

The Evolution and Expansion of Slave Codes During the Seventeenth, Eighteenth, and Nineteenth Centuries

Photo by Library of Congress Prints and Photographs Division, Public Domain.

by Michael Foley

Slave codes were used during the period of the seventeenth through the nineteenth centuries as a method of social, economic, and political control over slaves and were the result of slavery-related legislation and judicial decisions throughout the Southern states. Slave codes were put into place as slavery grew and laws were needed for the governance of the slaves and the interactions among the enslaved persons and the slaveowners and White non-slaveowners.

As the number of slaves grew and became a larger portion of the population, White people's fear and suspicion of slave rebellions grew. As a backlash of this fear, they implemented increasingly harsher slave codes over time. Changes to the slave codes during the seventeenth, eighteenth, and nineteenth centuries further eroded the rights, freedoms, and treatment of the slaves.

After the Thirteenth Amendment was ratified and slavery was abolished, Black Codes were put into place to replace the slave codes and preserve the inexpensive source of labor and maintain the social, economic, and political order in place under slavery (Sexton 2020, 78). Black Codes controlled freed African Americans, restricting their labor, movement, and rights as the South's attempt to essentially recreate slavery (Sexton 2020, 78). A clear path can be drawn from the slave codes to the Black Codes to the Jim Crow laws of the late nineteenth century and twentieth century.

What are Slave Codes?

As the number of slaves increased over time, suspicion and fear developed among the slaveowners and the Whites in the general population, and slave codes were the response (Lamm 2006, 1). Slave codes were a series of laws and practices that were a form of





Photo by Denisbin, CC BY-ND 2.0.

control over slaves and a set of rules that provided protection from slave uprisings, protected slave owners' property, and prevented slaves from escaping. They also controlled slave behavior and productivity and dictated standards for the relationship between the slave and the slaveowner, including rules and responsibilities for the plantation owners. The slave codes were intended to deprive enslaved persons of their rights and freedoms.

Southern White people living in states with large populations of slaves or in places where the slave population exceeded the White population grew concerned with the possibility of slave rebellions and uprisings. In the South, new, more stringent slave codes were developed after the American Revolutionary War ended in 1783 and in response to the Nat Turner Rebellion in 1831 (Lamm 2006, 1). Slave codes were also put into place to control the labor for work on the plantations, farms, factories, and railroads in the South (Morris 1996, 337).

Content of Slave Codes

One of the earliest slave codes is the Code Noir of 1724 for the Louisiana territory. Based on the 1685 *Louisiana Code Noir* for the French Caribbean colonies, the Code Noir of 1724 was in effect until 1803 when the United States (US) took over the territory. The Code Noir comprised of fifty-four articles ("Code Noir" 2007, 2) and can be divided into five distinct groups:

- instruction to masters on the treatment of slaves
- the legal status of slaves, how they should be dealt with in the courts, and how they should be punished
- instructions to masters to promote Catholicism among the slaves and to exclude non-Catholics
- misconduct of slaves
- free African Americans

Slave codes were organized differently from colony to colony and state to state depending upon the colony/state and the original model used for that specific slave code; however, there were many similarities among the various slave codes (Lamm 2006; "Extracts" 2022; Stroud 1856).



vice to their White plantation owners. The slave codes allowed enslaved people to be inherited by a slaveowner's heirs and the slaves' children followed the ownership status of the mother, ensuring slavery's continuation across generations. To enforce these laws, state and local slave patrols were created, groups of White men who enforced the slave codes, captured runaways, and imposed disciplinary actions (Berlin 1998).

Slave codes regulated nearly all aspects of an enslaved person's life, placing strict limits on movement, family formation, labor, commerce, religion, education, and social interaction. Slaves could not own property (Lamm 2006, 1). Enslaved people could not marry without a master's consent, possess guns or weapons, or engage in independent commerce or farming. Slaves could not assemble in groups without the master's permission. Religious ceremonies had to be held on Sunday and only between certain hours (Berlin 1998; "Code Noir" 2007; Lamm 2006).

There was no traveling off of plantations without written permission from the slaveowner, and slaves could not visit with free African Americans or associate with other slaves while off the plantation. Slaves were prohibited from learning to read or write. Enslaved individuals were barred from participating in the judicial system, including testifying against Whites or bringing legal claims. Religious practices and teachings were restricted or were allowed only under specific, defined conditions. The practice of African cultural customs and ceremonies was forbidden (Berlin 1998; "Code Noir" 2007; Lamm 2006).

