers provided temporary slave labour as unpaid servants. They had no choice about where or when they were placed, and were not allowed to leave, although many did run away. They existed on a spectrum of unfree service from servants who were paid and free to choose their employer but were bound to remain in place during their annual contract; compulsory servants who were placed with an employer for a year, but were paid; and finally pauper apprentices, who were placed with an employer and unpaid, and bound to remain in that place for seven years or more. All differed from slavery in that these people could expect to be independent householders once they married, although in the case of pauper apprentices, it is unclear how they were expected to accumulate the necessary resources to marry and set up household when they were unpaid.

The development of England's colonial economies in the New World provided the impetus for innovations in forms of unfree labour.[40] Clearly the slavery was the most significant on these. However, we should also consider indentured servants, who played a key role in the development of the earliest colonies. Indentured servants committed themselves to working for a period years in return for transport to the colonies and sometimes a payment upon completion.[41] It has been estimated that 60-65% of those travelling from the British Isles to mainland America were indentured servants in the seventeenth century.[42] Indentured servants also went to the islands of the Caribbean where conditions were harsher. Barbados was England's first Caribbean colony and the location of some of the most extreme experiments in new forms of unfree labour. Barbados, a largely uninhabited island, was colonised by the English in 1627, who stripped it of its natural tree cover and attempted to cultivate tobacco, before switching to sugar production in the 1640s. The historian of Barbados, Hilary Beckles, argues that white bound labour in Barbados was 'a new and different institution' that replaced 'traditional values and ideologies of master-servant relations' with 'the systematic application of legally sanctioned force and violence'.[43] Newman notes that in

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[37] 1536 Act for the Punishment of Sturdy Vagabonds and Beggars; 1549 Act touching the Punishment of Vagabonds and other Idle Persons.
[38] 1601 Act for the Relief of the Poor.
[39] Steve Hindle, *On the Parish? The Micro-Politics of Poor Relief in Rural England c.1550-1750* (OUP, 2004), pp. 191-223; Katrina Honeyman, *Child workers in England 1780-1820: Parish Apprentices and the Making of the Early Industrial Labour Force* (Aldershot, 2007); Jocelyn and R. D. Dunlop, *English Apprenticeship and Child Labour: A History* (London: T. Fisher Unwin, 1912), chapter XVI.
[40] Douglas Hay and Paul Craven ed., Masters, Servants and Magistrates in Britain and the Empire, 1562-1955 (University of North Carolina Press, 2004).
[41] Steinfeld, p.11.
[42] Simon P. Newman, A New World of Labor: The Development of Plantation Slavery in the British Atlantic (University of Pennsylvania Press, 2013) p.34 citing Tomlins. See also Steinfeld p.10 citing Abbott Emerson Smith.
[43] Quoted in Newman p.60. See Hilary Beckles, *White Servitude and Black Slavery in Barbados, 1627-1715* (1989).

the 1650s 69% of 'bound white labourers' transported to the colonies went to the island of Barbados alone.[44] They included voluntary indentured servants, vagrants, criminals and prisoners of war. By the mid seventeenth century Barbados was beginning to develop a plantation system based on the labour of enslaved people transported from Africa. Before that date however, it relied heavily on indentured servants.

Service in Barbados differed from that in England in a number of important ways. With little animal traction available, in a hot and humid climate, the work required was extremely demanding. Workers did not live with their employers as part of the household, but were instead expected to construct their own shacks to live in. The quality of food was also very poor. Workers were treated so badly that mortality levels were high. Plantation owners bought and sold white indentured servants between themselves as a form of property. The prospects for servants if they managed to complete their term of indenture were limited: the available land was quickly exhausted and there were few opportunities for wage labour. Initially servants were recruited willingly, but when information about the conditions was relayed back to England the supply voluntary workers dried up and was replaced by prisoners from the England and Ireland and enslaved Africans from the 1640s onwards.[45]