Slave codes also outlined the rights and responsibilities of slaveowners, granting





Henry Ossana Tanner. *The Thankful Poor*. 1894.
Public Domain, via Wikimedia Commons.

them broad authority to discipline the slaves through corporal punishment (Lamm 2006, 1). The slaveowners were required to provide food, water, clothing, and shelter and to care for sick and elderly slaves. Additionally, provisions were included to punish slaveowners who did not follow the slave codes (Morris 1996, 195). Slavery was often a matter of undocumented local customs, traditions, and conditions instead of specifically written slave codes or laws.

Reasons for Slave Code Changes

The slave codes changed over time and became harsh due to concerns by the Whites and the plantation owners over the control of the slaves, the protection of their property, their safety from uprisings and rebellions, the protection of their economy and labor, and to control the growing slave population.

One of the primary reasons for more stringent slave codes was to control the behavior of the slaves as well as their social, economic, and political lives. The Whites felt their control was an issue of safety and order, and to prevent criminal acts and interbreeding. To maintain control over the slave's whereabouts and protect against any uprising, the movement and mobility of the slaves were restricted. This ensured that the plantation owners always knew where their slaves were, what they were doing, and who they were with to prevent escapes and conspiracies. Slave owners wanted more control of the communication between slaves as well as between free African Americans and slaves to prevent conspiracies for a rebellion. Finally, plantation owners wanted to ensure that their slaves were illit-

erate so they could not communicate by writing and reading. This ensured that the slaves could not read the abolitionist's anti-slavery newspapers and materials published in the North (Morris 1996; Wilson 2008; Martin 2013; Berlin 1998).

As the enslaved people were property, slaveowners wanted to protect their slaves from being abused or injured during punishment or even killed by other masters or other Whites. These changes were put into place to ensure that the investment the slaveowners made in the slaves remained intact (Berlin 1998).

Slave codes were amended to ensure safety for the Whites from uprisings, rebellions, sedition, and conspiracies. The slave codes strengthened the social and labor controls needed to allow slaves to work, but limited their freedom enough so they were unable to plot a rebellion or be inspired by other rebellions (Berlin 1998; Mills 2001; Thompson 1993).

Many slave codes were made harsher to protect the White economy and labor. The codes controlled what slaves could produce and sell on their own, including their own labor during the times they were not working. The stronger slave codes controlled the work and occupations that the slaves and free African Americans could perform. Free African Americans would often take jobs that some believed should be filled by Whites, so slave codes ensured that free African Americans only worked in agricultural jobs. In addition, some of the slave codes were changed to punish Whites for purchasing goods from or doing business with slaves or free African Americans. These slave codes related to labor and the economy were often not strictly enforced during good economic times but were strictly enforced during times of economic hardship (Olson 1944; Martin 2013; Berlin 1998).

In many places, the growing slave population meant that the majority was being controlled and oppressed by the minority. Oftentimes, the population of slaves would exceed the population of Whites as slavery grew in different areas. Stronger controls and restrictions were required to maintain order and to successfully ensure Whites remained in control. The slave codes were changed to provide additional controls to prevent slaves from banding together for uprisings and rebellions (Mills 2001; Nordstrom 1980; Martin 2013).

The changes to the slave codes over time were focused on tightening existing codes and adding new restrictions so that these concerns were addressed as times and conditions



changed. They were also changed in order to further prevent slaves from having opportunities to rebel as fears increased over reports of more and more slave rebellions.

Slave Rebellions

One constant throughout slavery in the Americas was the White’s fear of an insurrection by slaves. Several insurrections and rebellions caused a great deal of concern on the part of Whites and plantation owners and were responsible for the toughening of the slave codes and obligated the enforcement of the existing slave laws. The following is a brief description of some of the more important rebellions in the history of slavery in North America and the slave uprisings that affected plantation owners and White slaveowners the most.



Photo by Library of Congress Prints and Photographs Division, Public Domain.

The Stono Rebellion

The Stono Rebellion of 1739 occurred in the colony of South Carolina and was one of the first rebellions on the US soil. The government sent twenty slaves to the Stono River to build a road, and the slaves organized and formed a militia. The militia’s goal was to make their way to Seminole

or Spanish towns in Florida to gain their freedom. However, the slaves were stopped by the South Carolina militia before they reached Florida. As a result, South Carolina passed a harsher slave code in 1740 to prevent future rebellions (Martin 2013, 689).



Aaron Martinet (1762-1841), designer. Alphonse-Charles Masson (1814-1898), engraver, CC BY-SA 4.0, via Wikimedia Commons.

The Saint Domingue Rebellion

The Saint Domingue Rebellion of 1791 consisted of a slave army that burned plantations and defeated French troops to liberate Saint Domingue in Haiti making it the only successful slave uprising in the Americas. After France declared war

on Great Britain in 1793, British troops attempted to attack Saint Domingue but were never successful at taking the city, resulting in an independent republic under Black leadership. The uprising’s success shocked plantation owners throughout the US as they feared a similarly successful uprising and concerned plantation owners that their slaves may be inspired by the success in Saint Domingue. This motivated the slave-owning states to implement more severe slave code provisions (Berlin 1998, 221).



Photo by unknown author, 1811 German Coast Uprising, engraving, Public Domain, via Wikimedia Commons.

The German Coast Uprising

The German Coast Uprising of 1811 (also known as Andry’s Rebellion) was a slave revolt that occurred in Louisiana, outside of New Orleans. Slaves rebelled by attempting to kill plantation owner Manual Andry and his son. They failed to kill Andry but killed his son. As the

rebels marched towards New Orleans, they continued to gather slaves from other plantations until their numbers rose to almost five hundred slaves. Two days later seven hundred troops crushed the rebellion resulting in two White troops and almost one hundred rebel slaves killed. A trial found eighteen slaves guilty and sentenced them to be killed by firing squad (Ingersoll 1995; Momodu 2007).



Photo by Theguywholearnhistory, CC BY-SA 4.0, via Wikimedia Commons.

Nat Turner's Rebellion

Nat Turner’s Rebellion of 1831 in Southampton Virginia was a rebellion led by Nat Turner, who believed he had had a vision from God, telling him to free the slaves. Nat Turner and forty other slaves rose up and killed fifty Whites before the rebellion was suppressed





Johnson Malvin Gray. *Nat Turner*. 1934. New York Public Library's Digital Collection, CC0 1.0.

by the militia. After evading capture for ten weeks, Turner was executed after a short trial. About one hundred additional slaves believed to be involved in the conspiracy, but likely innocent, were also killed (Middleton 2020). The Nat Turner's Rebellion shocked many other slaveholding states and proved that slave rebellions were happening in the country.

Many states used these rebellions as the reasoning behind making their slave codes harsher and strengthening the enforcement of the slave code provisions already in the law to more effectively prevent conspiracies and rebellions (Mills 2001). The plantation owners' fear of rebellions was constant, and the states gradually updated and modified their slave codes to control and prevent any successful uprisings by the enslaved people.

Slave Code Changes

The slave codes changes of the seventeenth, eighteenth, and nineteenth centuries addressed several different areas. There were new and additional restrictions put into place as well as increased code enforcement from Whites since there had been lax enforcement of the codes already in place. Additionally, new lists of crimes and harsher punishments were added, causing intensified surveillance by slave patrols who had increased authority to implement tougher discipline. There were also significant changes in commerce involving slaves such as penalties for White people caught trading with slaves; eliminating the slave economy by limiting their right to produce, buy, and sell goods; and preventing slaves from

selling any goods in competition with Whites. The changes denied slaves the right to grow their own crops, keep their own livestock or horses, or labor for their own benefit during their time off.

Changes were made affecting the slave's ability to travel such as eliminating traveling by horse and allowing Black persons to be stopped and interrogated by a White person for any reason. Migration was shut down in the South and some places in the North, restricting the movement of free African Americans as well. Free African Americans were told they had to leave their location, but were not allowed to enter some states, and freed slaves had to leave within one year. Moreover, the stricter slave codes stiffened education prohibitions against learning to read and write due to the increased availability of anti-slavery newspapers from the North.