What do these developments tell us about the nature of less-than-free labour in England? Firstly, as Beckles notes, away from the restrictions of English society and law the 'paternalistic' English elite who established plantations on Barbados and later Jamaica did not attempt to recreate English society, instead they prioritised their own wealth and power. They did not want their servant-workers living within their households and were quite willing to exploit their workers to the point of death. All pretences of vertical social bonds were abandoned in to scramble to create as much wealth as quickly as possible by exploiting both workers and the natural environment to their extremes. English plantation owners were unwilling to turn workers from the British Isles into hereditary slaves, however. Instead, they acquired slaves from elsewhere, using the racial and religious difference to justify the development. By 1656 46,000 enslaved Africans had been brought to Barbados and by the second half of the century they made up the majority of the workforce and population of the island.[46] Just as there was a scale of freedom and unfreedom among servants in England, so a far harsher scale of unfreedom was created among workers in colonies such as Barbados. These ranged from the few free wage labourers who worked as craftsmen and overseers; to voluntary indentured servants who lacked freedom during their period of indenture, but had nonetheless entered the contract out of choice and could expect to be freed eventually if they survived; next there were those who were indentured without choice and whose term of indenture was sometimes indefinite, although they hoped to gain freedom at some point; and finally there were enslaved people whose unfree status was permanent and hereditary.

6. The experience of service

The circumstances of servants in England were many degrees better than those of Barbados. Yet English servants lacked rights that would have given them greater freedom and status within society. Muldrew sums up the current consensus about English service when he writes: 'of course a master's discipline could also be cruel, or their housekeeping stingy, and for this reason many servants moved

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[44] Newman p.34

[45] Newman; Beckles. See also Sonia Tycko, 'The legality of prisoner of war labour in England, 1648-1655' *Past and Present* 246 (2020).

[46] Newman, p.191. Newman notes that the population of Barbados consisted of 159 families of white planters, 20,000 whites (largely bound white labourers or their descendants), and 39,000 enslaved Africans, p.59.

to different households a great deal, but many other masters were kind and formed bonds of affection with their servants'.[47] Evidence from wills, which record both bequests from employers to servants and from servants to employers, suggest that some servants were treated well and became trusted friends and pseudo-family members.[48] Likewise, employment patterns recorded in household and farm accounts indicate that some servants chose to remain with particular employers for three or more years, suggesting the work relations and living conditions with those employers were good, and in some cases, preferable to leaving service and setting up an independent household on marriage.[49]

There are plenty of counter-examples however. Many employers complained they could not find or retain servants of sufficient quality, suggesting poor employment relations. The records of some employers shows them to have been capricious and unpleasant.[50] Courts record servants occasionally released from contracts because their wages were unpaid or they had been severely beaten or starved. Many female servants were made pregnant by their employer or his friends or relations, often through violence against their will.[51] These abuses arose precisely because of the powers given to masters and oft repeated advice of servants to obey and remain silent. That some employers behaved well does not negate the fact that many people were compelled enter service and lacked the rights to negotiate their treatment once they were employed. Despite the anachronism of such comparisons involve, it is worth remembering that few tolerate this type of employment contract in the modern world.[52]

Conclusions

This paper has argued that service was less free as form of labour than many historians assume. Even without the intervention of labour laws, once within a service contract workers were at the mercy of their employers. As such servants had no choice about their food and accommodation, could be asked to work any hours at any tasks, and could be physically punished at their employer's whim. Employers were expected to police their servants' behaviour and beliefs at all times. Service was the preferred form of wage labour – for employers and for the government, precisely because it curtailed workers' freedom in these ways. The labour and vagrancy laws added an extra layer of compulsion by classing the unemployed as vagrants and punishing vagrancy with whipping, mutilation and imprisonment. The unemployed could be placed in compulsory service and servants who broke contracts could be imprisoned and/or forced to return to their employers.