There had always been a disparity between the slave codes enacted into law and their enforcement. One of the main outcomes from the rebellions was that the existing slave codes were being enforced and more severe punishments were put into place for violating the codes (Berlin 1998; Thompson 1993; Rugemer 2013).

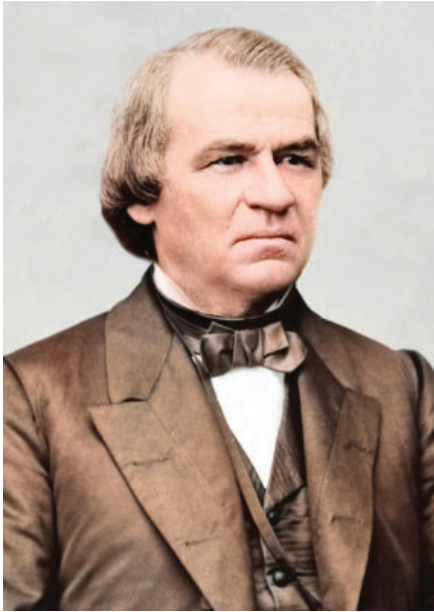
Black Codes of 1865 and 1866

With the passage of the Thirteenth Amendment in 1865, the abolition of slavery meant the end of the slave codes since enslaved people were now free. The states that had seceded scrambled to put new laws and regulations into place that would continue some semblance of slavery by limiting the freedoms of African Americans, ensuring the availability of cheap labor, protecting their primary source of labor, and segregating the Whites from the African Americans. Black Codes were a series of state laws intended to define the rights and responsibilities of the newly freed African Americans and were a new way to control African Americans once the slave codes had been outlawed (Foner 2015). Black Codes replaced the social, economic, and political controls Whites enjoyed during slavery that ended with the implementation of the Thirteenth Amendment. Numerous Black Codes were enacted across the United States, but most commonly in the South, after the Civil War ended in 1865 and were intended to ensure the continuance of White supremacy.

Black Codes gave the freedmen certain rights such as the right to buy and own prop-



erty, marry, make contracts, and testify in court in cases involving their own race (Foner 2015). Black Codes also included many of the same restrictions as those in the slave codes that denied freedmen the right to work in certain occupations, serve on a jury, testify against Whites, and vote (Lamm 2006, 2). Black Codes also included forced labor provisions allowing for apprenticeships for minors who were orphaned or whose parents were deemed unfit to care for them; this ensured unpaid labor for the plantation owners (Foner 2015).



President Andrew Johnson, photo by Samuele Wikipediano, CC BY-SA 4.0, via Wikimedia Commons.

In 1866 and 1867 the former Confederate states enacted Black Codes to undermine the North and President Andrew Johnson’s Reconstruction program. Reconstruction was a time when the nation attempted to redress the inequalities of slavery and implement a new social, economic, and political order. It was also intended to solve problems related to the readmission of the eleven states that had seceded from the Union. However, the South continued to resist integration and instead developed the Black Codes to restore the old order under slavery. Mississippi and South Carolina were the first to enact some of the harshest and most restrictive Black Codes. For example, many states required African Americans to have proof of manual labor contracts; if they did not have one or did not fulfil their contract, they risked losing wages, being arrested or fined, or forced into unpaid labor. In South Carolina, African Americans were only allowed to work as farmers or servants. For the right to work in any other occupation, they had to pay the state anywhere from ten to one hundred dollars. Also, there were strict penalties for vagrancy—being without work, idleness, homelessness—which included possible forced unpaid labor in a labor camp (Foner 2005). Black Code provisions showed that Southern Whites were unable to comprehend or accept equality and freedom for African Americans (Foner 2005).

Black Codes essentially reestablished the old economic, social, and political order, putting African Americans “back in their place,” or as close to it as the law and its enforce-

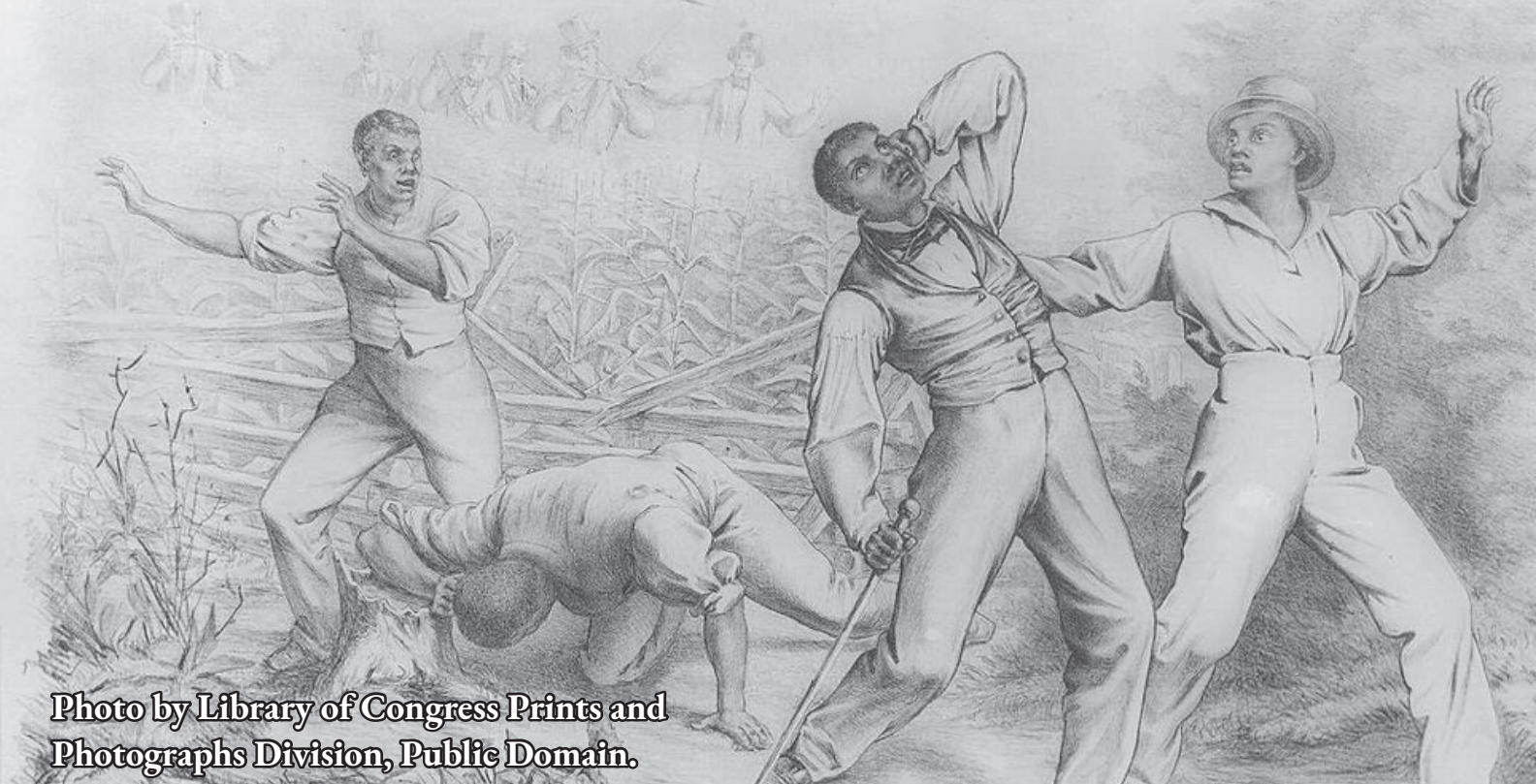


Photo by Library of Congress Prints and Photographs Division, Public Domain.

ment would allow (Middleton 2020). As Edmund Rhett of South Carolina argued, it was necessary to keep the freed slave “as near to his former condition as Law can keep him. That he should be kept as near to the condition of slavery as possible, as far from the condition of the [W]hite man as is practicable” (“Heritage” 2008). The Black Codes outraged Northerners who claimed the codes violated the free market for labor and “restored all of slavery but its name” (Foner 2005). Northerners doubted Whites in the South would ever be prepared to accept the reality of emancipation (Foner 2005).

In response to the Black Codes, Congress passed the Civil Rights Act of 1866, which defined citizenship and provided the same rights regardless of race; the Fourteenth Amendment in 1868, which guaranteed citizenship and equal rights and that no citizen could be deprived of life, liberty, or property without due process; the Fifteenth Amendment in 1870, which allowed males the right to vote regardless of race; and the Civil Rights Act of 1875, which prevented racial discrimination in public accommodations. No longer were states allowed to enact Black Codes, creating laws that applied only to African Americans and not Whites and limiting the rights and freedoms of African Americans (Foner 2005).