'Normal' service in which a worker freely entered into a contract with an employer to live and work with them for a year was closely related to a number of even less free forms of work. These included compulsory service, in which an unemployed person was placed with an employer they had not chosen; pauper apprenticeship, in which young people from poor families were placed in unpaid service for seven years or more; and indentured service, in which people were transported to colonies and worked for a number of year in return for the cost of their transport and a small reward on completion of their term. Prisoners, including those accused of vagrancy and prisoners of war,

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[47] Muldrew, p.221.
[48] Whittle 2005.
[49] Jane Whittle, 'A different pattern of employment: servants in rural England c.1500-1660', in Jane Whittle ed., *Servants in Rural Europe c.1400-c.1900*, Boydell Press (2017).
[50] Steve Hindle, 'Below stairs at Arbury Hall: Sir Richard Newdigate and his household staff, c.1670-1710' *Historical Research* 85:277 (2012).
[51] Add references here.
[52] Although see Dirk Hoerder, Elise van Nederveen Meerkerk and Silke Neunsinger ed. *Towards a Global History of Domestic and Caregiving Workers* (Brill, 2015).

were subject to compulsory indentured service in the colonies, sometimes for indefinite terms, from the mid 17th century onwards. These variations indicate that service was amenable to adaptation into forms of unfree work in a way that day labouring was not.

England's elite class of property-owners, members of which sat in Parliament and made the labour and vagrancy laws, who translated ancient texts and wrote household advice books, and who employed large numbers of servants, generally saw the workers who were employed as servants as social inferior and as having a duty to be subservient and not just to work, but to 'serve'. They understood that servants performed many of the same functions in sixteenth- and seventeenth-century society that slaves had performed in ancient society, and in most cases saw these roles as interchangeable. To be sure, service was not the same as slavery: servants could normally choose their employer, they were normally paid a small cash sum, and they could leave at the end of their agreed term of employment – these were all rights denied to slaves. Yet at the same time, service lacked many freedoms available to those employed by the day. Models of economic change and social structure that ignore these differences overestimate the degree of freedom in early modern society and ignore an important strand of inequality and social control that was a unique and significant element of society and economy in the late medieval and early modern period in England and other European societies.

Appendix: An excerpt from the 1547 Act for the Punishment of Vagabonds [on slavery]

'That then every such person shall be taken for a Vagabond and that it shall be lawful to every such master offering such Idle person service and labour, and that being by him refused, or who hath agreed with such idle person and from whom within the space agreed of service the said loiterer hath run away or departed before the end of the covenant between them, and to any other person espying the same, to bring or cause to be brought the said person so living Idly and loiteringly to two of the next Justices of peace there Resident or abiding, who hearing the proof of the Idle living of the said person by the said space living idly as is aforesaid approved to them by two honest witnesses or confession of the party, shall immediately cause the said loiterer to be marked with an hot Iron in the breast the mark of V. and adjudge the said person living so Idly to such presenter to be his Slave, to have and to hold the said Slave to him his executors or assigns for the space of two Years then next following and to order the said Slave as follows That is to say ; to take such person adjudged a Slave with him and only giving the said Slave bread and water or small drink and such refuse of meat as he shall think mete cause, the said Slave to work by beating, chaining or otherwise in such work and Labor how vile so ever it be as he shall put him unto; And if any manner of Slave either for loitering or for the cause before rehearsed so adjudged shall within the Space of the said two years here appointed run away, depart or absent him from his said Master by the space of 14 days together without licence it shall not only be lawful to his said Master to pursue and fetch him again by virtue of this Act but also to punish such fault by chains or beating as is aforesaid, And against the detainer, if any man do willingly detain him knowing him to be a Slave as is aforesaid, to have an action of trespass and recover thereby in damages Ten Pound besides the costs and charges of the suit for so detaining his said Slave; And further every such Master showing and proving by two sufficient witnesses the said Offence or fault of his running away before two Justices of peace of the same County ... the same Justices shall cause such Slave or loiterer to be marked on the forehead or the ball of the cheek. with an hot Iron with the Signe of an S. that he may be known for a loiterer and runaway and shall adjudge the loiterer and runaway to be the said Master's Slave for ever;
And if such Slave shall the Second time run away or absent himself if the said Master shall approve the same Second running away with two sufficient witnesses before the Justices of Peace in their general and Quarter Sessions, then every such fault and running away to be adjudged felony and such loiterer and runaway to be taken as a felon and thereof being lawfully indicted and attainted or otherwise condemned to suffer pains of death as other felons ought to do.'