The Black Codes were eliminated by the end of Reconstruction in 1877; however, many of the Black Code provisions were reincorporated into Jim Crow laws. The slave codes and Black Codes lived on in the form of Jim Crow laws, and other forms of segregation



and discrimination, until challenged by the Civil Rights movement in the 1950s and 1960s (Lamm 2006, 2).

Jim Crow Laws

Southerners continued to look for ways to control African Americans and maintain some semblance of slavery. These were reconstituted in the form of Jim Crow laws, named after a Black minstrel show character. Jim Crow laws were a collection of state and local laws that legalized racial discrimination and segregation. Those attempting to defy the Jim Crow laws were arrested, fined, jailed, met with violence, or even killed. Those jailed could be used as unpaid labor in labor camps, on plantations, or at private companies. African Americans and Whites were segregated. African Americans were barred from restaurants, parks, theaters, hotels, public swimming pools, and colleges and had to attend separate schools. Housing was segregated through the use of redlining, or the practice of restricting African Americans housing to certain neighborhoods. African Americans were prevented from voting through the use of literacy tests and poll taxes.



President Harry S. Truman, photo by WikiImage, Public Domain.

Post-World War II, there were increased civil rights activities intended to tear down the Jim Crow system. President Harry Truman integrated the military in 1948, and in 1954 the Supreme Court ruled in *Brown v. Board of Education* that segregation was unconstitutional and brought an end to the separate-but-equal era. The Civil Rights Act of 1964 outlawed discrimination and segregation, bringing an official legal end to the Jim Crow laws. Other legislation further ensured equal rights for African Americans, including the Voting Rights Act of 1965 and the Fair Housing Act of 1968 (Onion 2025, 6).

Conclusion

The slave codes of the seventeenth through nineteenth centuries, the Black Codes of the nineteenth century, and the Jim Crow laws of the nineteenth and twentieth centuries all implemented restrictions limiting the social, economic, and political rights of African



Americans. The slave codes outlawed by the Thirteenth Amendment, as well as the Black Codes that replaced them, lived on in the form of the Jim Crow laws, bringing segregation and discrimination into the nineteenth and twentieth centuries, and continuing a long line of attempts to control African Americans and deny them their rights and freedoms.

There is a clear path from the slave codes to the Black Codes to the Jim Crow laws over the past four hundred years, spanning from the early days of slavery to the end of the Jim Crow era in the 1960s. Slave codes continuously grew harsher to control slaves and prevent rebellions. Black Codes replaced slave codes after abolition, which were then replaced by Jim Crow laws . These were all continuing attempts to preserve the practices of slavery; limit and control the economic, social, and political lives of African Americans; and continue segregation and discrimination. All were derived from the original slave codes in place during slavery.



Bibliography

- “(1724) Louisiana’s Code Noir.” *BlackPast.org*, 28 July 2007. <https://blackpast.org/african-american-history/louisianas-code-noir-1724/>.
- Berlin, Ira. *Many Thousands Gone: The First Two Centuries of Slavery in North America*. The Belknap Press of Harvard University Press, 1998. <https://archive.org/details/many-thousandsgonoooooberl/page/n5/mode/2up>.
- “Extracts from the American Slave Code.” *Kent State University Libraries. Special Collections and Archives*. <https://omeka.library.kent.edu/special-collections/items/show/7380>. Accessed 03 Mar. 2022.
- Foner, Eric. *A Short History of Reconstruction [Updated Edition]*. Harper Perennial Modern Classics, 2015. <https://www.perlego.com/book/599742/a-short-history-of-reconstruction-updated-edition-pdf>.
- Foner, Eric, and Joshua Brown. *Forever Free: The Story of Emancipation and Reconstruction*. Vintage Books, 2005. <https://archive.org/details/foreverfreestory2006fone/page/n7/mode/2up>.
- “Heritage Not Hate.” *Chicora Foundation, Inc.*, 2008. <https://chicora.org/heritage-not-hate.html>. Accessed 14 Apr. 2026.
- Ingersoll, Thomas N. “Slave Codes and Judicial Practice in New Orleans, 1718—1807.” *Law and History Review*, vol. 13, no. 1, Spring 1995, pp. 23–62. *JSTOR*, <https://www.jstor.org/stable/pdf/743955>.
- Lamm, Alan K. “Slave Codes.” *NCpedia, State Library of North Carolina*, 2006. <https://www.ncpedia.org/slave-codes>.
- Martin, Daisy. *Exploration and Colonial America (1492–1755)*. Salem Press, 2013. *EBSCOhost*, <https://research.ebsco.com/c/pogs52/ebook-viewer/pdf/zc2udbtckv?route=details>.
- Middleton, Stephen. “Repressive Legislation: Slave Codes, Northern Black Laws, and Southern Black Codes.” *Oxford Research Encyclopedia of American History*, 28 Feb. 2020. <https://doi.org/10.1093/acrefore/9780199329175.013.634>.
- Mills, Michael P. “Slave Law in Mississippi from 1817–1861: Constitutions, Codes and Cases.” *Mississippi Law Journal*, vol. 71, no. 1, Fall 2001, pp. 153–240. *HeinOnline*, https://heinonline.org/HOL/Page?public=true&handle=hein.journals/mislj71&div=9&start_page=153&collection=journals&set_as_cursor=0&men_tab=srchresults.
- Momodu, Samuel. “Andry’s Rebellion (1811).” *BlackPast.org*, 12 Mar. 2007. <https://blackpast.org/african-american-history/andry-s-rebellion-1811/>.
- Morris, Thomas D. *Southern Slavery and the Law, 1619—1860*. The University of North Carolina Press, 1996. <https://ndl.ethernet.edu.et/bitstream/123456789/19415/1/537.pdf>.
- Nordstrom, Carl. “The New York Slave Code.” *Afro - Americans in New York Life and History (1977–1989)*, vol. 4, no. 1, Jan. 1980, pp. 7. *ProQuest*, https://www.proquest.com/docview/219940248?_oafollow=false&pqorigsite=primo&sourcetype=Scholarly%20Journals.
- Olson, Edwin. “The Slave Code in Colonial New York.” *The Journal of Negro History*, vol. 29, no. 2, Apr. 1944, pp. 147–165. <https://doi.org/10.2307/2715308>.
- Onion, Amanda, et al. “Jim Crow Laws.” *History*, 03 Dec. 2025. <https://www.history.com/articles/jim-crow-laws>.

- Rugemer, Edward B. “The Development of Mastery and Race in the Comprehensive Slave Codes of the Greater Caribbean during the Seventeenth Century.” *William and Mary Quarterly*, vol. 70, no. 3, July 2013, pp. 429–458. <https://www.jstor.org/stable/10.5309/willmaryquar.70.3.0429?sid=primo&seq=7>.
- Sexton, Jared Yates. *American Rule: How a Nation Conquered the World but Failed Its People*. Dutton, 2020. <https://dokumen.pub/american-rule-how-a-nation-conquered-the-world-but-failed-its-people-9781524745714-1524745715.html>.
- Stroud, George M. *A Sketch of the Laws Relating to Slavery in the Several States of the United States of America: With Some Alterations and Considerable Additions*. H. Longstreth, 1856. *Internet Archive*, <https://archive.org/details/sketchoflawsrelaoilcstro/page/n5/mode/2up>.
- Thompson, Joseph Conan. “Toward a More Humane Oppression: Florida’s Slave Codes, 1821–1861.” *The Florida Historical Quarterly*, vol. 71, no. 3, Jan. 1993, pp. 324–338. *JSTOR*, <https://www.jstor.org/stable/30148217?seq=1>.
- Wilson, Charles Reagan. *The New Encyclopedia of Southern Culture: Volume 10: Law and Politics*. Edited by James W. Ely and Bradley G. Bond, University of North Carolina Press, 2008. *JSTOR*, https://www.jstor.org/stable/10.5149/9781469616742_ely.



Michael Foley

is a writer and a graduate student at the University of Arkansas Little Rock in the Professional and Technical Writing Program. Michael holds a Master’s degree in Criminal Justice from American Public University and Bachelor’s degrees in Psychology and History from the UA Little Rock. His interests include mental health, psychology, criminal justice and criminology, history, race, social justice, and human rights.

